

General Government Committee

Steve Kay-At-Large – Chair

Jenny Scutchfield-7th District – Vice Chair

Linda Gorton-Vice Mayor

Chris Ford-1st District

Shevawn Akers-2nd District

Diane Lawless-3rd District

Julian Beard-4th District

George Myers-8th District

Harry Clarke-10th District

Ed Lane-12th District

Staff:

Jenifer Benningfield

AGENDA
GENERAL GOVERNMENT COMMITTEE
February 5th, 2013
11:00am

- | | | | |
|----|---|----------------|---------|
| 1. | Vice-Chair Selection | Steve Kay | |
| 2. | Approval of Summary | Steve Kay | (1-5) |
| 3. | Amendment of Section 4.104 of Council Rules | Glenda George | (6-11) |
| 4. | Metro Employees Credit Union Lease and PSA Update | Sally Hamilton | |
| 5. | Website Linking Policy | Scott Shapiro | (12-13) |
| 6. | Items Referred To Committee | Steve Kay | (14) |

Future Committee Meetings

March 5th, 2013

April 9th, 2013

May 7th, 2013

June 4th, 2013

July 2nd, 2013

August 13th, 2013

September 10th, 2013

October 1st, 2013

November 5th, 2013

“The General Government Committee, to which shall be referred matters relating to the general administration of government; The Department of Law; The Department of General Services; each department’s respective divisions; and, any related partner agencies.”



General Government Committee

January 15th, 2013

Summary and Motions

Vice Mayor Linda Gorton called the meeting to order at 11:00am. Council Members Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Jennifer Scutchfield, Harry Clarke, and Ed Lane were present.

1. Election of Committee Chair

Motion by Lane to nominate Kay for Chair of the General Government Committee. Seconded by Lawless. Motion passed without dissent.

Kay accepted the nomination.

Motion by Clarke to elect Kay as Chair of the General Government Committee. Seconded by Beard. Motion passed without dissent.

Kay told Committee members that he would not be selecting a Vice Chair at this time.

2. Approval of Summary

Motion by Lane to approve the November 13th, 2013 meeting summary. Seconded by Beard. Motion passed without dissent.

3. Parks Master Plan

Commissioner Sally Hamilton came to the podium to present the Parks Master Plan. She began by telling Council Members that the LFUCG operates over 100 parks and 100 facilities. They have an annual budget of \$15MM, 154 employees, and 800 seasonal employees.

Hamilton said that Division is organized into three sections: Recreation; Enterprise; and Maintenance, Planning and Design. Short-term recreation projects will include building out the Shillito multi-use fields; creating extreme sports facilities with archery, ropes/challenges, climbing walls, and bike pump trails; repurposing underused tennis courts into skate spots and futsal areas.

To meet the growing needs of our community, Hamilton mentioned completing park trails at Masterson Station and Jacobson Park and creating outdoor gyms and fit stops in other local

parks. Hamilton went on to say that they want to repurpose the Carver Center into an Art, Culture, and Education Center with emphasis on arts programs for all ages; locate additional facilities for top performing summer camp programs; complete the Wellington Park Sensory Garden and pedestrian bridge; extend “I Do” initiatives each summer using seasonal dollars and volunteer efforts.

Hamilton said they are hoping to build outdoor gyms in larger parks as well as create contemporary community centers and innovative skate parks.

The Division of Parks Enterprise section includes aquatics, golf, concessions, and extended school programs, as well as rentals, shelters, meeting rooms and event space.

The Division of Parks also operates four aquatic centers, three neighborhood pools, a marina, 16 paddle boats and four decorative fountains in the downtown area. Since 2011, the cost per patron has decreased by \$0.97, from \$3.38 to \$2.47. However, Lexington pools have 100,000 fewer patrons today than in 2000. Hamilton said that Lexington’s pools have a dated feel and lack spray features, big slides and climbing walls.

In the short-term they want to attract more families with added play features, shade structures and an increased paddle boat fleet. They also want to add an East End splash pad, updated concessions at Castlewood, a larger baby pool at Shillito and an expanded Better Bites Program.

To attract teenagers, they want to add climbing walls at Castlewood, Douglass, Shillito, and Woodland. Finally, to attract seniors, they want to reduce pool depth and remodel restrooms at Picadome.

