<u>General Government Committee</u>
Linda Gorton-Vice Mayor
Steve Kay-At-Large
Chris Ford-1st District
Shevawn Akers-2nd District
Diane Lawless-3rd District
Julian Beard-4th District
Jennifer Scutchfield-7th District
George Myers-8th District
Harry Clarke-10th District
Ed Lane-12th District

Staff:
Jenifer Benningfield

AGENDA
GENERAL GOVERNMENT COMMITTEE
November 5, 2013
11:00am

1.	**Approval of Summary**	**Steve Kay**	**(1-7)**
2.	**Qualified Adult Benefits**	**Linda Gorton**	**(8-19)**
3.	**Procedure for Underwriting or Sponsoring One of Our Parks**	**Linda Gorton**	**(20-32)**
4.	**Building Security, 200 East Main Street**	**Linda Gorton**	
5.	**Items Referred to Committee**	**Steve Kay**	**(33)**

<u>Future Committee Meetings</u>
TBD

<u>"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."</u>

Draft

General Government Committee

October 1st, 2013

Summary and Motions

Chair Steve Kay called the meeting to order at 11:09am. Committee members present were Vice Mayor Linda Gorton, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Jennifer Scutchfield, George Myers, Harry Clarke, and Ed Lane. Kevin Stinnett attended as a non-voting member.

1. Approval of Summary

Motion by Scutchfield to approve the summary. Seconded by Myers. Motion passed without dissent.

2. Domestic Partner Benefits (Qualified Adult Benefits, QAB)

Vice Mayor Gorton introduced the item. She said that the number of legally married households declined from 78% to 48% since 1950. 36% of all employers and 42% of public institutions responded to this statistic of changing workforce profile by offering benefits to qualified adults. Gorton said that this change was to remain competitive in the market to recruit and retain top talent.

There is some form of QAB offered by 14 states and over 100 local governments, 3 of which are in Kentucky. There are at least 274 public and private universities and colleges that offer them. 7 of these are in Kentucky.

In 88% of organizations offering benefits, QAB comprises less than 2% of the total benefit cost. The enrollees are usually young and the enrollment is lower than anticipated (1% of eligible employees take the benefits). Additionally, same sex partners showed low risk of pregnancy.

Gorton told Committee members that the intent is to provide all benefits that are currently available to employee's spouses and their children to qualified adults and their children to the extent allowed by State and Federal Law. It will also improve the competitive position of the Lexington-Fayette Urban County Government (LFUCG) and recruit and retain top talent.

Louisville, Berea, and Covington offer QAB. Additionally, the University of Louisville, the University of Kentucky, Western Kentucky University, Eastern Kentucky University, and Berea College all offer QAB.

Gorton said that amongst the entities that offer QAB, there is variation on the definition, the requirements, the length of timesharing at a residence, and the means to verify the qualified adult.

Gorton told Committee members that the Department of Law, Human Resources, Enterprise Solutions, an external consultant, and the Chief Administrative Officer had all been consulted.

Gorton explained their proposed definition. She said that the designation would be a qualified adult and their dependent children. The qualified adult must reside with the covered employee for at least 12 months and be at least 18 years of age. Additionally, they must be financially interdependent for at least 12 months. This can be verified with an affidavit and proof of 2 of the following:

- Joint Bank Account
- Joint Utility Bills
- Joint Mortgage or Lease
- Durable Power of Attorney
- Joint Automobile Ownership
- Designation of Primary Beneficiary on Life Insurance or Will

Gorton told Committee members that Human Resources had distributed a survey to estimate the number of employees interested in QAB. She said that the survey results would allow a cost analysis to be completed to reflect insurance costs. She also said that there would be a draft ordinance written for consideration.

There was a long discussion on the topic. Clarke expressed concern about the proof of financial independence and gave an example of two UK students residing together. Clarke said that he wants the language to be compatible for married couples and also those living together. He said that he would like to further examine the ways to prove financial independence and potentially strengthen the requirement.

Benji Marrs came to the podium and said that there is currently no process in place to verify a legal spouse.

Akers thanked Gorton for bringing the topic forward. Akers said that it is timely and she is glad that the LFUCG is looking at the issue. She expressed concern that an employee could take the survey multiple times and John Maxwell said that you could only take it once from each computer. Akers also asked how they would know how many people would be enrolled and Gorton responded that the survey is going to illustrate how many employees might be interested.

Myers asked Maxwell if you currently have to present a birth certificate to add a child or a marriage certificate to verify a marriage. Maxwell said no. He said that there are companies that do audits of dependent coverage to determine that the eligibility is appropriate as opposed to universal affidavits. Maxwell said that many companies are now requiring verification of status.

Myers asked if every employee would now have to sign an affidavit. Gorton said that many cities that offer QAB require an affidavit. Gorton said that in their discussions they had discussed requiring an affidavit of all employees going forward.

Marrs said that requiring all employees to complete an affidavit may not be a bad idea for dependents.

Myers asked for research to see how many employers require a birth certificate. Myers asked if there are stipulations put on how many times an employee can change their dependent. Marrs said that it would fall under the same rules. A person can be added if they meet a qualifying event. They can come on the plan within 30 days of the qualifying event.

Lane asked about any provisions in the Affordable Care Act relating to QAB. Marrs said that he was not aware of the act addressing QAB. He said that employers can include or exclude spouses from coverage, and once that it is determined, they are subject to the new law. Lane went on to ask about what each dependent costs the LFUCG. Marrs said that he does not have the information but can readily access the information and provide it.

Lane said that all employees should fill out identical paperwork. He does not want to discriminate against one class of employees.

Lane asked if the coverage would cover a surrogate. Marrs said that he is not aware of anything relating to a surrogate being covered.

Kay said that when he started working no one asked him to sign an affidavit. He and his wife do not have the same last name. Kay said that we need to provide the same coverage to everyone under the same conditions.

Kay asked Maxwell at what level the LFUCG subsidizes each employee's coverage. Maxwell said it depends on the plan. Maxwell said that from an actuarial standpoint there are additional costs.

Lane asked Maxwell if there is a cost to the government to add individuals to the healthcare plan. Maxwell said yes. He went on to say that if the person added does not have claims then the cost is only administrative.

Lawless said that she wanted to clarify that the LFUCG does not pay any additional monies towards adding a spouse or a dependent.

Ford said that he supports the proposal. He said it is a matter or fairness and competitiveness.

Myers said that there is a subsidy to assist employees. Myers also asked if the subsidy is mentioned in the Code of Ordinances. Janet Graham said that they may be referring to the state statute that requires a subsidy for retirees.

Myers asked if there is an ordinance that states that the LFUCG will cover the lowest health plan completely. Graham said that she was unaware of that ordinance.

Kay said that cost is not the defining issue; instead, it is the right thing to do. Kay asked if there is a difference between the subsidy for the employee versus the employee and a spouse or an employee and a child in the present healthcare plan. He asked for the difference.

Marrs said there is a difference and it differs by division. Marrs said the supplement is $75 for a single employee or $100 for an employee and spouse or employee and child. It is $200 for a family per month.

Myers asked Marrs if we subsidize families or employees plus one. Marrs said that they have the benefit pool, the supplement, and the tobacco credit. There could also be a deposit into a Health Savings Account. Marrs said that it changed a few years ago.

