Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, November 3, 2015

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
November 2 – November 9, 2015

<u>Monday, November 2</u>
No Meetings

<u>Tuesday, November 3</u>
General Government & Social Services Committee……….………..…….1:00 pm
Council Chamber – 2nd Floor Government Center

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

<u>Wednesday, November 4</u>
No Meetings

<u>Thursday, November 5</u>
Workshop – Water Franchise…………………………..…………………..2:00 pm
Caucus Room – 2nd Floor Government Center

Special Budget COW……………………………..………………………4:00 pm
Council Chamber – 2nd Floor Government Center

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

<u>Friday, November 6</u>
Senior Services Commission………………………………………………..8:30 am
Bluegrass Area Development District – 699 Perimeter Drive

<u>Monday, November 9</u>
No Meetings

Lexington-Fayette Urban County
Council Work Session REVISED Agenda
November 3, 2015

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes

- **a** Table of Motions, October 27, 2015 Work Session, p. 1-2

IV. Budget Amendments – Yes, p. 3-5

V. New Business – Yes, p. 6-34

VI. Continuing Business/ Presentations

- **a** Neighborhood Development Funds, November 3, 2015, p. 35
- **b** Summary: General Government & Social Services Committee, October 6, 2015, p. 36-40
- **c** Summary: Environmental Quality & Public Works, October 20, 2015 Partial Summary, p. 41-44
- **d** Proclamation: World Diabetes Awareness Month

VII. Council Reports

VIII. Mayor's Report – No

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

a	**1290-15**	Authorization to accept the donation of volunteer labor and materials with an approximate value of $1035 from Immanuel Baptist Church as part of their ServeLex Saturday for use at the Black and Williams Neighborhood Center by program participants. The donation will paint and partially furnish the reading room. There is no budgetary impact. (L1290-15)(Ford) p. 6
b	**1292-15**	Authorization to enter into a facility usage contract between the Lexington-Fayette Urban County Government and Fayette County Board of Education for use of the Norsworthy Auditorium Saturday, December 12, 2015 for the Parks and Recreation Kiddie Kapers production. The cost will be $1,511.50. Funds are budgeted. (L1292-15)(Conrad/Reed) p. 7
c	**1319-15**	Authorization to purchase of replacement parts for the bar screen(s) located at the Lower Can Run and north Elkhorn Pump Stations. The manufacturer, E & I Corporation is the sole source for these components. Costs for the equipment at Lower Can Run will not exceed $21,394.00 and costs for North Elkhorn will not exceed $29,057.00. The total cost will be $50,451.00. Funds are budgeted. (L1319-15)(Martin/Holmes) p. 8-10
d	**1320-15**	Authorization to approve Change Order #3 for Hazen and Sawyer to provide continued Engineering Services related to the implementation of the Remedial Measures Plans. $1,170,000.00 is the expected expenditure for FY16 and FY17. The cost in FY16 will be $390,000.00. Funds are budgeted for FY16, and a budget amendment is in process to utilize savings from the Town Branch RMP Project for FY17. (L1320-15)(Martin/Holmes) p. 11-14
e	**1321-15**	Authorization to accept deeds of permanent right of way and acquisition of easement from the owners of record on properties for the Haven Ct. Stormwater Improvement Project. This will allow construction of stormwater improvements on Haven Ct. The property owner has agreed to provide the easement to the LFUCG at no cost. There is no budgetary impact. (L1321-15)(Martin/Holmes) p. 15-16
f	**1335-15**	Authorization to execute Change Order No. 2 (Final) with Lexington Quarry Company decreasing contract amount for the Southland Drive Bike Lane Project. The decrease will be by $6,229.71 for a new total of $667,965.02. There will be no budgetary impact. (L1335-15)(Gooding/Paulsen) p. 17-21

g	**1341-15**	Authorization to execute a Memorandum of Understanding with Seedleaf to reduce food waste material that is sent to the landfill by the citizens of Fayette County. This program will help achieve the goal of zero waste and provide educational opportunities in composting and other alternatives related to organics diversion. The cost will be $20,000 in fiscal year 2016. Funds are budgeted. (L1341-15)(Thurman/Holmes) p. 22
h	**1346-15**	Authorization to approve Change Order #1 (FINAL) to the contract with Howell Contractors, Inc. decreasing the final cost of the project and extending the completion date. The new contract amount will decrease by $208.00 to $4,228,227.00. The contract completion is increased from 413 days to 645 days. Final completion date is 1/27/2015. There will be no budgetary impact. (L1346-15)(Martin/Holmes) p. 23-28
i	**1347-15**	Authorization for approval of an amendment to the MS4Program Management Agreement with Tetra Tech, Inc. per Resolution #658-2014/RFP #57-2014 to extend the length of the initial term from November 20, 2014 to March 31, 2016. There is no budgetary impact. (L1347-15)(Martin/Holmes) p. 29
j	**1348-15**	Authorization to execute a service agreement with Windstream Communications to establish a circuit connection between Lexington's Central Kentucky 911 Network (CKy911net) and Duo County Telephone for the purposes of connecting the CKy911 Network to Adair County 911. The cost in FY16 is approximately $3,480. The cost will be $5,220 in subsequent budget years. Funds are budgeted for fiscal year 2016. (L1348-15)(Stack/Bastin) p. 30
k	**1349-15**	Authorization to execute a service agreement with Windstream Communications to establish a telephone fiber circuit connection in Lexington's new 911 Center located in the Public Safety Operating Center (PSOC). The cost in FY16 is estimated to be $10,520.75, depending on the PSOC construction schedule, and $25,500 annually in subsequent budget years. Funds are budgeted for fiscal year 2016. (L1349-15)(Stack/Bastin) p. 31
l	**1350-15**	Authorization to execute an agreement between the Lexington-Fayette Urban County Government and K Norman Berry Associates Architects for Architectural and Engineering (A/E) Services for the Historic Fayette County Courthouse Rehabilitation Project. The rehabilitation project will require architectural and engineering services to complete. The contract amount is $2,480,000. Funds are budgeted. (L1350-15)(Hamilton) p. 32