The Division also operates five golf courses in Fayette County. Since 2011, the net cost to operate the golf program has decreased \$457,201. There has also been a 9.30% increase in rounds since 2011.

Short-term golf projects include: replacing the Lakeside Golf Course Irrigation System; restoration of the bunkers at the Kearney Hill Golf Links; upgraded kitchens at Lakeside, Kearney Hill, and Bates Creek golf courses; development of golf tour packages by working with Commerce Lexington, Kentucky’s Department of Tourism and others. Finally, they will continue to monitor usage and participation rates as well as the continuation of the evaluation of the demand for golf in Fayette County.

Hamilton also mentioned the maintenance section. She said that they mowed 2,300 acres, maintained 66 ball fields, supported 157 special events, inspected and performed repairs on 63 playgrounds and reduced expenditures through outsourcing, charging for maintenance at special events, and other efficiencies. In the short-term, they want to improve Phoenix Park, establish a Downtown Maintenance District, prioritize the replacement of park access/roadways, implement sustainable models of maintenance and building standards, create greenway/trail maintenance crews and establish an equipment replacement schedule.

Hamilton told Committee Members that the 2009 Park Master Plan recommendations included:

- Invest in a dedicated funding source or periodic major park improvement bonds.

- 125 specific recommendations...many already adopted.
- Approximately \$80MM of redevelopment/new facility needs remain from initial Master Plan effort in 1998.
- Create a focused philanthropy effort through a Conservancy in partnership with community leaders.
- Develop guidelines/standards to promote and increase sponsorships and address naming rights.
- Review accreditation process with the Commission on Accreditation of Parks and Recreation Agencies (CAPRA).

Lawless mentioned the Kaboom Fun Initiative and said that only one city in Kentucky has that accreditation. Lawless also asked Hamilton about the need for a grant writer. Hamilton said that they would like to hire a grant writer. She said that she is not sure the position would be housed in the Division of Parks but said that it would be a tremendous investment.

Gorton asked Hamilton if they have looked at forming a small group of citizens to assist with maintenance issues. Hamilton agreed it was a great idea but said they had not considered it.

Beard asked Hamilton where the LFUCG stands on bonding limits. Hamilton said that she is getting ready to have discussions about bonding capacity.

Akers asked Hamilton if there has been an audit performed for income potential. She gave the example of field rentals. Hamilton said that they have not done a formal assessment. Hamilton said that she had received a list of questions from Akers and she will answer them and send them out to all Council Members.

Jerry Hancock came to the podium and said that he follows a Council approved fees schedule. Hancock said that they should have a discussion about who will review the fees going forward.

4. Metro Employees Credit Union Lease and PSA

Hamilton said that they are working on the PSA and it will be ready for the February 2013 General Government Committee meeting.

5. Amendment of Section 4.104 of the Council Rules

Glenda George said that this item is to give the Mayor authority to approve certain items. George began a discussion on (h) 'legislative review.'

Lawless told George that one of the reasons behind this was expediency and the other was not to have to advertise certain items in the paper. George said originally they looked at this to save costs, but the General Assembly passed legislation so that the LFUCG no longer needs to publish all resolutions in the paper.

Lawless asked if the Council could still debate and vote on any of these items during the Work Session. George said they could debate them and they could make a motion to place the issue on the agenda for Thursday night. Lawless also asked about price contracts.

Gorton asked how these items will become part of the permanent official record. George said that they would not become part of the official record; they would only be in the minutes of the Work Session. Gorton asked to substitute 'after' for 'when' in (h) (a). Gorton also asked about the \$20,000 figure in (h) (b). Todd Slatin said that the figure should be \$19,999.

Gorton went on to ask about changing 'may' to 'shall' in the paragraph beginning with 'The Urban County Council.' Finally, Gorton suggested removing 'g' which deals with change orders. Gorton said that she thinks that change orders should be part of the public record.

Lane agreed with Gorton on change orders. Lane also asked about price contracts. Lane asked if the information listed could be placed on the docket as information or communications from the Mayor. George said that they could do that.

Lane also suggested using the following language for the final paragraph:

'If no action is taken, then the Mayor under his authority may execute said agreements.'