Gorton asked Graham if any of the entities in Kentucky that require an affidavit for QAB also require one for all employees. Graham said that was unsure. Graham said that legally they may not be required to have all employees sign it, but they may want to from a policy standpoint.

Gorton asked Graham how difficult it would be to have all employees sign an affidavit. Graham said legally it would not be difficult. She said that they did an affidavit check box for the tobacco credit. Gorton said having all employees sign an affidavit would be a good idea.

Gorton suggested that they may want to tentatively go ahead and have a motion about the affidavit and the proof of financial interdependence. She said that they could ask for the next meeting to have a draft ordinance ready and have the survey results to discuss. Gorton suggested taking a vote on just a piece of it to go into the draft ordinance.

Beard asked Marrs about the waiting period for the benefits. Marrs said that there would be a minimum of 12 months. Beard said that he can see situations where there could be abuse. He cited an example of a parent with a child suffering from leukemia who makes an agreement with another adult to reside together, causing a large expense to the government. Marrs said that he reached out to Humana and they do not foresee additional risk by allowing QAB.

Lane asked if there was a difference between the individual subsidy and the subsidy for a family or a spouse. Lane asked Marrs to bring back to the committee a detailed description of the subsidies.

Stinnett said they are trying to find out the weight of the subsidies. Marrs said that the tiered value allows for a standard relationship. He said single coverage is probably too high and family coverage is probably too low.

Stinnett said that the Council voted to put in an additional $1MM towards healthcare which is further subsidizing the rates.

Gorton said that it was obvious to her that there were additional questions that needed to be answered.

Gorton went on to say that there would be an opportunity for a special open enrollment for QAB because it would be a qualifying event. She said that they would not have to wait an entire year to implement it.

<u>Motion by Gorton to bring back to the November General Government meeting a draft ordinance with proposed affidavit which includes the eligibility requirements that the qualified adult has resided with a covered employee for at least 12 months, are at least 18 years of age, and have been financially interdependent for at least 12 months as shown by proof of two of the following: Joint Bank Account, Joint Utility Bills, Joint Mortgage or Lease, Durable Power of Attorney, Joint Automobile Ownership, and/or Designation of Primary Beneficiary on Life Insurance or Will. Seconded by Clarke.</u>

Myers asked if the affidavit would be the end all be all to prove they are qualified. Graham said that she wants to think about what the affidavit would say and bring a draft back to the committee.

Myers asked for research on the criteria for qualifications. Gorton said that there is an opportunity to research the issue further. The draft ordinance will allow for further discussion. Gorton said that they need to discuss if these are the criteria they want.

Lane asked for additional information on the Affordable Care Act and domestic partner benefits. Graham said that since it is a Federal law, she believes it would not have an impact.

Beard told committee members that he and his spouse would not be able to produce 2 of the proof documents because they have separate finances. Graham said that the list is solely devoted for qualified adults and the Council may not want to require it of married persons.

Akers asked Maxwell for the total number of employees in each of the municipalities/organizations listed. She also asked Maxwell if the entire LFUCG would be eligible or if the bargaining units would have to bargain to have these benefits in their contracts. Maxwell said that all of 3,000 LFUCG employees would be eligible.

Lawless said that providing these benefits is a matter of being progressive and it will draw people to Lexington.

<u>Motion to amend by Kay to bring back a draft ordinance to the November General Government Committee meeting but not specify the details of the affidavit and those conditions. Seconded by Ford.</u>

Gorton simply wants to bring back a draft ordinance including the idea of an affidavit and conditions for a full discussion.

Kay withdrew with motion to amend. Ford withdrew his second.

Ford said that he supports the motion.

Clarke asked Maxwell if we are adding unmarried with a dependent to the list. Maxwell said that we are going to have to add a different category.

Maxwell said that currently, when you fill out an enrollment application, there is a section that is filled out that says that if you are not being truthful, the employee is committing insurance fraud.

Kay said that the basic issue is fairness and equity.

Gorton's motion passed without dissent.

3. Building Security, 200 East Main Street

Jamshid Baradaran, the Director of Facilities and Fleet, came to the podium to begin his presentation. He gave an overview on the current security services, past initiatives, initiatives currently under review, and future plans.

Baradaran told committee members that security had 14 full time and 1 part time staff that provides security 24 hours a day, 7 days a week at the Government Center and the Phoenix Building. They assist with emergency evacuations, and access control. Additionally, they manage the visitor ID badging system and do patrols. The security personnel provide security camera monitoring and first aid/CPR/AED services as needed. They lock and unlock the facilities and provide security for all Council sessions held at the Chambers. Finally, they provide security risk assessment as well as consultation for all security needs.

Baradaran said that he has researched the cost of installing metal detectors at the Government Center and the Phoenix Building. For the Sheriff's office to man the metal detectors the cost would be $250,000-$275,000 a year. They have also considered hiring additional security guards, Sheriff Deputies, other armed guard options and resources.

Baradaran said that they have reviewed the option of installing additional cameras and card readers and the potential to streamline access control system selection and installation for all LFUCG owned facilities.

Baradaran said his team is currently reviewing the overall risk factors and security operation. He is identifying the available options for high risk areas and the expansion of remote monitoring of facilities via camera.

Baradaran referenced the illustrations of the 5th Floor of the Government Center that were included in the packet. He said that there are three sets of stairs and three elevators. He said that they are still waiting on one proposal and he will then have the cost to improve security. He said the cost should be approximately $17,500.

Beard asked about an off-duty policeman in the chambers. Gorton said that they do still have one and Baradaran said that the person is in addition to the security personnel. Beard said that they always sit in the back row and would be the first to go if someone came into the chamber to cause problems. Beard said that this is overkilling the department.

Beard said that for the last 50 years there have not been problems. Beard said he is not in favor of this. He said that there are ways, if a person really wants to hurt the Council or Mayor that they could.

Gorton thanked Baradaran and told him that the issue had been discussed in the Committee of the Whole meeting. Gorton said in the early 2000's a person brought a handgun into the building and was loose. The Division of Police brought their swat team in. Gorton said that she is not a fearful person, but found herself disturbed that day.

Gorton went on to say that the front door of the Government Center is the problem. Gorton said that focusing on the 5th floor ignores the rest of the building. She wants all of the employees of the LFUCG to feel safe. Gorton said that she wants employees and members to the public to feel safe.

Gorton asked Baradaran to come back to the next meeting and explain what can be done to make everyone safe without a huge cost to the LFUCG.

Scutchfield said that her concern is that we are not protecting our employees. She said if we protect the front door, we protect the 5th floor. Scutchfield wants to see a broader view.

Baradaran said that although they are looking at the 5th floor, they are also working on ways to secure the 1st floor. Baradaran said they are looking at security on other floors, if the 1st floor security is ever breached.

Clarke said that he feels resentment that they even have to talk about this topic but he said he was afraid that there are too many examples showing that they are not safe. Clarke said that the concern is people getting into the building and are able to go anywhere.

Clarke said that he wants to ensure that people are not carrying weapons into the building. Clarke wants metal detectors at all points of entry. He said that although there is a metal detector downstairs, he has never seen anyone walk through it. Baradaran said that it is for non-employees to enter the Mayor's Office.

