Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Docket

Tuesday, November 18, 2014

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
November 17 – November 24, 2014

Monday, November 17

Keep Lexington Beautiful Program Committee……1:30 pm
Police Roll Call on Old Frankfort Pike

Rural Land Management Board……3:00 pm
Conference Room – 12th Floor Government Center

Special Council Meeting: Zone Change Hearing……..……5:00 pm
Council Chamber – 2nd Floor Government Center

Tuesday, November 18

Environmental Quality Committee……11:00 am
Council Chamber - 2nd Floor Government Center

Budget and Finance Committee……...1:00 pm
Council Chamber - 2nd Floor Government Center

Council Work Session……..3:00 pm
Council Chamber - 2nd Floor Government Center

Wednesday, November 19

Vacant Property Review Commission…….……10:00 am
Conference Room – 5th Floor Government Center

Thursday, November 20

Corridors Commission ……..…11:00 am
Conference Room – 5th Floor Government Center

Council Meeting……6:00 pm
Council Chamber - 2nd Floor Government Center

Friday, November 21

No Meetings

Monday, November 24

No Meetings

Urban County Council
Work Session
Table of Motions
November 11, 2014

Mayor Gray called the meeting to order at 3:00pm. Council Members Gorton, Ellinger, Kay, Ford, Lawless, Beard, Farmer, Stinnett, Scutchfield, Myers, Mossotti, Clarke, Henson and Lane were present. Akers was absent.

I. Public Comment – Issues on Agenda

Motion by Gorton to move the America in Bloom recognition to the beginning of the meeting. Seconded by Scutchfield. Motion passed without dissent.

Motion by Gorton to go into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing potential litigation and pursuant to KRS 61.810 (1)(f) for a discussion that may lead to the appointment of an employee. Seconded by Ellinger. Motion passed without dissent.

Motion by Beard to return from closed session. Seconded by Kay. Motion passed without dissent.

II. Requested Rezonings/Docket Approval

Motion by Julian Beard to approve the docket for the November 13, 2014 Council meeting. Seconded by Ellinger. Motion passed without dissent.

Motion by Farmer to have a presentation at a work session on the LuigArt zoning change before placing it on the docket. Seconded by Lane. Motion passed without dissent.

Motion by Beard to place on the docket for the November 13, 2014, Council meeting a resolution authorizing the Mayor, on behalf of the Urban County Government, to negotiate and execute a Grant Agreement pursuant to the Jobs Fund Program with Sumitomo Electric Wiring Systems in an amount not to exceed $100,000 for the creation of 10 new jobs for a 10 year period, with an average hourly wage of at least $23.69, exclusive of benefits. Seconded by Gorton. Motion passed without dissent.

Motion by Ellinger to place on the docket for the November 13, 2014, Council Meeting the following items related to the issuance of bonds: 1. A resolution authorizing advertisement for bids and the distribution of a preliminary official statement for various purpose General Obligation Bonds, Series 2014B in an aggregate principal amount not to exceed $29 million; and (ii) taxable Qualified Energy Conservation Bonds, Series 2014C in a principal amount not to exceed $3 million. 2 An ordinance authorizing the issuance of (i) various purpose General Obligation Bonds, Series 2014B, in an aggregate principal amount not to exceed $29 million;

and (ii) Energy Conservation General Obligation Bonds, Series 2014C in a principal amount not to exceed $3 million; and approving and authorizing other necessary related actions. 3. An ordinance adopting policies regarding post-issuance compliance with federal tax and securities laws. Seconded by Henson. Motion passed without dissent.

Motion by Mossotti to place on the docket for the November 13, 2014 Council meeting, a resolution authorizing and directing the Division of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to install No Through Truck signs along Southpoint Drive and Clearwater Way. Seconded by Gorton. Motion passed without dissent.

Motion by Lawless to place on the docket for the Thursday, November 13, 2014 Council Meeting, under first reading resolutions, a Resolution establishing a Residential Parking Permit Program for the first 300 feet of the East end of the 600 block of Mount Vernon Drive. Seconded by Myers. Motion passed without dissent.

III. Approval of Summary

Motion by Stinnett to approve the October 21, 2014 summary. Seconded by Mossotti. Motion passed without dissent.

IV. Budget Amendments

Motion by Stinnett to approve budget amendments. Seconded by Gorton. Motion passed without dissent.

V. New Business

Motion by Mossotti to approve new business. Seconded by Gorton. New business items a through u and w through gg were approved without dissent. New business item V passed 13-1. Gorton, Ellinger, Kay, Ford, Lawless, Beard, Stinnett, Scutchfield, Myers, Mossotti, Clarke, Henson and Lane voted yes. Farmer voted no.

VI. Continuing Business/Presentations

Motion by Gorton to approve neighborhood development funds. Seconded by Clarke. Motion passed without dissent.