m	**1352-15**	Authorization to execute an agreement between the Lexington-Fayette Urban County Government and Reed Weitkamp Schell and Vice and Frost Brown Todd for Legal Services for the Historic Fayette County Courthouse Rehabilitation Project. The contract will be for $60,000. Funds are budgeted. (L1352-15) (Hamilton) p. 33
n	**1353-15**	Authorization to submit grant application to the Kentucky Commercial Mobile Radio Services (CMRS) Board in the amount of $70,000 for purpose of acquiring hardware, software, technical support and services for provision of text-to-911 capability for Lexington and partnering counties in the Central Kentucky 911 Network (Cky911net). There is no budgetary impact. (L1353-15)(Gooding/Bastin) p. 34

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
October 27, 2015

Mayor Gray called the meeting to order at 3:00pm. Council Members Kay, Stinnett, J. Brown, Akers, Gibbs, Lamb, Farmer, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe, Henson and Hensley were present. Council Member Moloney was absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

III. Approval of Summary

Motion by Farmer to approve the October 20, 2015 summary. Seconded by Kay. Motion passed without dissent.

IV. Budget Amendments

V. New Business

Motion by Farmer to approve new business. Seconded by Scutchfield. Motion passed without dissent.

VI. Continuing Business/Presentations

Motion by Stinnett to accept all items as recommended by the administration for fund balance consideration as follows: 1) additional 2015 calculation to the Economic Contingency Fund $1,052,932, 2) recommend an additional contingency of $2,300,000, 3) litigation reserve $11,500,000, 4) health insurance reserve $3,000,000, 5) unassigned fund balance $4,273,341 and 6) non-recurring uses and assignments $7,000,000. Seconded by Farmer. Motion passed 12-2. Kay, Stinnett, J. Brown, Gibbs, Lamb, Farmer, Evans, Scutchfield, Mossotti, Bledsoe, Henson and Hensley voted yes. Akers and F. Brown voted no.

Motion by Stinnett to enter closed session pursuant to KRS 61.810(1)(c) for the purpose of discussions regarding potential and pending litigation. Seconded by F. Brown. Motion passed without dissent.

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

VII. Council Reports

Motion by Mossotti to approve an ordinance creating chapter 13A of the Lexington-Fayette Urban County code of ordinances establishing a minimum wage in Lexington-Fayette County of $8.20 per hour beginning July 1, 2016, $9.15 per hour beginning July 1, 2017 and $10.10 per hour beginning July 1, 2018; providing remedies for employees paid less than the minimum wage; and providing for a formal review of the minimum wage on or before July 1, 2018. Seconded by Lamb. Motion passed 8-6. Kay, J. Brown, Akers, Gibbs, Lamb, Evans, Mossotti and Henson voted yes. Stinnett, Farmer, Scutchfield, F. Brown, Bledsoe and Hensley voted no.

Motion by Farmer to amend and remove tipped wages from the ordinance. Seconded by Scutchfield. Motion failed 6-8. Stinnett, Farmer, Scutchfield, F. Brown, Bledsoe and Hensley voted yes. Kay, J. Brown, Akers, Gibbs, Lamb, Evans, Mossotti and Henson voted no.

Motion by Hensley to amend and add an exception for any businesses who are defined as small businesses in their industry by the United States Small Business Administration. Seconded by Farmer. Motion failed 5-9 vote. Farmer, Scutchfield, F. Brown, Bledsoe and Hensley voted yes. Kay, Stinnett, J. Brown, Akers, Gibbs, Lamb, Evans, Mossotti and Henson voted no.

Motion by F. Brown to place a study to come forth with a 5-10 year plan for pavement management into the Budget, Finance & Economic Development Committee. Seconded by Henson. Motion passed without dissent as amended.

Motion by Evans to amend and place the item into the Environmental Quality & Public Works Committee. Seconded by Mossotti. Motion passed 13-1. Kay, Stinnett, J. Brown, Akers, Gibbs, Lamb, Farmer, Evans, Scutchfield, Mossotti, Bledsoe, Henson and Hensley voted yes. F. Brown voted no.