Baradaran said that the biggest challenge is that they may need to create just one point of entry into the building. Clarke said that he wants anyone coming through the front door to have to go through a metal detector.

Myers said that he had a reminder on his calendar to go downstairs to place someone back on the security list. This constituent has become hostile at numerous events.

Myers noted that the Division of Human Resources is locked because that is the department that the employee may try to enter. He cautioned Council Members that angry citizens may try to hurt the Mayor or Council Members. Myers told committee members that he wants protections for the staff that works 40 hours a week on the 5th floor.

Myers told the committee members about an incident in Evansville Indiana where a past Mayor was shot and killed by an angry constituent at their home.

Myers said that he does not want to take the chance that someone could be shot and killed because of lack of security.

Ford said that he supports the Council Members.

Ford asked if they could go into closed session to discuss building security. He said that he is uncomfortable discussing the topic in open session. He wants to safeguard the deliberations.

Beard read a revision to KRS that stated that people can openly carry a weapon into Council Chambers in the State of Kentucky. Beard asked the Department of Law to look at this change. Baradaran said that Commissioner Janet Graham is currently looking into it.

4. Items in Committee

Myers said that the BGADD is putting information together. Myers asked that the item stay on the list.

The Procedure for Underwriting or Sponsoring One of our Facilities will be on the November agenda.

Gorton said that moving Human Resources from the Department of Law to the Office of the CAO needs to stay on the agenda. Clarke asked that they broaden the scope to consider making Human Resources a separate division.

Domestic Partner Benefits will be on the November agenda.

Building Security will be on the November agenda.

Grant Review Process will stay on the list.

<u>Motion by Clarke to adjourn. Seconded by Beard. Motion passed without dissent.</u>

Submitted by Jenifer Benningfield, Council Administrative Specialist.

DRAFT
10/17/13

ORDINANCE ________-2013

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXTEND HEALTH INSURANCE COVERAGE TO QUALIFIED ADULTS AND THEIR DEPENDENTS; DIRECTING THE CHIEF ADMINSITRATIVE OFFICER TO ADOPT A POLICY OUTLINING THE GUIDELINES FOR EXTENDING COVERAGE; AND PROVIDING THAT AFTER ADOPTION OF THE POLICY NO CHANGES SHALL BE MADE WITHOUT NOTICE TO THE URBAN COUNTY COUNCIL.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Mayor be and hereby is authorized and directed to extend health insurance coverage to qualified adults and their dependents.

Section 2 – That the Chief Administrative Officer is hereby directed to adopt a policy outlining the guidelines for extending coverage, and that, after adoption of the policy, no changes shall be made without notice to the urban county council.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

____
MAYOR

ATTEST:

____
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

Draft

Chief Administrative Officer Memorandum	Date of Issue:	Expiration Date:
Qualified Adult Benefits	Policy #:	
Signature:		

Purpose
To provide all benefits that are currently available to employee's spouses and their children to Qualified Adults and their dependent children to the extent allowed by state and federal law.

To improve the competitive position of the Lexington-Fayette Urban County Government (LFUCG) to recruit and retain top talent.

Scope
Effective ________ the LFUCG benefit enrollment requirements will be adjusted to reflect coverage of eligible Qualified Adults under the appropriate policies.

Definitions
Qualified Adult is defined as a person of the same or opposite sex who meets the following criteria:

- Age 18 or older;
- Not related to the employee;
- Must reside with employee for at least twelve (12) months prior to enrollment;
- Does not have any group health insurance;
- Financially interdependent with the covered employee for at least twelve (12) months and will certify, via an affidavit signed by both the Qualified Adult and the employee, that at least two (2) of the following conditions exist (chose one (1) from the left column and one (1) from the right column):

Joint ownership of real estate property or joint tenancy on a residential lease	Will designating the eligible Qualified Adult as primary beneficiary
Joint ownership of an automobile	Retirement plan or life insurance policy beneficiary designation form designating the eligible Qualified Adult as primary beneficiary
Joint bank or credit account	Durable power of attorney signed to the effect that the employee and eligible Qualified Adult have granted powers to one another
Joint liabilities	Adoption papers or legal guardianship identifying the employee and Qualified Adult as the join adopting individuals or joint legal guardians
Joint utility bill	

- Agree to inform the LFUCG within 30 days of any change in the circumstances attested to in the affidavit.

Draft

Chief Administrative Officer Memorandum	Qualified Adult Benefits	Page 2

Procedure

I. Employees may register a Qualified Adult and their dependents for health, dental, vision, and dependent life benefits coverage and other eligible benefits as allowed by state and federal law.

II. A signed affidavit declaring eligibility for Qualified Adult Benefits will be required for coverage under group health, dental, vision, and dependent life benefits.

III. The affidavit must be signed by both parties and submitted to the Division of Human Resources when enrolling for benefits.

IV. Natural or adopted children of Qualified Adults are eligible for benefits as described in the Summary Plan Description (SPD).

V. Enrollment of Qualified Adults and their eligible dependent children is subject to the same rules as enrollment of other dependents under the SPD.

VI. May add a Qualified Adult and eligible dependent children to your coverage during open enrollment or within 30 days of the qualifying event.

VII. Before coverage will be in effect, all required documentation must be submitted and approved by either the LFUCG or the healthcare provider requesting it.

VIII. The employee will be required to complete a *Declaration of Termination* of the relationship within 30 days of the termination of the relationship.

IX. The employee must wait 12 months from the submission date of the *Declaration of Termination* before enrolling another Qualified Adult.

X. All provisions are subject to the SPD.

Tax Consequences

Tax implications are governed by state and federal law. Employees are encouraged to consult a tax professional before enrolling a Qualified Adult.

Affidavit of Declaration of Qualified Adult Status

This affidavit must be completed by both the employee and the declared Qualified Adult. The affidavit must be notarized before submitting it to your employer.

Section 1. Qualified Adult Requirements

Employee Name (please print):____

Name of Qualified Adult (please print):____

Address of Employee and Qualified Adult:____

Qualified Adult's Social Security Number:____

In accordance with Lexington-Fayette Urban County Government City Council Resolution (########) and CAO Policy adopted #######, a Qualified Adult (and dependent children) is eligible for all benefits allowed by state and federal law.

We certify that we:

1. Are age 18 or older;
2. Are not related;
3. Have resided together for at least twelve (12) months prior to enrollment;
4. Are financially interdependent with each other and have been for at least 12 months and will certify, via an affidavit signed by both the Qualified Adult and the employee, that at least two (2) of the following conditions exist (chose one (1) from the left column and one (1) from the right column):

Joint ownership of real estate property or joint tenancy on a residential lease	Will designating the eligible qualified adult as primary beneficiary
Joint ownership of an automobile	Retirement plan or life insurance policy beneficiary designation form designating the eligible qualified adult as primary beneficiary
Joint bank or credit account	Durable power of attorney signed to the effect that the employee and eligible qualified adult have granted powers to one another
Joint liabilities (e.g. credit cards or loans)	Adoption papers or legal guardianship identifying the employee and qualified adult as the joint adopting individuals or joint legal guardians.
Joint utility bill	

Section 2. Dependent Children of Employee and Qualified Adult

____ are the dependent children of ___________________ (Qualified Adult-print name) and are eligible for coverage, because they are:

-unmarried

-primarily dependent on the employee or Qualified Adult for support, and

-meet the age and eligibility requirements of the Summary Plan Description (SPD).