Motion by Gorton to approve contingency assignments as proposed by the Administration. Seconded by Farmer. Motion passed without dissent.

Motion by Gorton to direct the Administration to proceed with $2.9 million Qualified Energy Conservation Bond (QECB). Seconded by Henson. Motion passed without dissent.

Motion by Gorton to allocate an additional $1.5 million to the Fire Station #2 relocation. Seconded by Henson. Motion passed without dissent.

VII. Council Reports

Motion by Scutchfield to place leaf collection pick up plan into the Planning & Public Works to look at the possibility of alternating the collection annually. Seconded by Stinnett. Motion passed without dissent.

VIII. Mayor's Report

Motion by Gorton to approve the Mayor's Report. Seconded by Farmer. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Stinnett to adjourn 5:29pm. Seconded by Ellinger. Motion passed without dissent.

Lexington-Fayette Urban Council
Work Session Agenda
November 18, 2014

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-3

IV. Budget Amendments – Yes, p. 7-8

V. New Business – Yes, p. 9-21

VI. Continuing Business/ Presentations

- **a** Neighborhood Development Funds, November 18, 2014, p. 22
- **b** Committee Summary: Social Services & Community Development, October 21, 2014, p. 23-27
- **c** Presentation: Amendment to Article 22 for a Planned Unit Development 2 (PUD-2) Zone; By: Chris King, Director, LFUCG Division of Planning, p. 28-33

VII. Council Reports

VIII. Mayor's Report – Yes

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

a **1135-14** Authorization to abolish one (1) position of Computer Analyst (Grade 520E) and create one (1) position of Systems Analyst (Grade 520E) in the Division of Computer Services. FY15 fiscal impact will be a savings of $1,763. (L1135-14) (Maxwell/Hamilton)

This is a request to abolish one (1) position of Computer Analyst (Grade 520E) and create one (1) position of Systems Analyst (Grade 520E) in the Division of Computer Services. FY15 fiscal impact will be a savings of $1,763. p. 10

b **1174-14** Authorization to submit application to the Environmental Protection Agency for a Brownfields Cleanup Grant for Fayette County Courthouse Property. Funds in the amount of $200,000 are being requested and a $40,000 match is required. (L1174-14)(Gooding/Holmes)

This is a request to authorize submittal of an application to the Environmental Protection Agency for a Brownfields Cleanup Grant for Fayette County Courthouse Property. Funds in the amount of $200,000 are being requested and a $40,000 match is required. Funds are budgeted. p. 11

c **1176-14** Authorization to engage AMTEC for services related to the Arbitrage Calculations for the LFUCG Taxable Sewer System Revenue bonds, Series 2009A and the Sewer System Revenue Refunding Bond, Series 2010A at a cost not to exceed $6,000. (L1176-14)(O'Mara)

This is a request to authorize engagement of AMTEC for services related to the Arbitrage Calculations for the LFUCG Taxable Sewer System Revenue bonds, Series 2009A and the Sewer System Revenue Refunding Bond, Series 2010A at a cost not to exceed $6,000. Funds are budgeted. p. 12

d **1184-14** Authorization to Revise the PSA addendum with Prevent Child Abuse Kentucky for FY15 under Resolution #421-2014, replacing the original PSA addendum. (L1184-14) (Mills)

This is a request to Revise the PSA addendum with Prevent Child Abuse Kentucky for FY15 under Resolution #421-2014, replacing the original PSA addendum. There is no fiscal impact. p. 13

e **1185-14** Authorization to execute a Professional Services Agreement with the law firm of Miller Wells, PLLC, acting by and through Mason L. Miller, for the retention of legal and negotiating assistance in developing a new long term water utility franchise with Kentucky American Water Company, at a cost not to exceed $45,000. (L1185-14) (Graham)

This is a request to authorize execution of a Professional Services Agreement with the law firm of Miller Wells, PLLC, acting by and through Mason L. Miller, for the retention of legal and negotiating assistance in developing a new long term water utility franchise with Kentucky American Water Company, at a cost not to exceed $45,000. Funds are budgeted. p. 14

f **1192-14** Authorization to execute Modification No. 2 to Engineering Services Agreement with GRW Engineers, Inc., in the amount of $437,946 for the design of Liberty/Todds Road Section Phase 2 Improvement Project. New contract total is $1,108,991. (L1192-14) (Gooding/Paulsen)

This is a request to authorize execution of Modification No. 2 to Engineering Services Agreement with GRW Engineers, Inc., in the amount of $437,946 for the design of Liberty/Todds Road Section Phase 2 Improvement Project. New contract total is $1,108,991. Funds are budgeted. p. 15-17

g **1193-14** Authorization to execute Change Order #1 to EOP Architect's Professional Services Contract (#439-2014) in the amount of $9,573.75 for the old courthouse structural study. The new contract total is $119,573.75. (L1193-14) (Reed)