Motion by Stinnett to place the exploration and consideration of the creation an Office of Work Force Training and Development in the Budget, Finance & Economic Development Committee. Seconded by J. Brown. Motion passed without dissent.

VIII. Mayor's Report

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Stinnett to adjourn at 4:19pm. Seconded by Henson. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	90920-21	**DIVISION**	Fire & Emergency Services	**Fund Name**	General Fund
				Fund Impact	510.75 510.75CR .00

To provide funds for Equipment Communications by recognizing a refund related to this expense.

JOURNAL	BA 1	**DIVISION**	Grants and Special Projects	**Fund Name**	General Fund
				Fund Impact	568,188.41 568,188.41

To roll forward General Fund grant match unspent in FY 2015 for grants that are ongoing.

JOURNAL	90717-18	**DIVISION**	Parks and Recreation	**Fund Name**	Donation Fund
				Fund Impact	500.00 500.00CR .00

To provide funds for Senior Programs by recognizing a donation.

JOURNAL	BA 2	**DIVISION**	Env Quality & Public Works Admin	**Fund Name**	Urban Fund
				Fund Impact	7,265.30 7,265.30

To roll forward Urban Fund grant match unspent in FY 2015 for grants that are ongoing.

JOURNAL	BA 3	**DIVISION**	Engineering	**Fund Name**	Municipal Aid Program
				Fund Impact	1,897,270.26 1,897,270.26

To roll forward MAP Fund grant match unspent in FY 2015 for grants that are ongoing.

JOURNAL	90757	**DIVISION**	Office of the CAO	**Fund Name**	Housing/Homeless Fund
				Fund Impact	12,000.00 12,000.00CR .00

To budget grant match for Continuum of Care Planning Project.

JOURNAL	90778	**DIVISION**	Budgeting	**Fund Name**	Refunding Bond 2015A
				Fund Impact	100,000.00 100,000.00CR .00

To provide funds for professional services related to the budgeting system software project by decreasing funds for software.

JOURNAL	90736-37	**DIVISION**	Grants and Special Projects	**Fund Name**	US Dept of HUD
				Fund Impact	57,714.00 57,714.00CR .00

To establish grant budget for Continuum of Care Planning Project.

JOURNAL	90914-15	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of HUD 21,926.14 21,926.14CR .00

To amend HOME 2015 grant to reflect actual program income received and to increase budgeted amount for housing rehabilitation.

JOURNAL	90916-17	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of HUD 62,463.97 62,463.97CR .00

To amend CDBG 2015 grant to reflect actual program income received and to increase budgeted amount for housing rehabilitation.

JOURNAL	90849	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of HHS 3,000.00 3,000.00CR .00

To amend Home Network 2014 grant to provide funds for overtime and other voluntary benefits.

JOURNAL	90923-24	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Homeland Sec 100,000.00 100,000.00CR .00

To establish grant budget for State Homeland Security grant for Division of Police.

JOURNAL	90818	**DIVISION**	Finance	**Fund Name** **Fund Impact**	Sanitary Sewer Fund 238,600.00 238,600.00

To establish FY 2016 Debt Service budgets for KIA Loans for Town Branch Waste Water Storage and Blue Sky Waste Water Treatment Plant Acquisition/Process Upgrade.

JOURNAL	BA 4	**DIVISION**	Water Quality	**Fund Name** **Fund Impact**	Sanitary Sewer Fund 16,421.00 16,421.00

To roll forward Sewer Fund grant match unspent in FY 2015 for grants that are ongoing.

JOURNAL	90798	**DIVISION**	Water Quality	**Fund Name** **Fund Impact**	Sanitary Sewer Construct 780,000.00 780,000.00CR .00

To reallocate savings from the Town Branch wet weather storage tank for Remedial Measures Program management services for Change Order #3 to the engineering services agreement with Hazen and Sawyer.

JOURNAL	BA 5	**DIVISION**	Water Quality	**Fund Name** **Fund Impact**	Water Quality Mgmt Fund 286,213.30 286,213.30

To roll forward Water Quality Fund grant match unspent in FY 2015 for grants that are ongoing.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Service District Fund	568,188.41
1103	Donations Fund	.00
1115	Full Urban Services District Fund	7,265.30
1136	Municipal Aid Program Fund	1,897,270.26
1145	Affordable Housing and Homelessness Prevention Fund	.00
2606	Refunding GO Bond 2015A	.00
3120	US Department of Housing and Urban Development	.00
3190	US Department of Health and Human Services	.00
3200	US Department of Homeland Security	.00
4002	Sanitary Sewer Revenue and Operating Fund	255,021.00
4003	Sanitary Sewer Construction Fund	.00
4051	Water Quality Management Fund	286,213.60

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Chris Ford
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Chris Ford, Commissioner of Social Services

DATE: October 9, 2015

SUBJECT: Donation of in-kind labor and materials at the Black and Williams Neighborhood Center

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Request:

Request Council approval to accept the donation of volunteers and materials from Immanuel Baptist Church. As part of its annual "ServeLex" Saturday, approximately twenty volunteers from Immanuel Baptist Church will paint and partially furnish the Reading Room at the Black and Williams Neighborhood Center on October 10, 2015.