Section 3. Termination of Coverage

Coverage ends when the Qualified Adult no longer meets the eligibility criteria for Qualified Adult benefits. You must notify the LFUCG within thirty (30) days and complete the "Declaration of Termination" Form of the CAO Policy if any of the eligibility requirements listed above are no longer satisfied. If you do not do so, and obtain insurance benefit payments thereafter, you will be required to repay such benefits in full. I agree to notify my employer within thirty (30) days if any eligibility requirements above are no longer satisfied.

Section 4. Declaration of Qualified Adult

I declare that the statements in Section one (1) are true and correct. I have read and understand the terms and conditions contained in this affidavit. I understand that any misrepresentation of fact in this affidavit may result in any or all of the following actions by the LFUCG: 1) loss of coverage; 2) disciplinary action, up to and including removal; 3) collection action to recoup payments of benefits and claims paid for individuals determined to be ineligible Qualified Adults; and/or 4) civil and/or criminal prosecution. I agree to notify the LFUCG within thirty (30) days if any of the eligibility requirements listed above are no longer satisfied.

(1) Employee Signature:______________________________ Date:__________________

COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing Affidavit was subscribed, sworn to and acknowledged before me by, ____, on this the ____ day of ________________, 201__.

My commission expires: ______________________________

____

Notary Public, State-At-Large, Kentucky

I declare that the statements in Section one (1) are true and correct. I have read and understand the terms and conditions contained in the affidavit. I understand that any misrepresentation of fact in this affidavit can result in loss of coverage and responsibility to repay in full any insurance benefit payments made in reliance on such misrepresentation or fact. Coverage ends when the Qualified Adult requirements are no longer met. I agree to notify the LFUCG within thirty (30) days if any of the eligibility requirements listed above are no longer satisfied. I understand that, if I do not do so, and obtain insurance benefit payments thereafter, I will be required to repay such benefits in full.

(2) Qualified Adult Signature:___________________________ Date:__________________

COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing Affidavit was subscribed, sworn to and acknowledged before me by, ____, on this the ____ day of _______________, 201__.

My commission expires: ______________________________

____

Notary Public, State-At-Large, Kentucky

SIGNATURE AND SEAL OF NOTARY PUBLIC

(3) Additional Information (if necessary)

____

____

____

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The Lexington-Fayette Urban County Government

Declaration of Termination of Qualified Adult Status

I **Employee Name**, **Employee Number**, make and submit this Declaration of Termination of Qualified Adult Status in order to withdraw and cancel the Affidavit of Qualified Adult Status for benefits eligibility that I filed on **10/16/2013**.

I hereby acknowledge that the relationship between **Qualified Adult's Name** and myself no longer satisfies all of the criteria set forth in the Affidavit of Qualified Adult Status for benefits eligibility as of **10/16/2013**.

I understand that upon submission of this signed Declaration of Termination, my former Qualified Adult and his or her dependent children are no longer covered under the Lexington-Fayette Urban County Government benefits plan.

I also understand that it is my responsibility to mail the former Qualified Adult a copy of this Declaration of Termination (not applicable if filing the Declaration of Termination of Qualified Adult Status due to the death of the Qualified Adult) and I certify that I have mailed, or will mail, him or her a copy at the following address:

Address of Qualified Adult
Lexington, KY 405xx

I affirm, under penalty of perjury, that the above statements are true and correct. I also understand that I may not file a subsequent Affidavit of Declaration of Qualified Adult Status until 12 months after the Declaration of Termination of Qualified Adult Status has been filed with the Lexington-Fayette Urban County Government Division of Human Resources.

______________________________ ________________
Employee Signature Date

Received by:

____
Human Resources Representative

Dependent Gross Cost Analysis

Data for this exhibit was collected from July 2012 through June 2013.

A. Humana Gross Paid Claims Distribution by three categories:

1. Subscribers (Employees)
2. Spouses
3. Dependents (Children & Other- eligible individuals under 26)

B. Humana Enrollment by three categories, average for 12 months:

1. 2,638 Subscribers
2. 992 Spouses
3. 1,826 Dependents

C. Humana Gross Medical Claims by Category, broken down to per member (per individual person) per month:

1. $278.61 PMPM
2. $402.18 PMPM
3. $157.51 PMPM

D. OnSite RX claims (which cannot be broken down by category) were broken down to an average cost PMPM with all three categories blended and then added to Express Scripts (ESI)/Bluegrass Family Health (retail prescription benefit manager). (Co-pays collected at the employee pharmacy were factored)

1. $68.42 PMPM
2. $68.42 PMPM
3. $68.42 PMPM

E. Gross Claims broken down by category (Medical + RX), PMPM

1. $347.03 PMPM
2. $470.60 PMPM
3. $225.93 PMPM

F. Administration (Humana, Marathon, OnsiteRX, ….) The fee for Humana is billed per employee. Marathon is a contracted annual total cost. The total for administration was broken down to a per member amount for consistency with this report.

1. $59.53 PMPM
2. $59.53 PMPM
3. $59.53 PMPM

G. Gross Premiums for each of the 4 tiers (Employee, Employee + Spouse, Employee + Dependents, and Family) were combined across all 4 plans by tier and then divided by the average number of elections in each tier category.

1. $516.34 (1,441 employees), Employee Only $8,928,551.20
2. $984.80 (334 employee), Employee + Spouse $3,947,078.40
3. $834.35 (202 employees), Employee + Dependents $2,022,464.40
4. $1,031.07 (671 employees) Family $8,302,175.60

H. Gross combined medical, prescription, and administration cost by tier. (There are 1,826 dependents covered on average. There are 852 employees enrolled on average in a coverage tier (employee + dependents or family) which have dependents included. Therefore, the average number of dependents per contract on these two tiers is 2.1) (Humana Medical +ESI RX+Administration)

1. $406.56 PEPM x 1441 x 12 months= $7,030,235.50
2. $936.69 PEPM x 334 x 12 months= $3,754,253.50
3. $1,006.03 PEPM x 202 x 12 months= $2,438,616.70
4. $1,467.74 PEPM x 671 x 12 months= $11,818,242

**This data does not include reinsurance adjustments, HSA Contributions, or RX rebates. Because of the timing of the data set, it is difficult to determine when rebates and reinsurance adjustments should be applied. So this is analysis is best described as a <u>gross</u> cost analysis compared to premiums.

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

MEMORANDUM

DATE: October 17, 2013

TO: Qualified Adults Benefits Committee

FROM: John Maxwell, Director
Division of Human Resources

RE: Dependent Audits

I met with Benji Marrs of Benefit Insurance Marketing on October 10 to discuss with him dependent audits primarily for our health care plan during calendar year 2014. We had previously discussed doing this sometime during 2014.

BIM indicated that most organizations do audits from time to time and do not require birth certificates, marriage licenses, etc., at time of enrollment. With respect to other qualified adult benefits, most require signing an affidavit while a few require substantiation of qualified adults at time of enrollment.