This is a request to execute Change Order #1 to EOP Architect's Professional Services Contract (#439-2014) in the amount of $9,573.75 for the old courthouse structural study. The new contract total is $119,573.75. Funds are budgeted. p. 18-20

h **1199-14** Authorization to approve partnership agreements with the Department of the US Treasury, Internal Revenue Service, for the provision of Volunteer Income Tax Assistance (VITA/TCE) program. (L1199-14) (Mills)

This is a request to approve agreements with the Department of the US Treasury, Internal Revenue Service, for the provision of Volunteer Income Tax Assistance (VITA/TCE) program. There is no budgetary impact. p. 21

BUDGET AMENDMENT REQUEST LIST

JOURNAL	82078	**DIVISION**	Finance	**Fund Name**	GO 2009B-Pension Obligation Fund
				Fund Impact	900.91
					.00CR
					900.91

To transfer the remaining balance of Cost of Issuance fees for the GO Pension Bond to General Fund to use on current debt service expenditures.

JOURNAL	82080	**DIVISION**	Finance	**Fund Name**	General Fund
				Fund Impact	900.91
					.00CR
					900.91

To recognize the transfer of remaining balance of Cost of Issuance fees from the GO Pension Bond to use on current debt service expenditures.

JOURNAL	82081-82	**DIVISION**	Traffic Engineering	**Fund Name**	General Fund
				Fund Impact	100,000.00
					100,000.00CR
					.00

To provide funds for new Traffic Signal at Sir Barton/Old Rosebud by recognizing revenue for this purpose.

JOURNAL	82083	**DIVISION**	Traffic Engineering	**Fund Name**	2003 Bond Projects Fund
				Fund Impact	84,000.00
					.00CR
					84,000.00

To allocate unbudgeted bond funds from 2002C proceeds to traffic signal project.

JOURNAL	82164	**DIVISION**	Finance	**Fund Name**	General Fund
				Fund Impact	175,000.00
					175,000.00CR
					.00

Reallocation of unused debt service budget for the refunded 2010A bond issue to fund the broadband professional services project.

JOURNAL	82165	**DIVISION**	Finance	**Fund Name**	General Fund
				Fund Impact	150,000.00
					150,000.00CR
					.00

To provide funds in Software to support the replacement of the old Mainframe Occupational License Fee System by decreasing Debt Service Principal.

JOURNAL	82166	**DIVISION**	Revenue	**Fund Name**	General Fund
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide funds for Operating Supplies and Expense by decreasing Prof Svc - IT Professional Services in order to purchase 2007 Microsoft upgrades within the Division of Revenue.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Services District Fund	900.91
Fund	2512	2003 Bond Projects Fund	84,000.00
Fund	2521	GO 2009B – Pension Obligation Fund	900.91

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
1135-14	82073	Computer Services	To provide funds for one position of Systems Analyst by decreasing funds for one position of Computer Analyst in the Division of Computer Services. 1101 1,763.00CR 1,763.00CR

EFFECT ON FUND BALANCES

FUND 1101 1,763.00 INCREASE TO: GENERAL SERVICES DISTRICT FUND

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Sally Hamilton
Chief Administrative Officer

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: John Maxwell by JM Walters
John Maxwell, Director
Division of Human Resources

DATE: October 28, 2014

SUBJECT: Abolish/Create Positions – Division of Computer Services

The attached is requesting authorization to abolish one (1) position of Computer Analyst (Grade 520E) and create one (1) position of Systems Analyst (Grade 520E) in the Division of Computer Services, effective upon passage by Council.

This position will assist the Division to acquire staff that can assist with the software requirements and technical project management needs of the LFUCG.

The fiscal impact for FY2015 (14 pay periods) will be a savings of $1,763.43, including benefits.

Name	Position Title	Annual Salary Before w/benefits	Annual Salary After w/benefits	Annual Increase/Decrease
Vacant	Computer Analyst	$(79,926.92)	$0	$(79,926.92)
Vacant	Systems Analyst	$0	$76,651.97	$76,651.97
Total Annual Impact/ Salary and Benefits $(3,274.95)				

If you have questions or need additional information, please contact Alisha Lyle at (859) 258-3957.

Log #15-0028

Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: NOVEMBER 7, 2014

SUBJECT **Request Council authorization to submit application to the Environmental Protection Agency for a Brownfields Cleanup Grant for Fayette County Courthouse Property**

The Division of Environmental Policy has prepared an application requesting federal funds from the Environmental Protection Agency for a Brownfield Program Cleanup Grant to help remediate environmental concerns identified at the old Fayette County Courthouse, 215 West Main Street. Addressing environmental concerns, including lead based paint, asbestos containing materials, mold, and guano, will help facilitate reuse of this property.