Lawless asked about the subsection that reads \$19,999. She asked for clarification regarding multiple contracts with one person or entity. Slatin said that one entity cannot have contracts totaling \$19,999 or more without issuing an RFP.

Kay asked that if an item is removed from the list, will the Mayor still be able to execute it. George said no. Kay asked if they could remove 'remove' and replace it with 'add to docket.' George agreed to make that change.

Lawless told Kay that her concern is having price contracts on the list. She said that she is concerned about this because when she first came on the Council, they terminated a contract with a local company to enter into a contract with Dell. She wants to be friendly to locally owned businesses.

Slatin said with a price contract, there is no limit involved. What they can spend is what is allocated to that division in the budget.

Lane asked Susan Lamb about the bluesheet process. He asked if this process will make the Clerk's job more difficult. Lamb said that she doesn't see any transparency issues because the documents will be in legistar.

Akers agreed with Gorton about items that have budget implications. Slatin said that with the price contracts, the divisions will only be able to spend what they have been budgeted for that fiscal year.

Gorton asked about item (j), 'acceptance of donations of goods or services that do not require a budget amendment.' George said that monetary donations will still require readings, but goods and services will not.

Lawless said that she doesn't necessarily want to remove price contracts from the list, but wants to see them and have the opportunity to place them into committee if necessary.

Lane asked Stacey Maynard if she is comfortable with the process. She said yes. She said that her staff will have to do summaries of the Work Sessions instead of doing a table of motions.

Kay said that the item will stay on the referral list and will be on the next General Government Committee agenda.

Gorton asked about items on the Mayor's communication list and George said that if the Council takes no action, the Mayor would have authority to execute those agreements immediately following that meeting.

6. Items Referred to Committee

Motion by Ford to remove the General Services Link recommendations from the items referred list. Seconded by Lawless. Motion passed without dissent.

Lawless said that Scott Shapiro was supposed to make a presentation on this item. Benningfield said that the item is ready, and she needs to know if the Council Members want Shapiro to report back to the committee. They said yes.

Motion by Lawless to remove the contracting of abatement of tall grass and weeds from the items referred list. Seconded by Gorton. Motion passed without dissent.

Motion by Ford to remove the number of days a property is allowed to abate a nuisance from the items referred list. Seconded by Clarke. Motion passed without dissent.

Motion by Lane to remove Ordinance 4-75 from the items referred list. Seconded by Gorton. Motion passed without dissent.

Motion by Lawless to remove the discussion to limit smoking in public parks from the items referred list. Seconded by Gorton. Motion passed without dissent.

Motion by Gorton to remove the procedure for underwriting or sponsoring one of our facilities or parks, how it would be done, how it would be contracted, work up a list of pricing including naming rights from the items referred list. Seconded by Lane. Motion passed without dissent.

Motion by Lane to adjourn. Seconded by Gorton. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist

DRAFT
1/30/13

RESOLUTION NO. _____-2013

A RESOLUTION AMENDING SECTION

WHEREAS, the Urban County Council, by Resolution No. 55-79, as amended, has adopted "Rules and Procedures of the Lexington-Fayette Urban County Council"; and,

WHEREAS, the Urban County Council has traditionally formally approved certain matters for which the legal parameters for administrative action have been established by statute, ordinance or resolution; and

WHEREAS, the Urban County Council desires to conduct its business as effectively and efficiently as possible; and,

____WHEREAS, Section 5.104 of the rules provides that "[n]o permanent change shall be made to these Rules without notice specifying the purpose and wording of the change given prior to the consideration of the change and the adoption of the permanent change by a majority of all Councilmembers through an amending resolution"; and,

WHEREAS, notice of the aforementioned changes was given to all Councilmembers at Council work session on _____, 2013².

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE COUNTY GOVERNMENT:

Section 1 – That Section 4.104 of the Council Rules be, and hereby is, amended to read as follows:

Sec. 4.104. - Work session

(a) The urban county council shall meet at the dates and times specified in a schedule of meetings adopted annually by the council by ordinance, in the council chamber on the second floor of the Lexington-Fayette Government Center, for purposes of conducting a "work session". Action taken by the urban county council at a work session is procedural in nature. A quorum for work sessions shall consist of not fewer than eight (8) of the fifteen (15) members of the council. The following order of business shall apply for work sessions of the urban county council:

- I. Public comment - agenda items only.
- II. *Requested rezonings/docket approval. (No item shall be placed on the docket which has not been approved at work session, either as part of the work docket or as a separate item at work session, except in case of emergency and except as limited by section 4.07 of the Charter).
- III. Approval of summary.
- IV. *Budget amendments.
- V. Legislative Review
- VI. New business.
- VII. Continuing business/presentations.*
- VIII. Council report.
- ~~VIII~~IX. Mayor's report.
- IX. Public comment.

(b) The work session agenda shall be composed of items referred from the following sources:

- (i) Councilmembers;
- (ii) Council committees; and

(iii) Mayor.

(c) The work session agenda, which shall also include items deferred from previous work sessions, shall be prepared and delivered on the Friday preceding the scheduled work session

(d) At work session, the council will take one (1) of the following steps after discussion of each agenda item.

- (i) Refer it to a council committee;
- (ii) Refer it to the administration for action, report or a recommendation;
- (iii) Place it on the docket of an official council meeting;
- (iv) Remove or defeat; or
- (v) No action; received as information.

(e) At the work session preceding an official council meeting, the council shall also consider, in addition to its work session agenda, a tentative docket for the coming meeting. This "work" docket is prepared by the council clerk and shall include the following:

- (i) Items previously referred to the docket by the council;
- (ii) Zoning amendments;
- (iii) Acceptance or rejection of bids; and
- (iv) Communications from the mayor.

(f) In the case of a requested rezoning, the council shall during work session decide whether to follow the planning commission's recommendation without a hearing; to review the planning commission record and (i) base its decision thereupon; or, (ii) hold its own hearing and base its decision both upon its and the planning commission record. In cases where more than one (1) zone change is placed on the work docket and public hearings are scheduled, the zone change applicant who filed the earliest with the division of planning shall be given preference in selecting a public hearing date, unless the planning commission hears the cases in an order different from that based on the time and date of filing the zone change request. In such cases the order in which the planning commission decides the zone change requests shall prevail over applicants who filed earliest.

(g) In cases where the council decides to hold its own public hearing and base its decision both upon its and the planning commission record, the

council shall endeavor to schedule the hearing for a time at which at least thirteen (13) councilmembers have indicated that they can be in attendance; provided, however, that since Charter section 4.07 states that the required quorum for all official meetings of the urban county council is only ten (10) members, the council may consequently choose to proceed with any scheduled hearing on the hearing date notwithstanding that less than thirteen (13) members are in attendance so long as at least ten (10) members are present. At the scheduled time of the hearing, the council may alternately determine to postpone the hearing to a reasonable time thereafter for the purpose of securing the attendance of at least thirteen (13) members.

(h) The mayor's office may place the following items on the work session agenda under legislative review:

(a) Execution of deeds and easements for multi-use trails projects, storm and sanitary sewer projects and roadway construction projects which when after the projects have received Council approval

(b) Execution of contracts in an amount not to exceed ~~\$24,999~~ 19,999 for which Council has budgeted funds;

(c) Execution of professional services contracts in amounts not to exceed \$19,999 in the aggregate per project for which Council has budgeted professional service funds for a division. Professional services contracts in amounts of \$20,000 or more shall be approved by Council };

(d) Execution of Easement Releases and Encroachment Agreements;

(e) Execution of equipment maintenance contracts for which Council has appropriated funds;

(f) Extensions of existing grant agreements previously approved by Council which do not involve any additional appropriation of revenue;

(g) Execution of change orders on any contracts in which the cumulative or aggregate amount of the change orders does not exceed the lesser of 10% of the original contract price or \$25,000

(h) Execution of Closing Statements for deed and easement acquisitions for which Council has budgeted funds;

(i) Executing and submitting grant applications except as required; and

(j) Acceptance of donations of goods or services that do not require a budget amendment; and

(k) Price Contracts

The urban county council mayshall review and discuss each item listed on the work session agenda under legislative review . After review and discussion, the following actions may be taken:

- (i) Refer it to a council committee;
- (ii) Refer it back to the administration for additional information;
- (iii) Remove place on the docket; or
- (iv) No action.

If no procedural action is taken, then the mayor has the authority to execute any of items listed for legislative revieware approved and a list of all executed documents shall appear in the communications from the mayor on the council docket..

Section 2 - That this Resolution shall become effective upon passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

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**CAO Policy Governing
External Links and External Websites
Final: 1/31/13**

Overview

These CAO policies apply to www.lexingtonky.gov, the official website of the Lexington-Fayette Urban County Government. The purpose of this policy is to ensure that LFUCG's website provides citizens with access to information and resources from organizations that supplement or complement services of LFUCG, including the websites of governmental agencies, educational institutions and organizations with whom LFUCG has a service agreement.

Once finalized, this policy shall be published by the Chief Administrative Officer, distributed to all departments and Council Members and posted to the FAQ page of lexingtonky.gov.

External Links

Policy:

1. To help the public more efficiently access government and government-related services and information via lexingtonky.gov, LFUCG may create hyperlinks to the websites of external entities in the following categories:

- Non-political non-profit organizations that provide necessary services to the citizens of Lexington and with which LFUCG has a service agreement;
- Official local, state and federal governmental organizations that provide public services to the citizens of Lexington;
- Government educational organizations, including the Fayette County Public School System and the University of Kentucky;
- Neighborhood associations and their umbrella groups, such as the Fayette County Neighborhood Council, that are registered with LFUCG's Planning Department;
- Non-political non-profit organizations whose primary purpose is to improve and/or raise money for government property or services;
- Events co-organized or co-sponsored by LFUCG;
- Other websites created by LFUCG; and
- For-profit entities with whom LFUCG has entered into a service agreement and who provides a link to the service.
 - Example: LFUCG has contracted with Stantec to provide consulting services regarding one to two-way street conversions downtown. Under this policy, a link to the public website it creates for information and citizen feedback would be appropriate, but not a link to the firm's main website for promotional purposes.

2. LFUCG will not link to any website that exhibits hate, bias and discrimination. Furthermore, LFUCG reserves the right to deny or remove any link that contains misleading information or unsubstantiated claims, or is determined to be in conflict with LFUCG's mission or policies.

3. Links to for-profit companies, apart from the exceptions listed above, are prohibited. However, logos without links would not be covered under this linking policy, and it is

expected that logos may appear on web pages to illustrate a corporate sponsorship of an event.

4. An “external-link disclaimer” will be placed on www.lexingtonky.gov, accessible through the navigation at the bottom of the home page. It shall read:

This website contains links to external websites beyond the control of the Lexington-Fayette Urban County Government. The city assumes no responsibility for the content or accuracy of the information on the site. The contents of any site or link not maintained by LFUCG does not necessarily reflect the opinions, standards or policies of LFUCG its officials, agents or employees.

5. No advertising of any kind is acceptable on lexingtonky.gov.

Procedure:

- All requests for links from lexingtonky.gov from non-profit and governmental websites must be approved by the CAO or his/her designee.
- Approval or disapproval shall be communicated to the Director of the Division of Computer Services, or his/her designee.

Rollout of Policy

- All individuals with administrative rights to make changes to the website sign a copy of this policy and return it to human resources.

External Website Building

Policy:

1. It is the policy of the Lexington-Fayette Urban County Government not to build websites or host Web sites for any organization outside of the government.

General Government Committee Referrals

Item	Referred By	Date Referred	Status
Franchise Agreements (Increasing Fee from 3% to 4%)	Ellinger	01/13/2011	03/22/11, 01/05/12
Resolution to amend Section 4.104 of the Council Rules	Lane	09/13/2011	09/13/11, 09/11/12, 11/13/12, 1/15/13
Website Linking Policy	Lawless	01/12/2012	08/21/12, 09/11/12, 11/13/12, 1/15/13
Relationship with the BGADD	Myers	04/12/2012	
CAO Policy #3 Vehicle Use and Assignment / Fleet Right-Sizing	GS Link	05/29/2012	
Lease Agreements and PSA with the Metro Employees Credit Union	Farmer	10/16/2012	9/11/12, 11/13/12, 1/15/13
Quorum	Gorton	11/20/2012	