He provided the following information about the audits:

- Purpose
  - -Comply with ERISA, operating a plan as designed and for the benefit of plan participants
  - -Financial considerations/reduce future costs and liabilities
- Summary Plan Description (SPD) must clearly define eligibility language
  - -Recommends all plans
  - -Audits are based on this criteria
- 3rd Party Vendor Recommended
  - -Mailings (2-3) directly to everyone covered by the plan and in the category being audited
  - -Determination made independently based on SPD criteria
- Consequences
  - -Must be clearly defined prior to audit
  - -Retroactive termination and claims recouped decision
  - -Must be defined in audit letter
  - -Amnesty
- Expectations
  - -3-4% of dependents not eligible
- Cost Expectations
  - -$19,000-$30,000

Lexington Fayette
Urban County Government

Donation/Recognition Guidelines

DRAFT

10~~8~~/25~~30~~/13

A. GENERAL PROVISIONS

1. INTRODUCTION

The Lexington Fayette Urban County (LFUCG) Division of Parks and Recreation recognizes the enormous value of direct community support. Lexington parks are very fortunate to receive support from hundreds of community members who regularly give time, money, property, and individual expertise to help ensure the parks system continues to thrive and provide vital benefits and quality of life for Lexington residents. Whether through foundations, corporations, non-profit organizations, service clubs, or as individuals, these community members work to augment park development, maintenance and improvement program budgets adopted annually by the Urban County Council.

2. GOALS

The goals of LFUCG in accepting donations and/or honoring service to our community are:

- To encourage investments of funds and in-kind donations from diverse sources to enhance LFUCG's ability to provide the highest quality parks system to Lexington citizens as well as impress upon visitors that may consider relocation.
- To preserve the character of the Bluegrass that makes Lexington unique for its residents and visitors.
- To ensure that donors are treated with consistency and fairness.
- To recognize outstanding service to our community.
- To remain consistent with our community's values and traditions.

3. GUIDELINES

These guidelines shall apply equally to donors and/or people and organizations that have served our community through their time and efforts. Exceptions to these guidelines may be made only by the Commissioner of the LFUCG Department of General Services.

4. DONATIONS

To make a donation, anyone may contact the Division of Parks and Recreation for consideration. Information is available online at www.lexingtonky.gov or by calling 288-2960.

Donations will be reviewed by staff for consistency with these guidelines. Donations will be reviewed in a timely manner, typically within 60 days of submission. The Division of Parks and Recreation retains the right to accept or deny any donations. For donations of $50,000 and above, see CAO Naming Policy #XX.~~,~~ ~~except as described in *Appendix A, Naming Policy for Park Lands, Features and Facilities.*~~ Special requests or appeals may be submitted in writing to the Division of Parks and Recreation Director.

5. GENERAL DONATION/EVALUATION CRITERIA

Donations shall be consistent with the following criteria:

a) Donations typically must complement the needs of a specific park or facility regarding use, management or improvement of the park or facility unless otherwise approved by Urban County Council.

b) In the absence of an adopted plan or prioritized list of approved projects for a particular location, donation requests must demonstrate consistency with the customary use and/or the future use of the location, as determined by LFUCG Division of Parks and Recreation staff review.

c) Donations ~~shall include~~ will be evaluated by LFUCG Division of Parks and Recreation staff to determine the true cost of donated items including staff time, labor, materials, maintenance and permits used in procurement and establishment of the donation.

d) Corporate donations are encouraged but shall not constitute an endorsement of or by the LFUCG Division of Parks and Recreation. Donations implying or suggesting commercial advertising or solicitation will typically not be accepted. See CAO Corporate Sponsorship and Advertising Policy #XX for policy on exclusivity.

6. RECOGNITION OF DONATIONS

It shall be the goal of the Division of Parks and Recreation to recognize all donations in one or more forms according to these guidelines. In order to protect park resources, values, and the experience of park users, methods of recognition and utilization of contributions shall fully respect the function, public values, needs, master plans, and priorities of park property and facilities.

Such recognition and utilization of contributions shall be appropriate to the character of each individual park, shall not detract from park users' experiences or expectations or impair the visual properties of the park environment, shall not be perceived as advertising or commercializing the park, and shall not create a feeling or perception of proprietary interest.

a) In the interest of equal treatment of donors, recognition of donations shall be made in accordance with standardized giving levels (as outlined on page 3 of these guidelines).

b) All on-site recognition shall be subordinate to, and harmonize with the characteristics of a park or facility and surroundings, and shall not inhibit routine park maintenance, use and enjoyment or detract from the park's values or interpretive message.

c) In all forms of recognition, a donor's wishes for anonymity shall be respected.

d) Corporate tag lines or marketing messages shall ~~not~~ only be ~~permitted on any form of recognition~~in accordance with CAO Corporate Sponsorship and Advertising Policy #XX.

e) Naming for Urban County Government parks or features shall be administered according ~~to a~~to CAO Naming Policy #XX ~~Naming Policy (see Appendix A)~~.

f) Individuals or e~~E~~ntities that reflect values contrary to those of LFUCG shall not be recognized. If in question, determination shall be made by Council.

7. GIVING LEVEL STANDARDS

Recognition of donations through the above-listed methods shall occur according to the following giving level standards. Each giving level may include one or more forms of recognition where appropriate. Standards may be refined or modified through a pre-determined donation program, fundraising campaign, or partnership agreement developed and administered by, or in cooperation with LFUCG.

LFUCG monetary/inkind giving levels are as follows:

Up to $500 .... Letter of recognition
$501 - $2,500 .... Off-site recognition
$2,501 - $5,000 .... Temporary sign
$5,001 - $10,000 .... Integrated sign
Over $10,000 .... Plaque or permanent marker

*Recognition will also incorporate benefits from the preceding giving levels

8. METHODS OF RECOGNITION

Letter of Recognition
A letter of recognition and thanks will be sent to all donors. The letter will acknowledge the amount of the gift, the donor, special circumstances that apply, and the date of acceptance. The letter will serve as evidence of the gift for the purpose of the donor's tax records. The letter will not attempt to value non-monetary gifts.

Off-Site Recognition
New and innovative methods of off-site recognition will continually be developed to honor the generosity of community donors. Advertisements of companies or their services shall be prohibited.

Examples of Off-Site Recognition include:

Website Donor List – Donors may be listed on the LFUCG website to recognize and appreciate donor contributions.

Social Media – Donors may be given recognition on LFUCG's social media platforms.

Other Publications –Printed materials such as calendars, maps, guides, books and brochures may include recognition of an underwriting sponsor, or, as appropriate, credit contributions towards a specific park, feature, facility, or program.

On-Site Recognition
Temporary Signs – Temporary signs may be used to acknowledge donor contributions on-site for a period of no longer than a year. Temporary signs shall be uniform, of appropriate design and scale, and clearly indicate the Division's recognition of the donor's contributions.

Integrated Signs – Recognition of donor contributions may be considered on certain directional, interpretive, and informational signs. Recognition shall be clearly and substantially subordinate to the sign's intended message or information.

Permanent Plaques – Permanent plaques may be permitted only with the approval of the Director and may be proposed only for significant contributions (time, money, land, etc.) providing exceptional, long-term benefit to a park or facility. Permanent recognition plaques shall be placed only in developed areas in conjunction with existing facilities (e.g., visitor center, parking area, environmental education center, entry area, etc.) and shall be consistent with the character and features of the park as determined by Division of Parks and Recreation staff.