Federal funds in the amount of $200,000 are being requested. A local match amount in the amount of $40,000 is required. Match is available in account 1105-900609-0001-71206.

A brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, and petroleum or petroleum products. These funds are authorized by the Comprehensive Environmental Response, Compensation and Liability Act as amended by the Small Business Liability Relief and Brownsfield Revitalization Act.

Council authorization to submit application is hereby requested.

Irene Gooding, Director

Xc: David Holmes, Commissioner of the Department of Environmental Quality and Public Works

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members, Urban County Council

FROM: William O'Mara, Commissioner
Department of Finance and Administration

DATE: November 6th 2014

SUBJECT: Arbitrage Rebate Computation Funding

Authorization is requested to engage AMTEC for services related to the Arbitrage Calculations for the LFUCG Taxable Sewer System Revenue Bonds, Series 2009A and the Sewer System Revenue Refunding Bond, Series 2010A at a cost not to exceed $6,000.00. These calculations are required to be submitted to the IRS per the Bond documents. The funds are fully budgeted.

wm/lyb

Attachment

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: November 10, 2014

SUBJECT: FY15 PSA with Prevent Child Abuse Kentucky Addendum Revision

The Department of Social Services requests to revise the Purchase of Service Agreement Addendum with Prevent Child Abuse Kentucky for Fiscal Year 2015 under Resolution #421-2014, replacing the original PSA Addendum.

There is no fiscal impact to LFUCG associated with this request.

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

FROM: Department of Law

DATE: November 10, 2014

RE: Water Utility Franchise Legal Services

The Department of Law is requesting approval of the attached agreement for legal services with the law firm of Miller Wells, PLLC acting through Mason L. Miller. Mr. Miller and his firm have extensive experience in complex contract negotiations.

The retention of legal and negotiating assistance in developing a new long term water utility franchise will be of valuable assistance to the government. The agreement is capped at $45,000 and the funds have previously been budgeted.

Please contact me should you have any questions.

Janet M. Graham
Commissioner of Law

ATTACHMENT

00462011

Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: NOVEMBER 10, 2014

SUBJECT: **Request Council authorization to execute Modification No. 2 to Engineering Services Agreement with GRW Engineers, Inc. for the design of Liberty/Todds Road Section Phase 2 Improvement Project**

The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Transportation Cabinet for the widening and reconstruction of Todds Road/Liberty Road, Section 2. Section 2 is described as beginning 0.2 miles south of Andover Forest Drive/Forest Hill Drive to Interstate 75, a total distance of approximately 1.5 miles.

On June 24, 2004 (Resolution 324-2004), Council approved Engineering Services Agreement with GRW Engineers, Inc., in the amount of $399,992 for design of this project.

On April 14, 2011 (Resolution No. 128-2011), Council approved Contract Modification in the amount of $271,053 for a new total of $671,045.

A contract modification in the amount of $437,946 has been negotiated for modification of original design to provide for revised scope to include: revisions related to storm water and sewer infrastructure requirements, right of way revisions related to request from KYTC, utility revisions, revisions related to Todds Road Tributary drainage structure options, revisions related to structural changes in the I-75 bridge, revisions related to the tunnel, and revisions related to environmental issues. New contract total is $1,108,991.

Funds are budgeted in:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3160	303202	3211	91715	LIBERTYTD_2005	MS_GRANT	2005

Council authorization to execute Contract Modification No. 2 with GRW Engineers, Inc., is hereby requested.

Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION Page 1 of 2			
	Date:	August 26, 2014	
	Project:	Liberty/Todds Road Section 2	
	Location:	Andover Forest Drive to I 75	
To (Contractor): GRW Engineers, Inc.	Contract No.	5221	
	Original Contract Amt.	$399,992.00	
	Cumulative Amount of Previous Change Orders	$271,053.00	
	Percent Change - Previous Change Orders		67.76%
	Total Contract Amount Prior to this Contract mod	$671,045.00	
	Contract Mod No.	2	

You are hereby requested to comply with the following changes from the contract plans and specification;

Current Change Order

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
1	Design scope has changed as follows:		$437,946.00	
	Design revisions related to storm water sewer infrastructure and phasing of the project.			
	Right of Way revisions to related to adjusting right of way as per KYTC request			
	Utility revisions related to requests by utility company requests			
	Design revisions related to Todds Road Tributary drainage structure options			
	Design revisions related structural changes in the I 75 bridge			
	Design revisions related to the the tunnel			
	Design revisions related to environmental issues			
	Total decrease	$0.00		
	Total increase		$437,946.00	
	Net Amount of this Change Order	$437,946.00		
	New Contract Amount Including this Change Order	$1,108,991.00		
	Percent Change - This Change Order			39.49%
	Percent Change - All Change Orders			177.25%

The time provided for the completion in the contract and all provisions of the contract will apply hereto.

Recommended by Keith Lovan (Proj. Engr.) Date 11/10/14

Accepted by [signature] (Contractor) Date 11/10/14

Approved by [signature] (Director) Date 11/10/14

Approved by [signature] (Commissioner) Date 11/10/14

Approved by _____ (Mayor or CAO) Date _____

JUSTIFICATION FOR CHANGE	PROJECT: Liberty Todds Road Section 2 1192-14
	CONTRACT NO.: 5221
	CONTRACT MOD: 2

1. Necessity for change: change in scope

2. Is proposed change an alternate bid? ___Yes _X_No
3. Will proposed change alter the physical size of the project? ___Yes _X_No
   If "Yes", explain.

4. Effect of this change on other prime contractors: N/A

5. Has consent of surety been obtained? ___Yes _X_Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes _X_No
   If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A

8. Effect on contract completion date: N/A

_____ _____
Mayor Date

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

TO: **Jim Gray, Mayor**
Urban County Council

FROM: **Geoff Reed, Commissioner of General Services**

DATE: **November 11, 2014**

SUBJECT: **Request Council Authorization to Execute Change Order #1 with EOP Architect's PSC. In the Amount of $ $9,573.75 for the Old Courthouse /structural study, Contract #439-2014**

The Department of General Services is recommending the execution of change order No.1 for the amount of $9,573.75 with EOP Architect's, PSC, Lexington, Kentucky for the Old Courthouse, 215 Main Street project. The new contract total is $119,573.75

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2603	707501	7041	91012	$9,573.75

Council authorization to execute Change Order No. 1 to the agreement with EOP Architect's, PSC in the amount of $9,573.75 is hereby requested.

Geoff Reed, Commissioner

Cc: Jamshid Baradaran, Director of Facilities and Fleet Management
Mark A. Arnold, Project Manager

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date:	October 6, 2014	
	Project:	Old Courthouse	
	Location:	215 Main Street	
To (Contractor):EOP	Contract No.	439-2014	
	Original Contract Amt.	$110,000.00	
	Cumulative Amount of Previous Change Orders	$0.00	
	Percent Change - Previous Change Orders		0.00%
	Total Contract Amount Prior to this Change Order	$110,000.00	
	Change Order No.	1	

You are hereby requested to comply with the following changes from the contract plans and specification;

Current Change Order

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
1	Consultants		$9,573.75	
	Total decrease	$0.00		
	Total increase		$9,573.75	
	Net Amount of this Change Order		$9,573.75	
	New Contract Amount Including this Change Order		$119,573.75	
	Percent Change - This Change Order			8.01%
	Percent Change - All Change Orders			8.70%

The time provided for the completion in the contract and all provisions of the contract will apply hereto.

Recommended by _____ (Proj. Engr.) Date 11/11/14

Accepted by EOP (Contractor) Date 11/11/14

Approved by _____ (Director) Date 11-11-14

Approved by _____ (Commissioner) Date 11-11

Approved by _____ (Mayor or CAO) Date _____

JUSTIFICATION FOR CHANGE	PROJECT: Old Courthouse 1193-14
	CONTRACT NO.439-2014
	CHANGE ORDER: 1

1. Necessity for change: Consultants using a 70' lift

2. Is proposed change an alternate bid? ___Yes _X_No
3. Will proposed change alter the physical size of the project? ___Yes _X_No
   If "Yes", explain.

4. Effect of this change on other prime contractors: N/A

5. Has consent of surety been obtained? ___Yes _X_Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes _X_No
   If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A

8. Effect on contract completion date: N/A

_____ _____
Mayor Date

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: November 11, 2014

SUBJECT: IRS VITA/TCE Program Agreement

Request approval to authorize the Mayor to sign agreements with the Department of the US Treasury, Internal Revenue Service, for the provision of Volunteer Income Tax Assistance (VITA/TCE) program. This program provides free tax preparation and filing to low to moderate income citizens in Fayette County.

The LFUCG Department of Social Services provides program space for VITA/TCE at the Gainesway Community Center (1201 Centre Parkway) and at the Central Kentucky Job Center (1055 Industry Road). Site will be managed by Department of Social Services staff.

There is no budgetary impact to LFUCG.

Neighborhood Development Funds
November 18, 2014
Work Session

Amount	Recipient	Purpose
$ 1,650.00	Lexington Sister Cities Commission 200 East Main Street Lexington, KY 40507 Kay Sargent	To provide support for internships and student exchange programs.
$ 1,475.00	Boy Scouts of America, Bles Grass Council 3445 Richmond Road Lexington, KY 40509 James "Chip" Armishaw	To provide funding for programming needs.
$ 1,425.00	Girl Scouts of Kentucky, Wilderness Road Council 2277 Executive Drive Lexington, KY 40505 Susan Douglas	To provide funding for programming needs.
$ 1,550.00	Lexington Humane Society 1600 Old Frankfort Pike Lexington, KY 40504 Susan Malcolm	To provide funds for the Spay's the Way program.
$ 850.00	Lexington Fairness, Inc. ATTN: Senior Pride Initiative PO Box 417 Lexington, KY 40588 Vicki Stanley	To provide funding to assist with 2015 programming needs.
$ 825.00	NERD SQUAD, Inc. 501 West Sixth Street, Suite 250 Lexington, KY 40508 Bianca Beach	To provide funds for outreach programs and create interactive activities for students.
$ 1,200.00	Douglass Bearcats c/o Georgetown Street NA, Inc. PO Box 11382 Lexington, KY 40575 Diane Marshall	To assist with expenses for the team to travel to the Battle of the Rocky Top football tournament in Knoxville, TN.

Social Services & Community Development Committee
October 21, 2014 Summary

CM Ford called the meeting to order at 11:03 AM. CMs Akers, Ellinger, Kay, Stinnett, Beard, and Lane were present. CMs Lawless, Scutchfield, and Myers were absent. CM Clarke was also in attendance.

Committee Summary

On a motion by CM Ellinger, second CM Beard, the summary of the September 23, 2014 Social Services & Community Development Committee meeting was approved unanimously.

Partner Agency Funding Process (FY16) / Change Name of Program

Commissioner Mills introduced Theresa Maynard. Ms. Maynard provided an overview of the proposed amendments to the FY16 Extended Social Resource ("ESR") program funding process. She stated that a mandatory preapplication meeting will be held on November 19, 2014, and presented the following discussion items for the committee's consideration:

1. The total funding amount available for all programs;
2. Funding emergency shelter programs through the Office of Homelessness Prevention and Intervention (utilizing ESR funds);
3. Disallowing a program to be funded by both Partners for Youth and through ESR funding.
4. Amending the application from an annual to a biannual process, providing for two year funding awards;
5. The Mayor's Proposed Budget will include a total lump sum budgetary line item for ESR programming, rather than specific program funding information;
6. Discussion regarding setting caps for maximum funding requests for a single program and/or a maximum number of programs for which an individual agency can request funding;
7. Implementation of a "letter of intent" process with a December 15, 2014 deadline;
8. Allowing collaborative applications, and providing bonus points for same; and
9. Council Budget Link will be held with the Commissioner of Social Services and the ESR funding workgroup rather than individual agencies.

In response to a question from CM Lane, Ms. Maynard stated that approximately $700,000 would be allocated to the Office of Homelessness Prevention and Intervention based on the current fiscal year budget. She stated that the Director of that office could manage this process without additional staff. CM Lane asked a question regarding the timing of the biannual funding process, and Commissioner Mills responded that the Department of Law had been consulted regarding this process, and the second year of funding would be contingent upon the availability of funds.

CM Lane asked for criteria related to item 7. Ms. Maynard responded that applications that do not respond to the mission of the Department of Social Services and do not meet minimum application criteria will be rejected.

CM Lane asked how collaborative programs will be managed. Ms. Maynard stated that collaborative programs will be managed by the designation of a single fiscal agent.

In response to a question from CM Beard, Ms. Maynard responded that the Office of Homelessness Prevention and Intervention would administer funds for emergency shelters through a simplified application process. Commissioner Mills stated that program parameters for emergency shelters would be established and administered by the Office of Homelessness Prevention and Intervention.

In response to a question from CM Kay, Ms. Maynard discussed collaborative applications as they relate to innovative programs. CM Kay discussed the need to make policy decisions regarding funding innovative or ongoing programs.

In response to a question from CM Akers, Ms. Maynard affirmed that the FY15 scoring rubric would be used for the FY16 funding process. CM Akers stated support for providing points for innovative and collaborative program applications.

CM Lane asked if the funding proposed to be moved to the Office of Homelessness Prevention and Intervention will be in addition to that office's present funding; Ms. Maynard responded that it will.

CM Stinnett requested clarification regarding the funding being transferred to the Office of Homelessness Prevention and Intervention for emergency shelter funding. He asked for a recommendation for the appropriate amount of ESR funding to transfer on an annual basis to fund emergency shelters. Commissioner Mills stated that staff recommends between 20 percent and 25 percent of the total ESR funding be allocated to emergency shelter funding.

In response to a question from CM Stinnett, Ms. Maynard explained that a biannual funding process requires fewer resources from agencies during the application process, and creates more stable funding for programs. A biannual process will also require less LFUCG staff time to administer.

CM Clarke spoke in favor of biannual funding, and asked if there was agency input regarding item 2. Janice James with the Hope Center spoke in favor of a biannual funding process, particularly for essential services such as emergency and homeless shelters. Ms. Maynard reiterated that agencies receiving emergency shelter funding would still apply for funding through a simplified application process.

Ms. Maynard responded to a question from CM Kay and clarified the application timeline and requirements for emergency shelters.

CM Akers asked for clarification regarding funding of year two of the program award. Ms. Maynard stated that Purchase of Service Agreements will clearly state that awarding of the second program year funding will be contingent upon the availability of funding. She stated that that the funding will be provided in accordance with the LFUCG's current quarterly invoicing process. Commissioner Mills reiterated that the LFUCG should not be the primary funding source of any program.

CM Akers referred to the funding categories, and stated concern with continuing funding for the Public Health category.

CM Stinnett stated that item 1 would apply to the General Fund budget only.

Motion by CM Stinnett, seconded by CM Ellinger, to allocate 25 percent of annual ESR funding to emergency shelter programs. Motion passed without dissent.

CM Kay spoke against setting a program or maximum funding request cap, and stated that the LFUCG should focus on funding the best programs the community can provide.

Motion by CM Akers, seconded by CM Ellinger, to set a funding target of one percent of the General Fund budget for all ESR programs. Motion passed without dissent.

Motion by CM Kay, seconded by CM Akers to approve a requirement that no specific program can be concurrently awarded grant funds by both Partners for Youth and through the ESR Program. Motion passed without dissent.

Motion by CM Kay, seconded by CM Ellinger to approve a biannual application cycle for ESR funding. Motion passed, with CMs Ford, Akers, Ellinger, and Kay voting in favor, and CMs Stinnett, Beard, and Lane dissenting.

Motion by CM Stinnett, seconded by CM Ellinger to approve the presentation of a lump sum amount for ESR funding in the Mayor's Proposed Budget, rather than individual line items for each program receiving funding. Motion passed without dissent.

Motion by CM Stinnett, seconded by CM Ellinger to require a Letter of Intent process prior to a formal ESR program application. Motion passed without dissent.

Motion by CM Kay, seconded by CM Ellinger to allow collaborative ESR program applications, and to award a 5 point bonus for same. Motion by CM Akers, seconded by CM Ellinger, to amend the motion to provide for 10 points for collaboration rather than 5 points. Motion to amend failed unanimously. The original motion passed, with CMs Ford, Akers, Ellinger, and Kay voting in favor, and CMs Stinnett, Beard, and Lane dissenting.

Motion by CM Akers, seconded by CM Beard to require the Council Budget Link to be held with the Department of Social Services Commissioner and the ESR funding workgroup rather than individual applicant agencies. Motion passed without dissent.

The item regarding setting a cap on single program funding requests and/or the number of programs for which a single agency can request funding was not voted on, and was deferred to the Council for consideration.

Homecare Program Match

Craig Bencz presented this item, and explained the FY15 Council Link recommendation to separate the existing Purchase of Services (PSA) agreement with the Bluegrass Area Development District (BGADD) into agreements for BGADD annual dues and the Kentucky State Homecare Program (Homecare), respectively. He further explained the recommendation for Homecare funds to be placed in the Department of Social Services' budget to provide for further separation of funds.

Motion by CM Kay, seconded by CM Akers, to approve the Council Link recommendation to split the BGADD PSA agreement into two separate agreements for BGADD membership dues and Homecare match. Motion passed without dissent.

Workforce Investment & Training – Interlocal Agreement

CM Ford referred to the memorandum and timeline included in the committee packet, and introduced a Resolution recommending that the Mayor not sign the proposed Amended Interlocal Cooperative Agreement and take the necessary steps to have Lexington-Fayette County area declared a Workforce Investment Area. CM Ford asked Vice Chair Akers to temporarily assume the committee chair to allow him to bring forth a motion related to this item.

CM Lane acknowledged the issue, but stated that positive changes had been made at the BGADD to address problems. He suggested that additional time be allowed to allow the BGADD to continue to address issues.

CM Ford stated the importance of the proposed Resolution, and stated that the LFUCG has exhausted reasonable efforts to be supportive of the BGADD. He explained that some segments of the community are still not being served by the BGADD, and ongoing communications with the community demonstrate that the issues related to the Workforce Investment Board are not being adequately addressed.

In response to a question from CM Ellinger, CM Ford stated that the existing Interlocal Cooperative Agreement will remain in place in the absence of a signed Amended Interlocal Cooperative Agreement, and referenced changes that will occur in 2015 as a result of the passage of the Workforce Innovation and Opportunity Act.

In response to a question from CM Lane, CM Ford stated that the Business and Education Network is working on a Workforce Analysis study for Fayette County, and passage of the proposed Resolution is the first step in exploring declaration of the Lexington-Fayette County area as a Workforce Investment Area in FY 2015-2016.

CM Clarke spoke in favor of moving the Resolution forward to the full Council for discussion.

CM Stinnett stated that this is the first step in developing a workforce development program in Fayette County, and stated support for the Resolution.

CM Ford stated that the committee has reviewed this issue in depth, and asked for support in moving the Resolution forward to Council for consideration.

Motion by CM Ford, seconded by CM Ellinger, to approve forwarding the Resolution regarding the proposed Amended Interlocal Cooperative Agreement to the full Council for further consideration. Motion passed without dissent.

Items Referred to Committee

On a motion by CM Ellinger, second by CM Kay, "BGADD Membership, Audit Response" was removed from the referral list. Motion passed unanimously.

On a motion by CM Ellinger, second by CM Akers, "Change name from Partner Agency to Partner Program Funding" was removed from the referral list. Motion passed unanimously.

On a motion by CM Ellinger, second by CM Kay, "Partner Agency Funding Process" was removed from the referral list. Motion passed unanimously.

On a motion by CM Akers, second by CM Kay, "Manage Partner Agency Prescription Programs" was removed from the referral list. Motion passed unanimously.

On a motion by CM Ford, second by CM Ellinger, "Proposed Reorganization of Office of Homelessness Prevention & Intervention to the Department of Social Services" was removed from the referral list. Motion passed unanimously.

The meeting adjourned at 12:35 PM.

2014-11-07 CLB

Amendment to Article 22 for a Planned Unit Development 2 (PUD-2) Zone

ZOTA 2014-7
Planning Commission Public Hearing
October 23, 2014

Purpose

- To create the LuigART PUD-2 Zone to facilitate the LuigART Maker Spaces project.
  - LuigART Maker Spaces is an innovative live-work zone designed to invest in the near downtown neighborhood located along North Limestone, between W. Seventh Street and the R.J. Corman railroad line.

Planned Unit Development Zones

- Lexington's Article 22 for Planned Unit Development (PUD) Zones is a zoning tool that allows for innovation which may not be accomplished with more traditional zoning practices.
- It is intended that PUD zones be established to encourage innovative design and the use of qualified professionals to provide for flexibility, to promote efficient use of land, to minimize conflicts, to further the implementation of the Comprehensive Plan, etc.

What is a "maker space"?

- A "maker space" is a physical location where people gather to share resources and knowledge, work on projects, network, and build. *(EDUCAUSE, 2013)*
- The proposed maker space near Luigart Court are centered around artist endeavors.

LuigART PUD-2 Zone

- Existing zoning does not provide adequate flexibility
- "Sustainability Plan" includes:
  - Homeownership and equity programs
  - Artist-in-residence
  - Visiting artist housing
  - Gallery space for artists, makers and partner organizations

Aerial Map

LuigART PUD-2 Zone

- Remove the typical zoning barriers within existing urban context to encourage redevelopment and rehabilitation of the area
- Two-step approach to design standards, with Planning Commission review if more significant changes are proposed to a property

LuigART PUD-2 Zone

- New definitions
  - Live/work space
  - Artist studio
  - Artisan food and beverage production
  - Artisan manufacturing
  - Digital makerspace
  - Urban agriculture
  - Visiting artist housing
  - Accessory dwelling unit

LuigART PUD-2 Zone

- Different approach to parking requirements
  - No off-street parking requirement
  - Maximum vehicular use area (VUA) coverage to limit the potential impact of surface parking to the character of the neighborhood
  - On-street parking is already available and alternative modes of transportation are encourage in the neighborhood
  - Off-street parking available for special events

LuigART PUD-2 Zone

- Site inventory and site analysis standards and recommendations will be provided during the re-zoning process
- Development Plan applications will be evaluated against the site analysis standards and recommendations

LuigART PUD-2 Zone

- Development plans will be prepared by a registered architect and at least one other design professional

Staff Recommendation

- **Approval** of petitioner's revised text
- Findings:

1. The current Zoning Ordinance is able to accomplish the task of creating a unique zoning tool through the use of Article 22, where a Planned Unit Development can be designed to allow for innovation that may not be accomplished using traditional zoning techniques.
2. The proposed text amendment to establish the LuigART Planned Unit Development-2 (PUD-2) zone will permit a mixed-use district near the North Limestone and Loudon Avenue intersection that will encourage homeownership and equity programs, an artist-in-residence program, visiting artist housing, a business incubator and gallery space.
3. The proposed PUD-2 zone will allow an innovative program that supports the 2013 Comprehensive Plan and the 2009 Central Sector Small Area Plan. The following Themes of the 2013 Comprehensive Plan are supported by the proposed text amendment: Protecting the Environment (Theme B), Improving a Desirable Community (Theme D), Maintaining a Balance Between Planning for Urban Uses and Safeguarding Rural Land (Theme E), and Implementing the Plan for Lexington-Fayette County and the Bluegrass (Theme F).