Purpose:

The Reading Room will be incorporated into the current programmatic activities of the Department of Social Services' staff, and supported by community-based volunteer efforts, sponsorships, and donations. The Black and Williams Neighborhood Center Advisory Board will also be engaged in program development.

Approximate value of donated items:

• Paint	$210
• Painting Supplies	$150
• Curtains and Curtain Rods	$75
• Various Furnishings	$600
TOTAL:	$1035

Budgetary Implication:

There is no fiscal impact associated with the acceptance of this donation.

Are the funds budgeted?

There is no fiscal impact associated with the acceptance of this donation.

File Number: 1290-15

Director/Commissioner: Chris Ford

1292-15

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner, General Services

MEMORANDUM

TO: **Jim Gray, Mayor**
Sally Hamilton, CAO
Urban County Council Members

FROM:
Monica Conrad, Director
Parks and Recreation

RE: **Facility Usage Contract**

DATE: **October 12, 2015**

Request

Authorization to: enter into a facility usage contract between the Lexington-Fayette Urban County Government and Fayette County Board of Education for use of the Norsworthy Auditorium Saturday, December 12, 2015 for the Parks and Recreation Kiddie Kapers production.

Why are you requesting?

Department needs this action completed because:
Kiddie Kapers production.

What is the cost in this budget year and future budget years?

The cost for this FY is: $1,511.50

The cost for future FY is: unknown

Are the funds budgeted? Yes

The funds are budgeted or a budget amendment is in process: Budgeted

Account number: 1101 707604 7324 71302

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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Lexington Fayette Urban County Council

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

DATE: October 15, 2015

SUBJECT: Recommendation for Replacement of Equipment at
Lower Cane Run Pump Station and North Elkhorn Pump Station

Request

The purpose of this memorandum is to request approval for the purchase of replacement parts for the bar screen located at the Lower Cane Run Pump Station and at the North Elkhorn Pump Station. The manufacturer, E & I Corporation is the sole source for these components.

Purpose of Request

Repair is required because the bar screens at these pump stations, which remove grit, rags, and other debris from the influent to the pump stations have become structurally unreliable.

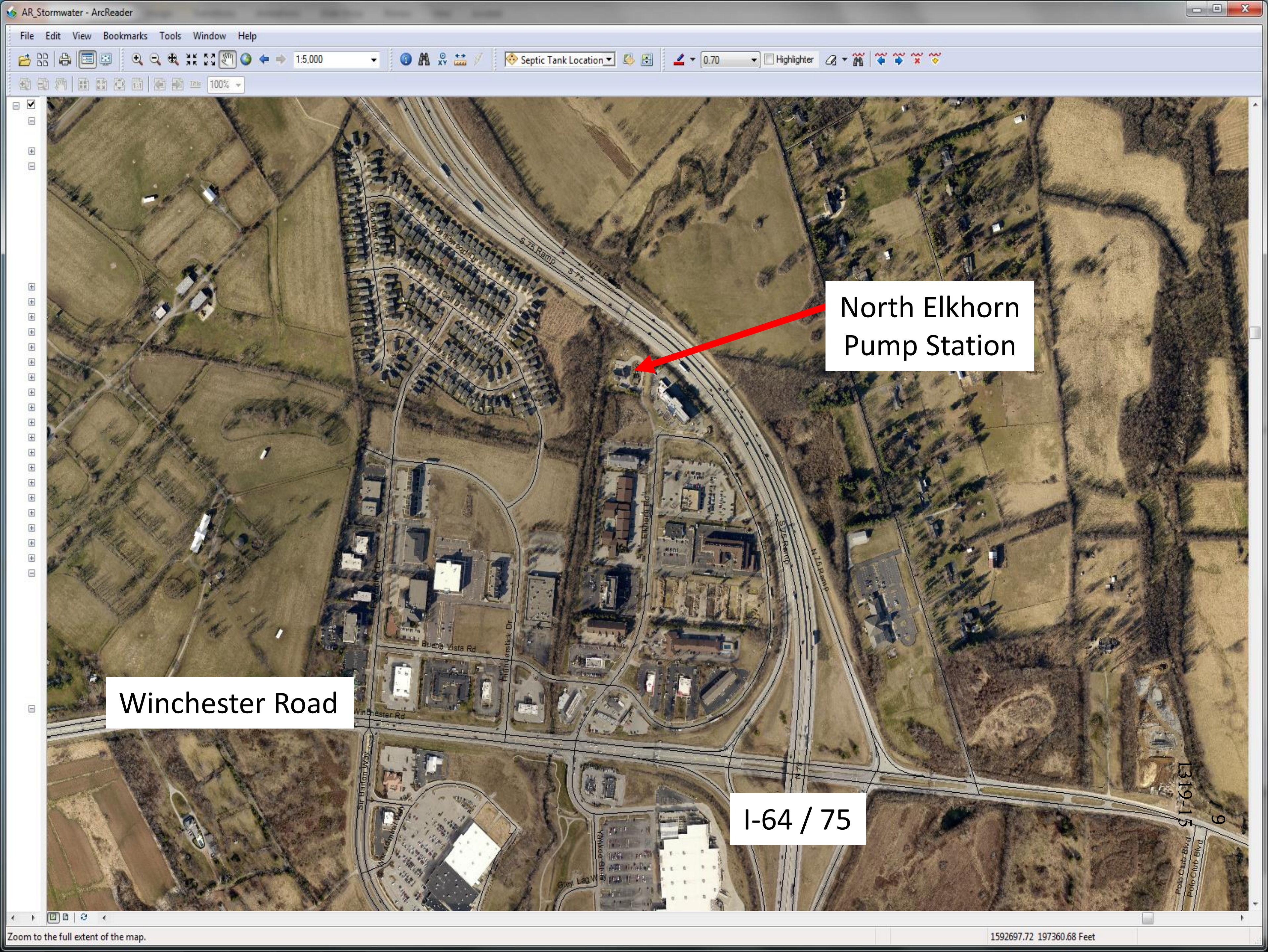
Replace and repair Cost in FY16

The quote from E & I Corporation for this equipment is $21,394.00 for Lower Cane Run and $29,057.00 for North Elkhorn. This amount does not include shipping and handling.

Are Funds Budgeted

Funds are budgeted in: 4002-303405-0001-76101

Martin/Holmes


AR_Stormwater - ArcReader
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Septic Tank Location
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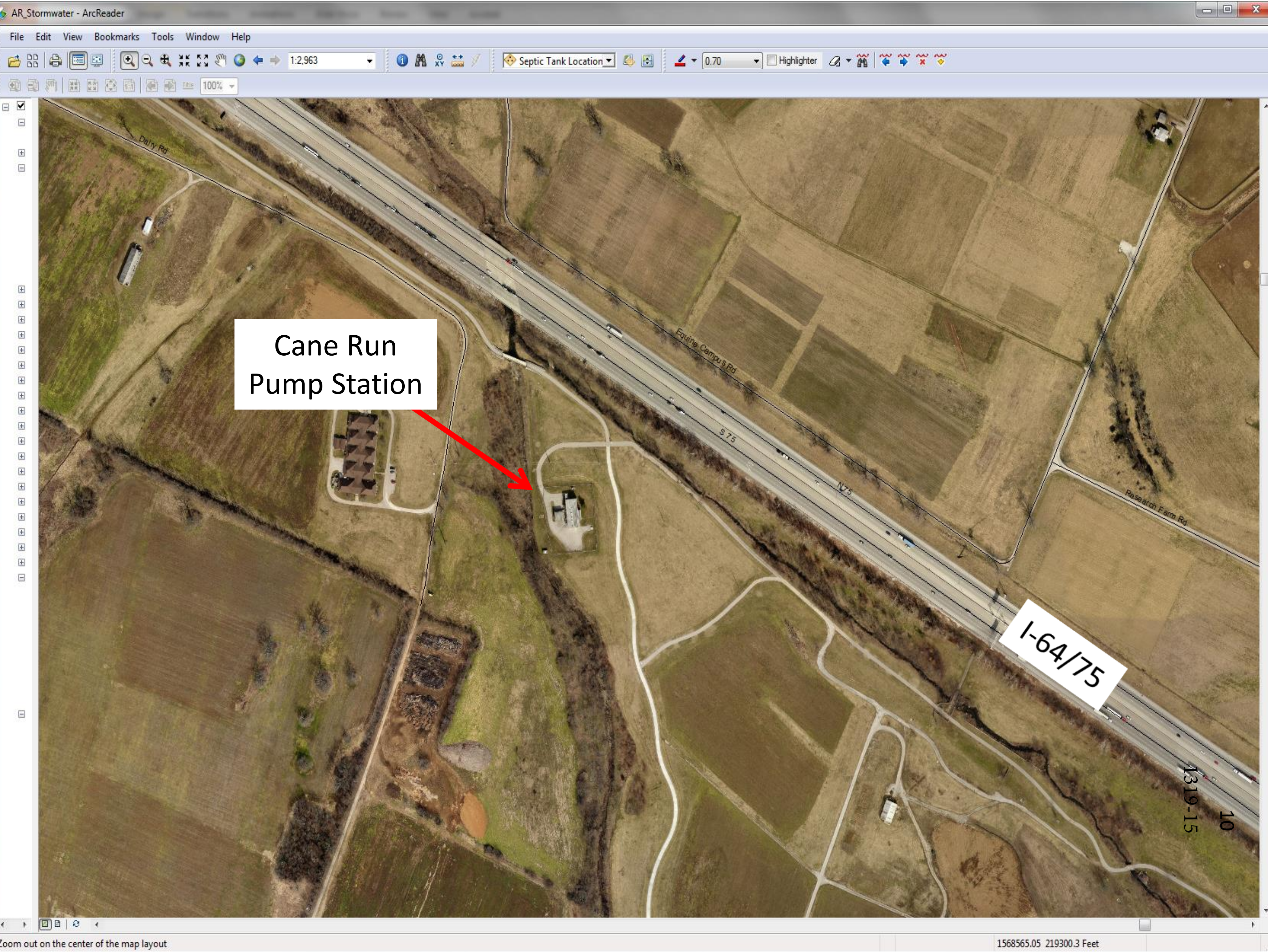
Highlighter
100%
North Elkhorn
Pump Station
Winchester Road
I-64 / 75
L319-15
9
S 75 Ramp
N 75 Ramp
Elkhorn Rd
Buena Vista Rd
Winchester Rd
Polo Club Blvd
Zoom to the full extent of the map.
1592697.72 197360.68 Feet


AR_Stormwater - ArcReader
File Edit View Bookmarks Tools Window Help
1:2,963
Septic Tank Location
0.70
Highlighter
100%
Cane Run
Pump Station
I-64/75
Dairy Rd
Equine Campus Rd
Research Farm Rd
S 75
N 75
Zoom out on the center of the map layout
1568565.05 219300.3 Feet

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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

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

DATE: October 12, 2015

SUBJECT: Change Order #3 for Hazen and Sawyer to Provide Continued Engineering Services Related to the Implementation of the Remedial Measures Plans

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Request

The purpose of this memorandum is to request approval of Change Order #3 to the Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans agreement with Hazen and Sawyer for continued implementation support for the Remedial Measures Plans.

Purpose of Request

Vernon Azevedo, PE, Remedial Measures Plans (RMP) Program Manager recommends the extension of the current contract with Hazen and Sawyer for engineering services associated with the implementation of the RMP through June 2017.

Project Cost in FY16

$1,170,000 is the total expected expenditure, an additional $390,000 for FY 16 and $780,000 in FY 17.

Are Funds Budgeted

Funds for FY 2016 are budgeted in: 4003-303401-3425-71205 REMEDIAL CONSENT_DE 2016, and a budget amendment is in process to utilize savings from the Town Branch RMP Project for FY 2017.

File Number: RFP#26-2010

Director/Commissioner: Martin/Holmes

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER
Page 1 of 2

Date:	October 12, 2015		
Project:	Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans		
Location:			
Contract No.	150-2010		
Original Contract Amt.	$2,000,000.00		
Cumulative Amount of Previous Change Orders	$2,944,145.95		
Percent Change - Previous Change Orders		147.21%	
Total Contract Amount Prior to this Change Order	$4,944,145.95		
Change Order No.	3		

To (Contractor):

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	Continued Implementation Services through the end of June 2017.		$1,170,000.00	
	Total decrease	$0.00		
	Total increase		$1,170,000.00	
	Net Amount of this Change Order	$1,170,000.00		
	New Contract Amount Including this Change Order	$6,114,145.95		
	Percent Change - This Change Order			19.14%
	Percent Change - All Change Orders			205.71%

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

Recommended by Vernon Azevedo (Proj. Engr.) Date 10-14-15

Accepted by [signature] (Contractor) Date 10/14/15

Approved by [signature] (Director) Date 10/15/15

Approved by ______ (Commissioner) Date ______

Approved by ______ (Mayor or CAO) Date ______

	1320-15 Page 2 of 2
JUSTIFICATION FOR CHANGE	PROJECT: Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans CONTRACT NO. 150-2010 CHANGE ORDER: 3

1. Necessity for change: Continued engineering services related to implementing the Remedial Measures Plan.

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

CONTRACT HISTORY FORM

Contractor: Hazen and Sayer, P.S.C.

Project Name: Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans

Contract Number and Date: Contract 150-2010 Resolution # 394-2010 July 6, 2010

Responsible LFUCG Division: Division of Water Quality

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date		Dollar Amount	Percent Change to Original Contract
A.	Original Contract Amount:	$ 2,000,000.00	
B.	Cumulative Amount of Previous Change Orders:	$ 2,944,145.95	147% % *(Line B / Line A)*
C.	Total Contract Amount Prior to this Change Order:	$ 4,944,145.95	
Current Change Order			
D.	Amount of This Change Order:	$ 1,170,000.00	59% % *(Line D / Line A)*
E.	New Contract Amount Including this Change Order:	$ 6,114,145.95	306% % *(Line E / Line A*

SIGNATURE LINES

Project Manager: Vernon Azevedo **Date:** 10-14-15

Reviewed by: [signature] **Date:** 10-15-15

Division Director: ______________ **Date:** ______________

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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

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

DATE: October 12, 2015

SUBJECT: Requesting authorization for Right of Way and Easement Acquisition for Stormwater Improvements on Haven Ct.

Request
The purpose of this memorandum is to request a resolution authorizing the acceptance of deeds of permanent right of way and acquisition of easement from the owners of record on properties for the Haven Ct. Stormwater Improvement Project.

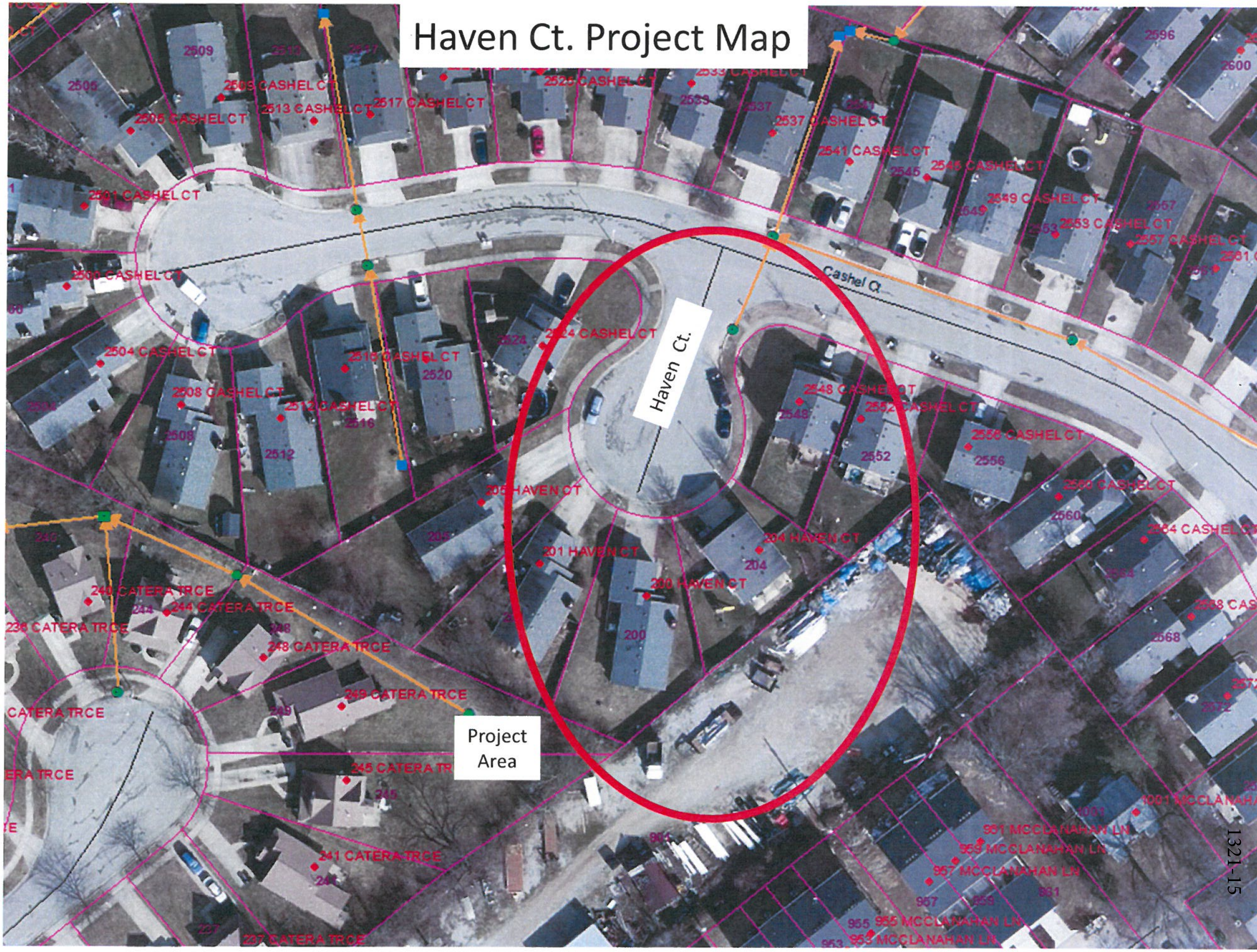
Purpose of Request
The purpose of the deed for permanent easement is to allow for construction of stormwater improvements on Haven Ct. The property owner has agreed to provide the easement at no cost to LFUCG.

Project Cost in FY16 and in Future Budget Years
There is no cost in FY 16 and future years with this request.

Are Funds Budgeted
There is no budget impact for this request.

Martin/Holmes

Haven Ct. Project Map



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: **OCTOBER 21, 2015**

SUBJECT: **Change Order No. 2 (FINAL) to the contract with Lexington Quarry Company for the Southland Drive Bike Lane Project**

Request:

Request Council authorization to execute Change Order No. 2 (Final) with Lexington Quarry Company decreasing contract amount by $6,229.71 for the Southland Drive Bike Lane Project for a new total of $667,965.02.

Why are you requesting:

On July 8, 2014 (Resolution No. 383-2014), Council approved the acceptance of bid from Lexington Quarry Company in the amount of $542,298.80 for the Southland Drive Bike Lane Project.

On June 11, 2015 (Resolution No. 344-2015), Council approved Change Order No. 1 (Final) in the amount of $131,895.93.

The Division of Engineering has negotiated Change Order No.2 (Final) decreasing the contract price by $6,229.71 for a revised total of $667,965.02. Change Order No. 2 includes decreases in the amount of sodding and curb and gutter and provides for adjustment of curb box inlet at Rambler Drive.

What is the cost in this budget year and future budget years?

There is a decrease in cost of $6,229.71 in the current budget year. There are no anticipated costs in future budget years other than routine maintenance.

Are the funds budgeted: Funds are budgeted in Account 1136-303202-3251-91715.

File Number: 1335-15

Director/Commissioner: Bayert/Paulsen

Irene Gooding, Director

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER

Page 1 of 3

	Date:	September 29, 2015	
	Project:	Southland Drive Bike Lanes	
	Location:	Southland Drive	
To (Contractor): **Lexington Quarry Company**, **3009 Atkinson Avenue, Suite 300**, **Lexington, Kentucky 40509**	Contract No.	162-2014	
	Original Contract Amt.	$542,298.80	
	Cumulative Amount of Previous Change Orders	$131,895.93	
	Percent Change - Previous Change Orders		24.32%
	Total Contract Amount Prior to this Change Order	$674,194.73	
	Change Order No.	2 Final	

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	
	See Attached Sheet			
	Total decrease	-$8,561.24		
	Total increase		$2,331.53	
	Net Amount of this Change Order	-$6,229.71		
	New Contract Amount Including this Change Order	$667,965.02		
	Percent Change - This Change Order			-1.15%
	Percent Change - All Change Orders			23.17%

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

Recommended by ____________ (Proj. Engr.) Date 10/19/15

Accepted by ____________ (Contractor) Date 10/13/15

Approved by ____________ (Director) Date 10/20/15

Approved by ____________ (Commissioner) Date 10/20/15

Approved by ____________ (Mayor or CAO) Date ____________

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CHANGE ORDER

DATE:	September 29, 2015
Change Order #:	2
CONTRACT #:	162-2014

Project: Southland Drive Bike Lanes

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

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
34	DEL	Sodding	SY	-767.00	7.72	$ (5,921.24)	$ -
53	DEL	Standard Curb and Gutter	LF	-55.00	48.00	$ (2,640.00)	$ -
58	ADD	Adjust Curb Box Inlet at Rambler Drive	EA	1.00	2331.53	$ -	$ 2,331.53
Total decrease						$ (8,561.24)	
Total increase							$ 2,331.53
Net (increase) in contract price							$ (6,229.71)

1335-15

19

CONTRACT HISTORY FORM

CO #2 Final

Project Name Southland Drive Bike Lane Project

Contractor: Lexington Quarry Company

Contract Number and Date: 162-2014 July 8, 2014

Responsible LFUCG Division: Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	$	542,298.80	
Next Lowest Bid Amount: $568,697.88			
B. Amount of Selected Alternate or Phase:	$		
C. Cumulative Amount of All Previous Alternates or Phases:	$	0.00	
D. Amended Contract Amount:	$	542,298.80	
E. Cumulative Amount of All Previous Change Orders:	$	131,895.93	24.3% *(Line E / Line D)*
F. Amount of This Change Order:	$	-6,229.71	-1.1% *(Line F / Line D)*
G. Total Contract Amount:	$	667,965.02	

SIGNATURES

Project Manager: Keith Lovan Date: 10/19/15

Reviewed by: Robert A. Bayert Date: 10/20/15

Division Director: Date:

JUSTIFICATION FOR CHANGE	PROJECT:	Southland Drive Bike Lanes
	CONTRACT NO.	162-2014
	CHANGE ORDER:	2 Final

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 ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David L. Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Tracey Thurman, Director
Division of Waste Management

DATE: October 21, 2015

RE: **Memorandum of Understanding (MOU)** Between Lexington-Fayette Urban County Government (LFUCG) on behalf of the LFUCG Division of Waste Management

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Request: The purpose of this memorandum is to request approval to enter into an agreement with Seedleaf to reduce food waste material that is sent to the landfill by the citizens of Fayette County.

Authorization to: Approve MOU with Seedleaf to divert organic materials from the landfill-bound waste stream.

Why are you requesting? This program will help achieve the goal of zero waste and provide educational opportunities in composting and other alternatives related to organics diversion.

Department needs this action completed because: Seedleaf will collect food waste from up to 35 local restaurants which will be distributed to Seedleaf's community gardens and composted. This would aid LFUCG in conforming with the USDA and EPA goal of reducing America's food waste by 50% by the year 2030.

What is the cost in this budget year and future budget years? $20,000

The cost for this FY is: $20,000

The cost for future FY is: $20,000 annually

Are the funds budgeted? Yes.

The funds are budgeted or a budget amendment is in process: Budgeted.

Account number: 1115 303506 0001 71299

Attachments: Contract
Budget

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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

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

DATE: October 20, 2015

SUBJECT: Change order #1 (FINAL); Wolf Run Pump Station Relocation – Contract B

Request

The Division of Water Quality requests approval of Change Order #1 (FINAL) to Howell Contractors, Inc. decreasing the final cost of the project and extending project completion by 413 days.

Purpose of Request

To decrease the final project cost and to extend the project completion date by 413 days. