# Lexington-Fayette Urban County Government

*200 E. Main St*
*Lexington, KY 40507*

**Tuesday, May 12, 2015**

**3:00 PM**

**Packet**

**Council Chamber**

# Urban County Council Work Session

**URBAN COUNTY COUNCIL**
**SCHEDULE OF MEETINGS**
**May 11 – May 18, 2015**

**Monday, May 11**
No Meetings

**Tuesday, May 12**
Ethics Ordinance Review Subcommittee……………………………..………..8:30 am
Conference Room – 5th Floor Government Center

General Government Link……………………………………………..………9:00 am
Council Chamber – 2nd Floor Government Center

Planning & Public Safety Committee…………………...……………………1:00 pm
Council Chamber – 2nd Floor Government Center

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

**Wednesday, May 13**
Tree Board…………………………………..…………………..……..……….10:30 am
Conference Room – 5th Floor Government Center

Homelessness Prevention & Intervention Board………………..…………..1:30 pm
1055 Industry Road

**Thursday, May 14**
No Meetings

**Friday, May 15**
No Meetings

**Monday, May 18**
No Meetings

**Lexington-Fayette Urban County Council**
**Work Session Agenda**
**May 12, 2015**

**I. Public Comment - Issues on Agenda**

**II. Requested Rezonings/ Docket Approval – No**

**III. Approval of Summary**

- **a** Table of Motions, May 5, 2015 Work Session, p. 1-3

**IV. Budget Amendments – No**

**V. New Business – Yes, p. 4-20**

**VI. Continuing Business/ Presentations**

- **a** Neighborhood Development Funds, May 12, 2015, p. 21
- **b** Summary: Planning & Public Safety Committee, April 14, 2015, p. 22-25

**VII. Council Reports**

**VIII. Mayor's Report – No**

**IX. Public Comment - Issues Not on Agenda**

**X. Adjournment**

**Administrative Synopsis - New Business Items**

| | | |
|---|---|---|
| **a** | **0505-15** | Authorization to execute a Maintenance Agreement between the LFUCG and Unique Security for the provision of preventative and emergency maintenance for the security electronics system at the Division of Community Corrections. This is a three(3) year agreement beginning July 1, 2015. Execution of the agreement will be pursuant to allocation of funds in the FY16 budget. Total cost of agreement is $142,355, $47,451.67 has been requested for FY16. (L0505-15)(Ballard/Bastin) p. 4 |
| **b** | **0545-15** | Authorization to execute an agreement between the LFUCG and Smith Contractors, Inc. for Change Order #5; Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvement Project. The change order is for the amount of $67,542.29 and includes deducts for equipment eliminated from the contract and increases for additional equipment and labor for miscellaneous controls and electrical upgrades needed to complete the project. The change order is fully budgeted. (L0545-15)(Martin/Holmes) p. 5-9 |
| **c** | **0551-15** | Authorization to provide a grant of $36,000 to LexArts for installation and completion of Livestream Project for the EcoART Program for permanent installation of the project at Jacobsen Park. The goals of the EcoART program are to generate increased awareness of environmental issues important to Lexington, educate citizens about water quality and conservation, and promote a healthy and sustainable quality of life. Funds are fully budgeted. (L0551-15)(Plueger/Holmes) p. 10 |
| **d** | **0559-15** | Authorization to accept award in the amount of $95,000 from the Kentucky Agricultural Development Fund for support of the Local Food Coordinator Project in the Mayor’s Office-FY 2016-2017. The FY 2016 award will be for $47,500. The Local Food Coordinator is an advocate for policies, broker to connect local producers with institutional markets, supports projects that lead to increased markets for local farm products, and expanding efforts to include surrounding counties. The position also provides consumer education on nutrition and works to increase the availability of wholesome foods to underserved populations. (L0559-15)(Gooding/Atkins) p. 11 |
| **e** | **0574-15** | Authorization to submit application and accept award, if offered, to the Kentucky Department of Education for Participation in the Child Care Food Program at the Family Care Center - FY16. This program serves meals at |

free and reduced rates to infants and toddlers. Based on current rates, an estimated $79,000 will be collected. Additional funds in the amount of $21,000 have been requested in the FY 2016 general fund in the event that costs exceed actual reimbursement through the program. A budget amendment is in process. (L0574-15)(Gooding/Ford) p. 12

| | | |
|---|---|---|
| **f** | **0579-15** | Authorization to execute Amendment #16 to agreement with Stantec (formerly known as Entran, PLC, formerly, known as American Consulting Engineers, PLC) for the Newtown Pike Extension Project. The purpose is to add the following services: maintain the NPE web site for an additional year, additional work for ROW acquisition, re-design Merino and DeRoode Street utility relocation (Phase II Construction) coordination, geotechnical investigations for the neighborhood and structural design of the large retaining wall behind Harry Gordon Steel Site. The cost is $1,109,906. Funds are fully budgeted. (L0579-15)(Gooding/Paulsen) p. 13-17 |
| **g** | **0582-15** | Authorization to execute an agreement between the LFUCG and Strothman and Company, Certified Public Accountants and Advisors, to conduct a financial audit of all LFUCG funds for fiscal year 2015. This engagement is necessary to complete the LFUCG's Comprehensive Annual Financial Reports. The funds are included in the FY16 budget and not to exceed $145,000. Upon completion, the audit will be presented to Council. (L0582-15)(O'Mara) p. 18 |
| **h** | **0583-15** | Authorization to enter into an agreement between the LFUCG and Strothman and Company, Certified Public Accountants and Auditors to conduct the Sheriff's Settlement for the 2014 Property Tax year. This item is required by state statute. Funds are included in the FY16 budget and not to exceed $7,500. (L0583-15)(O'Mara) p. 19 |
| **i** | **0584-15** | Authorization to accept an award of federal funds from the Kentucky Transportation Cabinet for ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2016. Funds will be used for overtime, professional development, mileage, and traffic signal equipment. The award amount is $480,000 in federal funds. A local match of $120,000 (20%) is required. The match funds have been requested in the FY2016 budget. Acceptance of the award will be subject to the availability of funds in FY2016. (L0584-15)(Gooding/Paulsen) p. 20 |