Interpretive Programs – Recognition may include mentioning a donor's contribution during selected interpretive programs, events, or materials.

9. NAMING

A complete naming policy for park lands, features or facilities with a market value equal to or greater than $50,000 is outlined in ~~Appendix A of the Division of Parks and Recreation Donation Guidelines~~CAO Naming Policy #XX.

10. RECOGNITION OF MEMORIAL GIFTS

Memorial donations (gifts made in memory of a deceased person) shall stay consistent with the LFUCG Parks and Recreation giving levels that have already been determined.

11. EXISTING ON-SITE RECOGNITION

Donor recognition and memorials established prior to the enactment date of this document shall be allowed to remain until such time as they are removed or replaced in accordance with these guidelines.

12. CATALOG PROGRAMS

Catalog programs may be developed to raise funds for specific park-related needs. Catalogs may offer a variety of items such as picnic tables, benches, trees, shrubs, perennials, and building materials at a pre-determined donation amount. Catalog programs shall be reviewed and approved by the Division of Parks and Recreation Director for content, methods, and adherence to these guidelines prior to establishment. Catalog programs shall include a price list and description of a variety of items. All prices must include necessary maintenance costs.

Catalogs could include the assessed value of visibility during Parks programming, banners, appearances and other such opportunities offered by the Division of Parks and Recreation. Packages of these opportunities could also be included in catalogs.

Catalog programs may be extended in the future to include a list of top priority projects that would require additional funding to complete.

13. PARTNERSHIPS/ADOPTION PROGRAMS

The Division may elect to enter into a partnership with other organizations for purposes of soliciting donations for a specific program, project, or event. Partnerships represent a special relationship in which the Division and partner organization(s) cooperatively pursue a common goal for community benefit supporting the mission of the Division of Parks and Recreation. A written agreement shall be drafted and signed by both parties prior to dedication of significant Urban County resources such as funding or staff time. The agreement shall establish the goals, expectations, commitments and obligations, roles, time line, and specific outcomes, and other pertinent information for the partnership. Recognition of partner organizations' contributions shall follow guidelines for donor recognition as established in this document, unless otherwise stated in the partnership agreement.

Adopt-a-Park, Adopt-a-Trail, and other adoption programs provide significant community support of specific parks and facilities through volunteer labor or other donations in exchange for recognition of this support. Adoptions shall be documented in a signed agreement, and may be recognized through a sign located at the place of adoption for the duration of the adoption. Adoption signs shall be consistent with park sign design standards, and shall be subject to the approval of the Division of Parks and Recreation Director.

The Division of Parks and Recreation recognizes that in some cases it may be more beneficial for partner organizations to directly pay for pre-determined needs, rather than giving a monetary donation to Parks for the service. Parks will encourage and recognize these gifts in the same manner as monetary contributions.

Partner organizations will be recognized for their contributions on an annual basis, rather than based on individual donations.

B. ~~APPENDIX A~~

NAMING POLICY FOR PARK LANDS, FEATURES AND FACILITIES

This policy does not apply to park lands, features or facilities of fair market value less than $50,000. Those park lands, features or facilities of fair market value less than $50,000 are subject to recognition based on the giving level standards found on page 3 of the ~~LFUCG's~~ CAO Donation/Recognition Guidelines Policy #XX.

1. INTRODUCTION AND PURPOSE

The Lexington Fayette Urban County Government (LFUCG) Division of Parks and Recreation shall oversee the naming of park lands, features and facilities within the Lexington parks system, with the exception of certain large buildings such as community centers and aquatic facilities. To ensure fair and consistent application of naming, all park lands, features and facilities requiring naming, or for which formal naming is requested, shall be evaluated and processed in accordance with ~~these guidelines~~this policy.

2. GOALS

The goals of LFUCG in accepting donations are:

- To encourage investments of funds and in-kind donations from diverse sources to enhance LFUCG's ability to provide the highest quality parks system to Lexington citizens as well as impress upon visitors that may consider relocation.
- To preserve the character of the Bluegrass that makes Lexington unique for its residents and visitors.
- To ensure that donors are treated with consistency and fairness.
- To recognize outstanding service to our community.
- To remain consistent with our community's values and traditions.

3. JURISDICTION

The establishment of formal legal names of permanent real property owned by the LFUCG, including parks, requires legislative action and cannot be accomplished through administrative action. Only the Urban County Council retains the authority to carry out legislative action to establish legal names. Features or distinct areas within parks, however, such as picnic structures or gardens, can be named through administrative action.

4. NEW PROPERTY AND FEATURES

As new property is acquired and new features are constructed, the LFUCG Division of Parks and Recreation typically establishes a name based on one or more of the source criteria listed below.

- **Adjacent Street -** Names referencing an adjacent street.
- **Geography** – Names referencing geographical characteristics of an area near the park or facility, with consideration being given to archeological, geological, topographical, botanical, zoological, or human-made geographical characteristics. Geographical names shall reference features expressing timeless qualities likely to maintain name appropriateness over time.
- **History -** Names referencing a historic person, place, culture, or event associated with the land or facility.
- **Subdivision/Neighborhood -** Names referencing the surrounding neighborhood or subdivision comprising a significant portion of the park service area.

5. RECOGNITION NAMING

Naming park land or features in recognition of a person, group or entity shall be considered in accordance with our community's values and traditions as well as one or more of the following criteria:

- **Donor -** Names referencing a donor, or a name suggested by a donor, may be considered in exchange for significant contributions that benefit the division's long term development goals. Naming of land, where the land itself is donated, may be considered where the appraised value of the donated land is $500,000 or greater or where the donated land represents at least 66% of the area of a particular park. Naming of donated features constructed using donated funds, may be considered for donations of $100,000 or greater or where the donation represents at least 66% of the feature construction or acquisition cost.
  - The division recognizes that in some cases, it may be beneficial to utilize a 10-year agreement for naming features or park lands, which can be extended with subsequent gifts to offset costs and upkeep.
  - Annual monetary and/or in-kind donations may be recognized over a period of time if they meet requirements and reach the above thresholds.
- **Honoring a Deceased Person** – Park lands and features may be named to honor a person who has been deceased for at least two years to recognize an extraordinary service or gift to the community.
- **Group Recognition -** Park lands and features may be named to recognize an organization or group for extraordinary gifts or service to the community.
  - Non-Profits, Partner Organizations, and extraordinary volunteer efforts along with other in-kind donations can be recognized for their annual or long term gifts.

- **Recognition of Donations –** Types of recognition that may be offered to donors are outlined in CAO Donation/Recognition Policy #XX.

Individuals or Entities that reflect values contrary to those of LFUCG shall not be recognized. If in question, determination shall be made by Council.

6. RENAMING PROCEDURES

In order to respect the historical tradition and community values which previous generations bestowed on these resources, the renaming of a park, facility or feature will be discouraged. However, requests for renaming may be made by citizens or organizations and should be directed to the LFUCG Division of Parks and Recreation. Such requests will need the support of the Parks Advisory Board to be considered by the Urban County Council who has ultimate approval authority.

7. MAINTENANCE OF DONATED PARKS, FEATURES AND FACILITIES

An endowment for at least 10~~10~~% of the ~~estimated value~~estimated value of the donated park, feature or facility may be provided for by ~~donor for continued maintenance~~donor for continued maintenance of the park, feature or facility. Exceptions may be made by Council approval to set aside maintenance funds for any given donated park, feature or facility. ~~Exceptions may be made by Council approval to set aside maintenance funds for any given donated park, feature or facility.~~

8. NAMING APPROVAL PROCEDURES

The process for all naming requests and proposals shall be initiated by the Division of Parks and Recreation. Requests shall be reviewed by Division of Parks and Recreation staff with recommendation to the Director. The Director of Parks and Recreation shall forward a recommendation to the Commissioner of General Services. Upon review, the Commissioner of General Services will provide a recommendation to the Mayor’s Office. The Mayor’s Office will present a recommendation for Council consideration and approval.

Lexington-Fayette Urban County Government
Division of Parks and Recreation
469 Parkway Drive
Lexington, Kentucky 40504

FACILITY USAGE AGREEMENT

It is Urban County Government Policy that Facility Agreements may be established with incorporated non-profit organizations for the express purpose of providing youth sports for the youth of our community. This agreement provides for use of governmental resources by the organization for the benefit of the youth in the community. Therefore all proceeds from the Youth Sports Program must be used to benefit the designated Youth Program.

This agreement made and entered into, between the Lexington-Fayette Urban County Government, and the ***League Name*** hereinafter referred to as the League, for the express purpose of providing playing facilities for a youth program for the participants of the above mentioned League. This league must be a non-profit organization. Any proceeds above League expenses for the period of this agreement must be designated in one of the following manners; proceeds to be used for this program during the next facility agreement period, proceeds to be used for reduction of existing league debts, proceeds to be used for the improvements to Parks and Recreation facilities, or proceeds must be turned in to the Lexington-Fayette-Urban County Government and deposited in the General Fund.

In the event the program terminates and the organization has a fund balance after meeting league expenses, the fund balance must be used for approved Parks and Recreation improvements or returned to the Urban County Government's General Fund. All required field improvements must be submitted to the Division of Parks and Recreation in writing for approval prior to implementation of any action.

For the purposes of this agreement "Government" shall be the Lexington-Fayette Urban County Government, "Division" shall be the Lexington-Fayette Urban County Government Division of Parks and Recreation, and "Director" shall be the director of the Lexington-Fayette Urban County Government Division of Parks and Recreation.

GENERAL TERMS:

1. Each program shall conduct Criminal Records Checks on all volunteers before volunteers are assigned specific duties. All Leagues are required to enforce Lexington Fayette Urban County Government's minimum standards for prospective volunteers in positions dealing with children. Individuals found to have a history of any of the following are ineligible to participate in youth programs.
    - Any illegalities dealing with children/minors.
    - Any illegalities of a sexual nature.
    - Drug-related convictions within 2 years.
    - Drug Trafficking convictions within 5 years.
    - Any crimes of violence within 2 years.
    - Any pattern of alcohol-related convictions leading up to the present.

   All leagues are required to keep accurate up to date records and will be subject to demonstrate record checks have been done on any volunteer specified by Lexington Fayette Urban County Government.
2. The facility agreement only provides usage of the park facility at the time and location designated herein.
3. No participant may be turned away or excluded from participation. If exceptions arise, permission is to be requested in writing from the Director of Parks and Recreation.
4. The League shall abide by all local, state, and federal laws regarding all activities, including but not limited to employment, labor, revenue, and construction.

A. FACILITY:

1. Name of League:

Name of Park(s):

Name/location of Field # 1:

Name/location of Field # 2:

Name/location of Field # 3:

Name/location of Field # 4:

Name/location of Field # 5:

Name/location of Field # 6:

2. Length of Contract: From March 1, 2012 To July 31, 2012

Times (Daily Schedule) Field # 1

Monday	From_________	To_______
Tuesday	From_________	To_______
Wednesday	From_________	To_______
Thursday	From_________	To_______
Friday	From_________	To_______
Saturday	From_________	To_______
Sunday	From_________	To_______

Times (Daily Schedule) Field # 2

Monday	From_____	To______
Tuesday	From_____	To______
Wednesday	From_____	To______
Thursday	From_____	To______
Friday	From_____	To______
Saturday	From_____	To______
Sunday	From_____	To______

EXCEPTION(S)

Times (Daily Schedule) Field # 3

Monday	From__________	To_______
Tuesday	From__________	To_______
Wednesday	From__________	To_______
Thursday	From__________	To_______
Friday	From__________	To_______
Saturday	From__________	To_______
Sunday	From__________	To_______

Times (Daily Schedule) Field # 4

Monday	From___________	To_______
Tuesday	From___________	To_______
Wednesday	From___________	To_______
Thursday	From___________	To_______
Friday	From___________	To_______
Saturday	From___________	To_______
Sunday	From___________	To_______

Times (Daily Schedule) Field # 5

Monday	From___________	To_______
Tuesday	From___________	To_______
Wednesday	From___________	To_______
Thursday	From___________	To_______
Friday	From___________	To_______
Saturday	From___________	To_______
Sunday	From___________	To___________

Times (Daily Schedule) Field # 6

Monday	From___________	To___________
Tuesday	From___________	To___________
Wednesday	From___________	To___________
Thursday	From___________	To___________
Friday	From___________	To___________
Saturday	From___________	To___________
Sunday	From___________	To___________

NOTE: The Lexington-Fayette Urban County Division of Parks and Recreation will have the right to schedule any additional leagues or games that it might deem necessary to its participants, should the need arise, (i.e., T-Ball, Baseball, Softball). If the field is not being used at the above specified times, it will become open to other individuals or groups.

B. MAINTENANCE AND CONSTRUCTION OF FIELDS AND STRUCTURES

1. The Division reserves the right to add to, repair or make any changes it deems necessary to the facility. Normal maintenance or the maintenance requested by the League will be provided as the Division's budget would allow.
2. Any request for pre-season maintenance repairs must be submitted in writing to the Superintendent of Parks Maintenance by October 1 to allow for these projects to be reviewed and/or scheduled into the normal work periods, budget permitting.

3. No coach, manager, player or league official shall use divisional equipment or supplies at any time unless specifically authorized in writing by the division director or his designee.
4. Any permanent improvement(s) the League desires to add, build, etc., must be presented to the Director of the Division in writing (to include plans & specifications, etc.) and must have prior written approval of the Director of Parks and Recreation. All proposed capital improvements exceeding $10,000 in value must be bonded (letter of credit acceptable) for the total value of the improvement.
5. The Division of Parks and Recreation will perform the following maintenance services:
   - Provide bases, home plates, pitching plates, and base pegs
   - Clean complexes and parking lots; provide refuse collection and grounds pick-up
   - Clean and stock restrooms
   - Repair bleachers, fences, scoreboards, and irrigation systems
   - Provide trash cans and picnic tables
   - Drag practice fields
   - Mow outside complex (limited schedule)

   Franchise League will provide the following services:
   - Drag and mark game fields
   - Cut grass, edge, and trim within game fields
   - Provide marking dust and quick dry
   - Perform turf repairs and aerate within game fields

Previously 5. ~~The Division will no longer provide marking dust and diamond grit to leagues. The maintenance staff will mark and drag fields for games if fields are deemed playable, for the spring season only, and only as the budget allows. If more than 5 bags of diamond grit need to be used for a field, the field will be considered not playable and will not be marked. Additionally, if the league decides to add more infield mixture and play without authorization, the league will be responsible for repairing any damages to the field and hold harmless the LFUCG for any player injuries due to wet conditions.~~

C. MISCELLANEOUS

1. The League will be responsible for securing all umpires and scorekeepers to officiate their games.
2. The League will be responsible for inspecting the field before each game and will assume responsibility for any safety problems.
3. The League must submit a certificate of all insurances to the Division Athletics Department before the first use of the facility each season. The Lexington Fayette Urban County Government must be included as an Additional Insured.
4. All checks written by the League must require signatures of two (2) League Board members. Board members authorized to sign checks may not be related.
5. The League must submit a schedule of regular season games (to include make up days for rain outs, etc.) to the Division no later than two weeks in advance of the first game. The League must notify the Division Athletics Department of any schedule changes 24 hours in advance.
6. The League must submit a schedule of the teams practice times and field locations to the Division Athletics Department no later than two weeks in advance of the first practice. If a pattern of reserving but not using fields becomes apparent, the Division has the right to cancel this agreement in part or in total.
7. The League President or his/her designee will be the only contact with the Division.

8. Fields must remain open unless authorized in writing by the Director or his/her designee. The Director will consider requests for locks for security purposes at field locations where vandalism, etc. are problems. When requests for locks are granted, locks may not be placed on fields prior to 9 PM and must be removed by 8 AM the following day. Under conditions where leagues have been given permission to lock fields, Parks and Recreation must be provided keys to such locks.
9. Leagues that operate a concession stand(s) on a specified park must enter into a concession agreement with the Lexington-Fayette Urban County Government for this privilege and adhere to the Division's vendor agreements for such things as concession items and soft drink products.
10. Leagues must have phone service set up by the League and under the Leagues name, with the League assuming full responsibility for all costs relating to establishing and continuing service on site. In lieu of on site phone service, a league may provide a list of on-call individuals with cell phone numbers. One of these individuals must be available during all league actives at the park. The league phone number or the names and phone numbers of on-call individuals must be submitted to the Division Athletic Department no later than two weeks in advance of the first practice.

Previously 10. ~~Leagues must have telephones at league sites. Phone service must be set up by the League and under the Leagues name, with the League assuming full responsibility for all costs relating to establishing and continuing service on site. Note: Availability of cell phones does not meet this requirement.~~

11. All leagues are required to follow the Parks and Recreation Severe Weather Policy.

Would move #13 ahead of #12 and identify as Division &Gender Report due 2 weeks after 1st game of season…with appropriate reporting items listed on new form. Financial report paragraph (still due 1 month after conclusion) would also be appropriately modified to reflect items on new form.

12. No later than one month after the conclusion of League play, the League must furnish financial information (copy of forms enclosed) to the Division Athletics Department from the prior year to include, but not limited to, the following items: number of participants in all leagues, registration fee for each participant, booster club fee for all participants; cost for umpires; cost for scorekeepers; number of game balls for each game and unit cost; total cost per game; cost per child per game; yearly league budget amount; annual revenue and sources of revenue; annual itemized expenses for the league(s); annual concession income; annual concession expenses, a summary of current assets, and a copy of the League's completed IRS Form 990. Note: IRS Form 990 to be submitted as soon as filed, but no later than April 15 of the tax year covering the season.
13. No later than one month after the conclusion of League play, the League must furnish gender information (copy of form enclosed) to the Division Athletics Department from the prior year to include the following: types of programs that are run by the League; number of boys and number of girls that are participating in each league; the number of games provided for both boys and girls; the times that the boys play in comparison to the girls; what fields the boys play on in comparison to the girls; cost per player for boys and girls; cost per game for boys and girls; practice time afforded boys and girls.
14. The League must furnish equity information to include, but not limited to, the following: scholarship information and participation by race.
15. Because the Urban County Government is tracking program participation and facility usage county-wide, the League must submit a complete roster of all participants including gender, race, age, and address. Names of participants are not required.
16. This facility agreement is made and entered into between the Lexington-Fayette Urban County Government and the League. The League is not allowed to sub lease this agreement to any other organization without written prior approval by the Lexington-Fayette Urban County Government.

17. In the event the League plans to charge admission for tournament games, a written request of the anticipated charge, including method of collecting charges, must be submitted to the Division Director, or his/her Designee, 15 days in advance of the anticipated charge. The Director, or Designee, will provide a written response to the League request.
18. The League must distribute copies of the Division of Parks and Recreation Physical/Verbal Altercation Policy to all League participants. In the event your league experiences unsportsmanlike conduct from players, fans, spectators, coaches, etc. please report the incident on the next business day to Darliene Haley, Athletic Director, 288-2921. The investigation will begin immediately and the procedures outlined in the Handbook will be followed. The League will be asked to fully cooperate by providing written statements from all individuals involved in the incident, as well of statements from spectators who witnessed the incident(s). During the investigation, the individual(s) accused will be suspended from all sporting activities and/or sports-related events.
19. Sports lights must be turned off by 11:00pm. If exceptional situations arise, such as tournaments or excessive rainouts, the league must request permission in writing from the Director of Parks and Recreation. Leagues leaving lights on after 11:00pm will be charged an hourly rate of $100 to cover additional electric expenses. Use of lights is to be used for scheduled practices and/or games only.
20. Any advertisements or marketing done by the league must include the Parks and Recreation logo. The logo will be sent to each President electronically.
21. The following things are not permitted on the grounds: Driving or parking on sidewalks, and hitting/throwing balls against the fencing, concession walls, or any other permanent structure. The league is responsible for any damages and should inform all participants and spectators.
22. Failure of the League to honor any or all of this agreement shall relieve the Government of any commitments herein agreed upon and shall make this agreement null and void.

Any alterations to this agreement must be made in writing and must be agreed upon by the League and the Government before the alteration is implemented.

The Lexington-Fayette Urban County Government and its Division of Parks and Recreation prohibits discrimination on the basis of financial ability to pay, race, color, national origin, age, sex, religion, or special needs in its programs and/or activities.

D. SIGNATURES

____
DIRECTOR, DIVISION OF PARKS AND RECREATION

____
COMMISSIONER, GENERAL SERVICES

____
LEAGUE PRESIDENT (Print or Type Name)

____
STREET ADDRESS

____
CITY STATE ZIP CODE

____
WORK PHONE HOME PHONE

____
E-MAIL ADDRESS

____
LEAGUE PRESIDENT SIGNATURE

____
DATE

____
MAYOR, LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

____
DATE

____
ATTEST

General Government Committee Referrals

Item	Referred By	Date Referred	Status
Relationship with the BGADD	Myers	04/12/12	06/04/13
Procedure for Underwriting or Sponsoring one of our Facilities or Parks	Gorton	03/06/13	11/05/13
Moving Human Resources from the Department of Law to the Office of the CAO	Gorton/Link	06/20/13	
Qualified Adult Benefits	Gorton	08/22/13	11/05/2013
Building Security, 200 East Main Street	Gorton	08/29/2013	11/05/2013
Grant Review Process	Scutchfield	09/10/2013	
Restructuring to Remove the Division of Budgeting from the Department of Finance	Mossotti	10/22/2013	