**URBAN COUNTY COUNCIL**
**WORK SESSION**
**TABLE OF MOTIONS**
**May 5, 2015**

Mayor Gray called the meeting to order at 3:00pm. All council members were present.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by Akers to approve the docket for the May 7, 2015 Council meeting. Seconded by Kay. Motion passed without dissent as amended.

Motion by Stinnett to place on the docket for the Thursday, May 7, 2015 Council meeting a resolution authorizing the issuance of up to $4.5 million of Educational Building Revenue Refunding Bonds to be issued by Clark County, Kentucky, the proceeds of which shall be loaned to Sayre School to finance the cost of refunding previously issued Lexington-Fayette Urban County Government Educational Building Revenue Refunding and Improvement bonds. This resolution is required by the IRS Code because the Project is located in Fayette County, and the Economic Development Investment Board unanimously approved this bond issuance at its meeting earlier today. The required public hearing has already been scheduled by Council to take place at 6 p.m. on May 7, 2015. Seconded by Lane. Motion passed without dissent.

Motion by Stinnett to schedule a public hearing for the issuance of Industrial Revenue Bonds by Scott County for the YMCA at the Council meeting on May 28, 2015 at 6:00pm. The LFUCG is required to provide a resolution of public support because the project is in Lexington. Seconded by Scutchfield. Motion passed without dissent.

Motion by Scutchfield to place on the docket for the May 7, 2015 Council Meeting an ordinance defining a retail e-cigarette store and exempting qualifying e-cigarette stores from enforcement of the indoor smoking ordinance. Seconded by Akers. Motion passed without dissent.

III. Approval of Summary

Motion by Scutchfield to approve the April 28, 2015 work session summary. Seconded by Akers. Motion passed without dissent.

IV. Budget Amendments

Motion by Stinnett to approve budget amendments. Seconded by Scutchfield. Motion passed without dissent as amended.

Motion by Bledsoe that a budget amendment for the Therapeutic Recreation project awarded from the Kentucky Education Fund for Handicapped Children in the amount of $5,000 be added to the list of Budget Amendments on page 3 of the Work Session packet. This budget amendment reallocates funds within the grant fund to meet the needs of the program. Seconded by Lane. Motion passed without dissent.

V. New Business

Motion by Stinnett to approve new business. Seconded by Akers. Motion passed without dissent. Gibbs recused on item A.

VI. Continuing Business/Presentations

Motion by Stinnett to approve neighborhood development funds. Seconded by Scutchfield. Motion passed without dissent.

VII. Council Reports

Motion by Kay to place on the docket for the May 7, 2015 Council meeting an ordinance amending section 1 of Ordinance No. 166-2014, which amended and established the schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2015, to change the dates of the Council meetings scheduled for June 23 and June 25 to June 16 and June 18, with the first reading of the FY16 budget occurring at the council meeting on June 16 and second reading of the budget on June 18. Seconded by Henson. Motion passed 13-1. Kay, Stinnett. Moloney, J. Brown, Akers, Gibbs, Lamb, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe, Henson and Lane voted yes. Farmer voted no.

VIII. Mayor’s Report

IX. Public Comment – Issues Not on Agenda

Motion by Kay to enter closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing potential litigation. Seconded by Lamb. Motion passed 13-2. Kay, Moloney, J. Brown, Akers, Gibbs, Lamb, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe, Henson and Lane voted yes. Stinnett and Farmer voted no.

Motion by Mossotti to return from closed session. Seconded by Scutchfield. Motion passed without dissent.

X. Adjournment

Motion by Bledsoe to adjourn at 5:31pm. Seconded by Scutchfield. Motion passed without dissent.

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Ronnie Bastin
Commissioner

| | | |
|---|---|---|
| To | : | Mayor Jim Gray<br>Sally Hamilton, CAO<br>Councilmembers |
| From | : | Rodney Ballard, Director RB<br>Division of Community Corrections |
| Date | : | April 16, 2015 |
| File ID | : | 0505-15 |

Subject : Approval of a Maintenance Agreement with Unique Security for the Security Electronics System, RFP#68-2014

Requesting approval of a three (3) year agreement, to begin July 1 2015, between the Division of Community Corrections and Unique Security for proposal #68-2014 Security Electronics System Maintenance. The Division issued an RFP for the provision of preventive and emergency maintenance for the security electronics system. After review by a committee, which included members from the Division of Community Corrections and the Division of Purchasing, Unique Security was selected. Total cost of the three (3) year agreement is $142,355. $47,451.67 is budgeted in FY16.

Funds are budgeted in 1101-505401-5412-76101.

cc: Ronnie Bastin, Commissioner
Department of Public Safety

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David L Holmes
Commissioner

To: Mayor Jim Gray
Urban County Council

From: Charles Martin, P.E., Director
Division of Water Quality

Date: March 30, 2015

Re: Request authorization to execute an agreement with Smith Contractors, Inc. for Change Order #5; Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project

The Division of Water Quality requests approval of Change Order #5 to Smith Contractors, Inc. for additional work to the Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Bower/Aeration and Pump Station Improvements Project (Electrical/SCADA Project). Change Order #5 is for a total amount of $67,542.29.

The Change Order for the Amount of $67,542.29 includes deducts for equipment eliminated from the contract and increases for additional equipment and labor for miscellaneous controls and electrical upgrades needed to complete the project.

The change order is fully budgeted and funds are located in the account shown below.

4003 303401 3421 92711 SCADA_2012 / CONSTRUCT

Should you have any questions, please call.

cc: Tiffany Rank, P.E., Division of Water Quality

| LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2 | | |
|---|---|---|
| | Date: | March 30, 2015 |
| | Project: | Town Branch and West Hickman WWTP Electrical/SCADA, Blower/Aeration and Pump Stations Improvements |
| | Location: | TB, WH WWTP and Pump Stations |
| To (Contractor): Smith Contractors, Inc. PO Box 480 1241 Bypass North Lawrenceburg, Kentucky 40342 | Contract No. | 566-2012 |
| | Original Contract Amt | $13,442,723.00 |
| | Cumulative Amount of Previous Change Orders | $1,154,854.56 |
| | Percent Change - Previous Change Orders | 8.59% |
| | Total Contract Amount Prior to this Change Order | $14,597,577.56 |
| | Change Order No. | 5 |

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 | |
|---|---|---|---|---|
| 2 | Panel A/C Deduct | $85,498.00 | | |
| 4 | Radio Equipment Chagnes | | $24,723.85 | |
| 7 | Additional Tivoli Software | | $16,115.46 | |
| 8 | Change to Control Room Consoles | | $0.00 | |
| 10 | Server Equipment Changes from Dell to IBM | $4,384.62 | | |
| 22 | Additional Devicenet Cable for TB Aeration | | $3,675.53 | |
| 23 | BPR Mixer Switches | | $14,653.40 | |
| 25 | West Hickman Chlorine/Dechlor Control Addition | | $10,702.75 | |
| 26 | Replace 3 Check Valves in WH Zone 1 Aeration | | $15,956.00 | |
| 27 | West Hickman Chlorine/Dechlor Monitoring Addition | | $8,342.00 | |
| 28 | Additional Workstation with Integration and Programming for Pump Stations Telemetry | | $7,711.78 | |
| 29 | Addition of Disconnect Switches WH Zone 2 Aeration | | $27,018.39 | |
| 38 | Labor and Materials for Supplying 9 New MCC Buckets | | $28,525.75 | |
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| | | | | |
| | Total decrease | $89,882.62 | | |
| | Total Increase | | $157,424.91 | |
| | Net Amount of this Change Order | $67,542.29 | | |
| | New Contract Amount Including this Change Order | $14,665,119.85 | | |
| | Percent Change - This Change Order | | | 0.46% |
| | Percent Change - All Change Orders | | | 9.09% |

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

Recommended by [signature] (Proj. Engr.) Date 4/15/15

Accepted by [signature] (Contractor) Date 4/16/15

Approved by [signature] (Director) Date 4-26-15

Approved by________________ (Commissioner) Date________

Approved by________________ (Mayor or CAO) Date________

| | |
|---|---|
| **JUSTIFICATION FOR CHANGE** | PROJECT: Town Branch and West Hickman WWTP Electrical/SCADA, Blower/Aeration and Pump Stations Improvements |
| | CONTRACT NO. 566-2012 |
| | CHANGE ORDER: 5 |

1. Necessity for change: Back-up data is attached explaining the necessity for each item.

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: Contract completion has been extended to July 31, 2015. This will cover the additional time needed to complete the contract.

______________________ Mayor     ____________ Date

## Summary Chart for Change Order #5

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Project:** | | TB, WH & PS Electrical/SCADA Project<br>Lexington, Kentucky<br>Contract # R 566-2012 | *Key*<br>Ow = Owner Om = Omission<br>A/E = Architect/Engineer C = Contractor | | | | | |
| | | | | **Change Requested by** | | | | **CO** |
| **No.** | **Date** | **Brief Description** | **Price** | **Ow** | **A/E** | **C** | **Om** | **No.** |
| 2 | 2/4/2013 | Dedcution for Air Conditioners at pump station control panels.<br>Not necessary but included in bid. ($85,498.00 deduct from Control Touch Direct PO) | -$85,498.00 | X | | | | 5 |
| 4 | 1/21/2014 | Radio Equipment Changes (CPR-002)<br>In the beginning of the project a radio addendum was issued due to the discontinuation of the suggested radio. Since that addendum additional radio changes have been issued. A responsive local radio provider has been identified and the LFUCG (a 24,723.85 credit to Control Touch) | $24,723.85 | | X | | | 5 |
| 7 | 9/12/2013 | Tivoli Software Additional funds<br>During review and understanding of the Tivoli the cost implications were not estimated correctly. This is required by LFUCG computer Services. ($16,115.46 to be creditted to Control Touch Direct PO) | $16,115.46 | | | X | | 5 |
| 8 | 9/12/2013 | Change to the Control Room Consoles<br>Owner requested change due to the delivery time on the submitted consoles. No cost change; switched from Tresco to Wright-Line. | $0.00 | X | | | | 5 |
| 10 | 9/12/2013 | Server equipment changes - from Dell to IBM<br>In the specifications it was specked as IBM or equal. When the integrator tried to submit shop drawings for Dell equipment LFUCG Computer Services did not consider Dell equal and required the equipment to be IBM. ($4,384.62 to be deducted from Control Touch Direct PO) | -$4,384.62 | X | | | | 5 |
| 22 | 3/24/2014 | Purchase of additional devicenet cable for Town Branch WWTP for the aeration tank actuators.<br>Additional cable purchased though Control Touch to be installed during the installation of included work. ($3,196.12 creditted to Control Touch Direct PO) | $3,675.53 | X | | | | 5 |
| 23 | 5/5/2013 | BPR Mixer Switches for local control.<br>Local/Remote selector switches were not part of the original plans. Once construction began staff realized a benefit of adding local control with SCADA control. This provided back-up control and local control for maintenance. ($12,742.08 creditted to Control Touch Direct PO) | $14,653.40 | X | | | | 5 |
| 25 | 6/11/2014 | West Hickman Chlorination/Dechlorination control addition<br>Once the integrator had a chance to look at the existing equipment for chlorination and dechlorination it was determined auto control of the equipment could be added. Adding efficiency to the process. | $10,702.75 | X | | | | 5 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 26 | 9/10/2014 | Replace 3 existing check valves in West Hickman Zone 1 Aeration.<br>After installing 2 new blowers in West Hickman Zone 1 Aeration the check valves were not working correctly. Two valves are being replaced and one is being added so air can be diverted correctly. | $15,956.00 | X | X | | | 5 |
| 27 | 9/10/2014 | West Hickman Chlorination/Dechlorination Monitoring Addition.<br>With new gas monitors added by plant staff the opportunity now exist to get actual readings displayed at the operator's work station. | $8,342.00 | X | | | | 5 |
| 28 | 9/10/2014 | Pump Stations office Relocation<br>Additional equiment/wire needed for pump station's new office along with an additional workstation. | $7,711.78 | X | | | | 5 |
| 29 | 6/1/2014 | Addition of disconnect switches for the gate acuators for West Hickman Zone 2 Aeration.<br>Twelve aeration control valves are located on the Zone 2 Aeration Basins. Multiple actuators are powered on the same electrical circuit. Plant staff requested individual disconnects to allow selected valve actuators to be disconnected from power source for maintenance. | $27,018.39 | | | | | 5 |
| 38 | 2/5/2014 | Installation of 9 additional MCC buckets @ West Hickman<br>These buckets are for circuit breakers to power equipment. Four MCC buckets were required for auxiliary power to magnetic bearings for the four new blowers installed in Zones 1 and 2. The need for these auxiliary circuits was not identified until the manufacturer's factory test. Five MCC buckets were required to provide power to existing equipment that was understood to be out of service, but was determined during construction to need to stay in operation. | $28,525.75 | | | | | 5 |
| | | **Page TOTAL** | **$67,542.29** | | | | | |

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David L. Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM:

Susan Plueger, Director
Division of Environmental Services

DATE: April 27, 2015

RE: **Eco Art Grant - LexArts Livestream Project**

The purpose of this memorandum is to request approval to provide a grant of $36,000 to LexArts for installation and completion of the Livestream Project for the EcoART Program. The development of the Livestream Project has been funded in part by a previous EcoART grant as well as funding from the National Endowment for the Arts. These remaining funds will allow for permanent installation of the project at Jacobsen Park by the end of October 2015.

The goals of the EcoART program are to generate increased awareness of environmental issues important to Lexington, educate citizens about water quality and conservation, and promote a healthy and sustainable quality of life.

Total amount of funds to be disbursed to LexARTS is $36,000. Funds are fully budgeted and available in: 1115-313201-3095-78112.

Questions regarding this item should be directed to me at 425-2888, or Louise Caldwell-Edmonds at 425-2804.

cc: David Holmes, Commissioner

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:** **APRIL 29, 2015**

**SUBJECT:** **Request Council authorization to accept award in the amount of $95,000 from the Kentucky Agricultural Development Fund for support of the Local Food Coordinator Project in the Mayor's Office—FY 2016-2017**

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On January 15, 2015 (Resolution No. 3-2015), Council approved submission of an application to the Kentucky Agricultural Development Fund (KADF) requesting state funds to sustain the Local Food Coordinator position for Fiscal Years 2016 and 2017. The Local Food Coordinator's responsibilities include serving as an advocate for policies, serving as a broker to connect local producers with institutional markets, convening Bluegrass Farm to Table, supporting projects that lead to increased markets for local farm products, and expanding efforts to include surrounding counties. The position also supports consumer education, with an emphasis on underserved populations by encouraging nutrition education and increasing the availability and purchase of wholesome foods to underserved populations.

The Kentucky Agricultural Board has agreed to provide $95,000 ($47,500 for FY 2016 and $47,500 for FY 2017) in state and county funds (Bourbon, Clark, Fayette, Madison, Scott, and Woodford counties) to support the Local Food Coordinator project for a period of two years. General fund dollars in the amount of $77,500 has been requested from the 2016 General Fund budget to support this project for Fiscal Year 2016. Annual budget for FY 2016 is $125,000 for personnel costs, travel, professional development, and marketing and materials for programming/assessments/events. Fiscal Year 2017 grant and match funds will be budgeted next year.

Council authorization to accept award from the Kentucky Agricultural Development Board is hereby requested subject to the availability of sufficient funds in FY 2016.

Irene Gooding, Director

XC: Kevin Atkins, Mayor's Office

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:** **April 30, 2015**

**SUBJECT:** **Request Council Authorization to submit application and accept award if offered to the Kentucky Department of Education for Participation in the Child Care Food Program at the Family Care Center – FY16**

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The Lexington-Fayette Urban County Government Division of Family Services has prepared an application for submission to the Kentucky Department of Education/Division of School and Community Nutrition for participation in the U.S. Department of Agriculture's Child Care Food Program. This program serves meals at free and reduced rates to infants and toddlers attending the Family Care Center's child care and pre-school programs.

It is estimated that 50,000 meals will be served during the twelve-month period, As of July, 2014, the Federal reimbursement rates for free meals is as follows: $1.62 for breakfast, $2.98 for lunch, and $.82 for a supplement. Approximately 93% of the children enrolled in Family Care Center programs qualify for free or reduced meals. Based upon current enrollment, an estimated $79,000 in federal funds will be collected. While no match is required, an additional $21,000 in 2016 General Fund dollars has been requested in the event that catering costs exceed actual reimbursement.

Council authorization to submit application and accept award if offered is hereby requested, subject to the availability of sufficient funds in FY 2016.

Irene Gooding, Director

Xc: Chris Ford, Commissioner of the Department of Social Services

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:** **May 1, 2015**

**SUBJECT:** **Request Council authorization to execute Amendment #16 to agreement with Stantec (formerly known as Entran, PLC, formerly, known as American Consulting Engineers, PLC) for the Newtown Pike Extension Project**

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The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension was authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

The Urban County Council approved a professional services contract with American Consulting Engineers, PLC (now Stantec), in the amount of $1,666,699 on October 11, 2001 (Resolution No. 633-2001).

- Amendment #1 in the amount of $70,049.00 was approved by Council on March 21, 2002 (Resolution No. 150-2002).
- Amendment #2 in the amount of $128,900 was approved by Council on December 12, 2002 (Resolution No. 750-2002).
- Amendment #3 in the amount $699,834.84 was approved by Council on May 29, 2003 (Resolution No. 246-2003).
- Amendment #4 in the amount of $16,770 was approved by Council on November 6, 2003 (Resolution No. 591-2003).
- Amendment #5 in the amount of $589,878 was approved by Council on September 9, 2004 (Resolution No. 475-2004).
- Amendment #6 in the amount of $949,886 was approved by Council on July 12, 2005 (Resolution No. 392-2005).
- Amendment #7 in the amount of $586,703.68 was approved by Council on February 8, 2007 (Resolution No. 39-2007).
- Amendment #8 in the amount of $752,396 was approved by Council on June 26, 2008 (Resolution No. 381-2008).
- Amendment #9 in the amount of 605,853 was approved by Council on December 8, 2009 (Resolution No. 792-2009).

- Amendment #10 in the amount of $159,036 was approved by Council on May 6, 2010 (Resolution No. 233-2010).
- Amendment #11 in the amount of $350,496 was approved by Council on June 24, 2010 (Resolution No. 358-2010)
- Amendment #12 in the amount of $37,850 was approved by Council on October 14, 2010 (Resolution No. 545-2010)
- Amendment #13 in the amount of $241,964 was approved by Council on March 17, 2011 (Resolution No. 101-2011)
- Amendment #14 in the amount of $2,088,076 was approved by Council on July 7, 2011 (Resolution No. 278-2011)
- Amendment #15 in the amount of $560,509.88 was approved by Council on October 24, 2013 (Resolution No. 555-2013)(

Amendment #16 with Stantec (Formerly Entran, PLC, formerly American Consulting Engineers, PLC) is in the amount of $1,109,906 making a new contract total of $10,614,807.39 for professional services. The purpose is to add the following services: maintain the NPE web site (additional year), additional work for ROW acquisition, re-design Merino and DeRoode Street, utility relocation (Phase II Construction) coordination, sanitary sewer relocation coordination, environmental covenants and mitigation coordination, geotechnical investigations for the neighborhood and structural design of the large retaining wall behind the Harry Gordon Steel site. Change Order #16 also provides for services to be provided by subcontractors: EHI and Hall-Harmon Engineers.

The Kentucky Transportation Cabinet has reviewed Change Order #16, and has determined the manhours, fees, and scope of work are reasonable and meet the requirements set forth in the Record of Decision and the Final Environmental Impact Statement. They have approved the processing of Change Order #16.

Funds for Amendment #16 are budgeted as follows:

| FUND | DEPT ID | SECT | ACCOUNT | PROJECT | ACTIVITY | BUD REF |
|---|---|---|---|---|---|---|
| 3160 | 303202 | 3211 | 91715 | NEWTOWNPK_2009 | FED_GRANT | 2009 |

Council authorization to execute amendment #16 to the agreement with Stantec is hereby requested.

Irene Gooding, Director

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

# LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of Planning, Preservation & Development
Division of Engineering

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

*MEMORANDUM*

RECEIVED

APR 30 2015

Division of Grants & Special Programs

TO: Irene Gooding
Director of Grants and Special Programs

FROM: A. Bradley Frazier, P.E. ABF 4/30/15
Urban County Engineer

DATE: April 30, 2015

RE: Newtown Pike Extension Contract Modification #16

Enclosed please find the Contract Modification #16 for the Newtown Pike Extension Project. The purpose will be to amend Stantec's (Formerly Entran) contract to maintain the NPE web site (additional year), additional work for Right-of-Way acquisition, re-design Merino and DeRoode Street, utility relocation (Phase II Construction) coordination, sanitary sewer relocation coordination, environmental covenants and mitigation coordination, geotechnical investigations for the neighborhood and structural design of the large retaining wall behind the Harry Gordon Steel site. Two sub-consultants also are included with this Contract Modification. Hall-Harmon Engineers shall provide additional property research, design of additional Sanitary Sewers for the neighborhood, construction staking, inspection and design staking, subdivision redesign and alternative development for grading. EHI shall provide additional consultation for the Lexington Community Land Trust for housing development, securing housing subsidies, securing housing mortgage financing, assisting with funding and developing policies.

The funding for this Contract Modification #16 is available from Supplemental Memorandum of Agreement No. 2. The total amount for Contract Modification #16 is $1,109,906.

CC: Robert Bayert, P.E.
Andrew Grunwald, P.E.
File

15.P031.403.IreneCO-16

# CONTRACT HISTORY FORM

Project Name: Newtown Pike Extension

Contractor: Entran (Formerly American Consulting Engineers, PLC)

Contract Number and Date: 4661 October 11, 2001

Responsible LFUCG Division: Division of Engineering

## CONTRACT AND CHANGE ORDER DETAILS

| | | |
|---|---|---|
| A. Original Contract Amount: | $ 1,666,698.99 | |
| Next Lowest Bid Amount: N/A | | |
| B. Amount of Selected Alternate or Phase: | $ | |
| C. Cumulative Amount of All Previous Alternates or Phases: | $ 1,666,698.99 | |
| D. Amended Contract Amount: | $ 1,666,698.99 | |
| E. Cumulative Amount of All Previous Change Orders: | $ 7,838,202.40 | 470.3% *(Line E / Line D)* |
| F. Amount of This Change Order: | $ 1,109,906.00 | 66.6% *(Line F / Line D)* |
| G. Total Contract Amount: | $ 10,614,807.39 | |

## SIGNATURES

Project Manager: Andrew Grunwald Andrew Grunwald, P.E. Date: 4/28/15

Reviewed by: Robert S Bayert Robert Bayert, P.E. Date: 4/29/15

Division Director: A. Bradley Frazier Bradley A. Frazier, P.E. Date: 4/29/15

0579-15

# AMENDMENT NO. 16
## Newtown Pike Extension Project
## Contract Dated October 11, 2001

**Purpose/Reason for Amendment:**

The purpose will be to amend Stantec's (Formerly ENTRAN) contract to maintain the NPE web site (additional year), additional work for Right-of-Way acquisition, re-design Merino and DeRoode Street, utility relocation (Phase II Construction) coordination, sanitary sewer relocation coordination, environmental covenants and mitigation coordination, geotechnical investigations for the neighborhood and structural design of the large retaining wall behind the Harry Gordon Steel site. Two sub-consultants also are included with this Contract Modification. Hall-Harmon Engineers shall provide additional property research, design of additional Sanitary Sewers for the neighborhood, construction staking, inspection and design staking, subdivision redesign and alternative development for grading. EHI shall provide additional consultation for the Lexington Community Land Trust for housing development, securing housing subsidies, securing housing mortgage financing, assisting with funding and developing policies.

| | |
|---|---|
| Original Contract Amount | $1,666,698.99 |
| Amendment No. 1 | $ 70,049.00 |
| Amendment No. 2 | $ 128,900.00 |
| Amendment No. 3 | $ 699,834.84 |
| Amendment No. 4 | $ 16,770.00 |
| Amendment No. 5 | $ 589,878.00 |
| Amendment No. 6 | $ 949,886.00 |
| Amendment No. 7 | $ 586,703.68 |
| Amendment No. 8 | $ 752,396.00 |
| Amendment No. 9 | $ 605,853.00 |
| Amendment No. 10 | $ 159,036.00 |
| Amendment No. 11 | $ 350,496.00 |
| Amendment No. 12 | $ 37,850.00 |
| Amendment No. 13 | $ 241,964.00 |
| Amendment No. 14 | $2,088,076.00 |
| Amendment No. 15 | $ 560,509.88 |
| Amendment No. 16 | $1,109,906.00 |
| **NEW CONTRACT AMOUNT** | **$10,614,807.39** |

Owner:

Jim Gray
Mayor
Lexington Fayette Urban County Government
200 East Main Street, 12th Floor
Lexington, Kentucky, 40507

Attest

Consultant:

David Sigler

David Sigler, P.E
Senior Principal
Stantec Consulting Services, Inc.
Formerly - ENTRAN
400 East Vine Street, Suite 100
Lexington, Kentucky, 40507-1577

Stephen Davis
4/23/2015
Attest

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE

Jim Gray
Mayor

William O'Mara
Commissioner

# MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: William O'Mara, Commissioner
Department of Finance

DATE: April 30, 2015

SUBJECT: Fiscal Year 2015 Financial Audit

Authorization is requested to engage Strothman and Company, *Certified Public Accountants and Advisors,* to conduct a financial audit of all LFUCG funds for fiscal year 2015. The funds are fully budgeted and not to exceed $145,000. The objectives of the audit are in the expression of opinions as to whether LFUCG financial documents are fairly presented, in all material respects, in conformity with U.S. Generally Accepted Accounting Principles (GAAP), and to report the fairness of the additional information provided by management. Upon completion, the audit will be presented to Council.

This engagement does not include the audit of the Sheriff's collection of property taxes, Nor does it include the issuing of a consent and citation of expertise related to selling bonds.

I am available if you have any additional questions.

/lyb

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE

Jim Gray
Mayor

William O'Mara
Commissioner

# MEMORANDUM

TO: Mayor Jim Gray
Members, Urban County Council

FROM: William O'Mara, Commissioner
Department of Finance WO

DATE: April 30, 2015

SUBJECT: Sheriff's Settlement – 2014 Property Tax Audit

Attached is the agreement to conduct the Sheriff's Settlement for the 2014 Property Tax year to be prepared by Strothman and Company, *Certified Public Accountants and Auditors.* The funds are fully budgeted and not to exceed $7,500.

Approval of this agreement is requested.

cc. Kathy Witt, Fayette County Sheriff

0584-15

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:** **May 4, 2015**

**SUBJECT:** **Request Council authorization to accept award from the Kentucky Transportation Cabinet for ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2016.**

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The Kentucky Transportation Cabinet has offered the Lexington-Fayette Urban County Government an award of $480,000 in federal funds for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project. The Division of Traffic Engineering continuously upgrades and enhances hardware, software, training and development to improve traffic flow and reduce congestion during weekdays, evenings, weekends, special events and incidents. The equipment upgrades or adjustments sometimes require additional labor/overtime by signal technicians. To lessen the impact of this work on lane blockages and improve motorist and technician safety, it is often performed on weekends or evenings during low volume times. Traffic signal system data collection, communication and vehicle detection will be enhanced at a number of locations throughout the community. Traffic signal system communication is crucial to the safe and efficient operation of the signal system and will be improved through the use of digital telephone and fiber optic cable. Vehicle detection will be improved through the use of video, radar, blueTOAD (detect vehicle speeds), and in-pavement applications at various signal locations to provide up-to-date, reliable data.

Funds will be used for overtime, professional development, mileage, and traffic signal equipment.

The source of federal funds is the Federal Surface Transportation Program Metropolitan Lexington (SLX). A 20% local match in the amount of $120,000 is required. Total project cost is $600,000. Grant match has been requested in the Division of Traffic Engineering Fiscal Year 2016 general fund budget.

Council authorization to accept the award is hereby requested, subject to the availability of sufficient funds in FY 2016.

Irene Gooding, Director

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

# Neighborhood Development Funds
## May 12, 2015
## Work Session

| Amount | Recipient | Purpose |
|---|---|---|
| $ 1,000.00 | Western Little League<br>2820 Ashbrooke Drive<br>Lexington, KY 40513<br>Tim Webb | To provide funds for purchasing a tarp that would allow them to save resources in the event of rain and inclement weather. |
| $ 750.00 | Bluegrass Girls Soft Pitch<br>PO Box 910793<br>Lexington, KY 40591<br>Brian Bivins | To provide funds for replanting trees, improve dugout with organizers, updating mounts on the field and creating warm up pitching lanes. |
| $ 1,600.00 | Lexington Distillery District Foundation, Inc.<br>1200 Manchester Street<br>Lexington, KY 40504<br>Jeff Wiseman | To provide funds for the installation of two entrance signs at Manchester Street and Oliver Lewis Way. |
| $ 1,450.00 | RARE Innercity Ministries<br>171 Burnett Avenue<br>Lexington, KY 40505<br>Aaron Mosley | To provide support for summer programming for innercity youth. |
| $ 1,750.00 | LFUCG Division of Parks & Recreation<br>1101-707604-7292-75800<br><br>Angie Green | To provide funding for furniture needs, a new television and other electronic needs for Kenwick Community Center. |
| $ 1,000.00 | Lexington Sister Cities Program, Inc.<br>200 East Main Street<br>Lexington, KY 40507<br>Kay Sargent | To provide support for fundraising efforts and travel expenses for exchange programs. |
| $ 500.00 | The Cottages of Liberty Woods NA, Inc.<br>785 Rambling Creek Drive<br>Lexington, KY 40509<br>Priscilla Marshall | To provide funds for updating and landscaping the entranceway. |
| $ 750.00 | Brighton East HOA, Inc.<br>PO Box 54726<br>Lexington, KY 40509<br>Russell Edwards | To provide funds to add two trees and perennials to the entranceway. |

**Planning & Public Safety Committee**
April 14, 2015
Summary and Motions

Chair Mossotti called the meeting to order at 12:59 p.m. Committee members Bledsoe, Farmer, Gibbs, Henson, Kay, Lamb, Mossotti, Scutchfield and Stinnett were in attendance. Committee member Akers was absent. Council member Fred Brown was also in attendance.

## 1. February 10, 2015 Committee Summary

A motion was made by Kay to approve the February 15, 2015 Committee Summary, seconded by Bledsoe. The motion passed without dissent.

## 2. Versailles Road Corridor Study

Henson gave a brief history and introduction of the Versailles Road Corridor Study.

Brad Frazier from Engineering introduced Tom Hatfield from EA Partners. Hatfield and John Carmen, with Carman & Associates, presented the findings of the studies to the Council.

Bledsoe inquired about the presented designs in the intersections, and the materials and methods used. Carmen replied it is a material with imprinted designs that is lain down in crosswalks and is therefore durable to constant traffic. Bledsoe questioned the durability and upkeep for these surfaces, to which Carmen replied they would have a 6-9 year life span, which is comparable to other enhancements.

Lamb inquired about right-of-way acquisitions, and if they will be the responsibility of state or local government. Hatfield replied it is a state maintained road. Frazier stated the right-of-way acquisitions will depend on how the project is laid out, but he suspects the state will do this given that the project is on US 60.

Kay requested more information about the rounded corners in intersections. Frasier stated they allow for the turning movements of large trucks and prevent their rear wheels from driving onto pavement or sidewalks where pedestrians would be. Frazier further explained that current regulations call for radiuses at intersections.

Farmer stated the corridor is an important part of the city that has been previously ignored. Farmer inquired if the public art and fence in the median are feasible with the state's involvement. Carmen stated there are constraints and they will need to comply with various right of way conditions set by the state. Carmen stated these applications will be used to show that they have successfully used these means in other urban conditions, and noted there are some areas of give and take.  Carmen explained the fences are used in areas of high volume pedestrian traffic to discourage crossing outside of crosswalks.

Farmer inquired if there is room for planting in the center of the viaduct, to which Carmen affirmed there is, stating three-quarters of the proposed enhancement space is currently unused.  Farmer thanked Carmen for his work on the item and stated his support for the corridor enhancements.

Lamb inquired if the funding for the project has been included in the FY 2016 budget. Frazier stated the next step in the process is to provide the information to the state, which they have done.  Frazier further noted they relied on the state for the document and study. Lamb shared her support for the proposed enhancements.

Henson recognized the work of the engineering department and John Carmen, and further stated that the corridor has significance for economic development.  Henson stated she would move forward with getting funding for this project as well as a resolution for the Council’s support to the state to complete these projects at the next committee meeting.

**3. Design Excellence**

Vice-Mayor Kay gave an update of Design Excellence.

Gibbs inquired about economic incentives, and if the TIF applications were included in the proposal. Kay stated it was considered by the Design Excellence Taskforce, but the guidelines did not list specific incentives.

Bledsoe asked if any of the list of incentives were funded in the Mayor’s Proposed Budget. In response, Kay stated the Design Excellence Officer is the only funded position, and he believes there may also be a small sum of money included for TIF applications.  Commissioner Paulson stated he is not sure if there are explicit funds in the budget for TIF applications, but there is a $1 million fund that is spread between a few items, including economic development land that would include downtown and covers bondable public infrastructure improvements.

Bledsoe inquired if existing projects would be grandfathered into the program, Kay stated they would not, and would only apply to new projects.

Lamb inquired how incentives would be presented, either through policy, or other methods, and if those will be included in the ordinance. Kay stated it would need to be specified. Lamb inquired if there had been discussion about who would administer loan funds to which Kay replied that would be a decision of the board.  Lamb stated she believes the ordinance should also reference Chapter 25 of the Ethics Act.  Lamb suggested the board be structured like the Planning Commission and the Board of Adjustments so that it would fall under the financial interest reviews of the Ethics Act.

Lamb inquired about the intention of the passage in section 26-6, which states, if the board fails to take action in 60 days, then the application is deemed to be approved. Chris King replied the rules are identical to the Courthouse Area Design Review Board (CADRB). Lamb asked if the CADRB had any dealings with incentives, to which King replied they did not, and neither would the Design Excellence Board.

Stinnett inquired if Commissioner Paulson's intentions for the Economic Development money are tied to the Economic Development zones. Paulson replied it is not and the funds will not be for only one zone. Paulson stated that Planning will bring forth a proposal to address this. Stinnett stated this does not fulfill the goal of the committee to reserve the $1 million fund solely for the Economic Development Zone.

In response to a question from Stinnett about the position of Design Officer Paulson stated that within the first year only one position was necessary as his office could assist with the workload in the beginning of the program. Stinnett inquired if the board has looked at merging the proposed board with the DDA, noting that he does not see how their functions will differ. Kay stated there was some discussion about this and stated they were concerned that the functions of the two boards are different enough to need separate administrative structures, and they believe the board should be within government. Kay stated that if the boards were merged, additional staff would be needed by the DDA. Stinnett stated that Council appoints the DDA anyway, and he thinks they can maintain the same authority and composition. Stinnet further stated it is easier for business owners to work with one board as opposed to several, and expressed his concern that the proposed board would add too many layers to the development process. Stinnett further inquired about other non-economic incentive pieces that have been considered and if there is a timeline for those. Kay stated that they vary and Stinnett requested a list of proposed incentives that are able to be delivered with this legislation.

King stated his belief that the function should reside within Planning to create the most seamless permitting process. Stinnett reiterated that he agrees the administrative function should reside "in house", but that the boards could be merged. King stated the board wanted specific design expertise on the board and that the DDA is not structured that way. Farmer requested clarification about any changes to the incentive package. Paulson stated the funding of the Design Officer and the $1 million fund for Economic Development are the only changes. Farmer inquired if having some funds set aside specifically for these uses within the new Design Excellence guidelines would help for a short time, to which Paulson stated they were waiting to see how many applications are received.

Mossotti inquired about the many layers to development downtown. King stated that they are trying to guide development to fit the character of downtown. King stated most communities of a similar size have an urban design review function. King stated it would be another step to check off of a developer's list, but stated it would not be an adversarial but rather a collaborative process. Mossotti inquired if this process is more flexible than historic district reviews. King stated that is, and they do not feel they would be adding additional requirements that would not already be in place for a developer.

Mossotti stated her concern of impeding developers. King stated they do not feel the costs for developments will be significant, but does want to encourage cohesive development. Mossotti inquired if incentives were on a case by case basis. King sated the Design Excellence board will not be making the decisions about incentives, and that incentives will be broader and involve other boards or departments, and that those funding decisions would ultimately be made by Council.

Lamb inquired of Kay about his intent of the language of the ordinance. Lamb stated she feels the Council has many more questions and she does not support this action.

Farmer stated his agreement with Lamb.

Gibbs stated he would like to see this move forward, stating that he has seen the figures for building permits and believes the legislation will be attractive to those developers.

Bledsoe stated her concern was for the budgetary implications and would like to see the questions that have been presented fleshed out before giving her support.

<u>A motion was made by Kay to move approve to recommend to full Council, seconded by Gibbs. The motioned failed by a 3-5 vote. (Aye: Gibbs, Kay, Mossotti. Nay: Bledsoe, Farmer, Lamb, Scutchfield, Stinnett)</u>

**4. tems Referred**

<u>A motion was made by Bledsoe to adjourn, seconded by Scutchfield. The motion passed without dissent.</u>

The meeting was adjourned at 2:11 p.m.

DS 4-16-2015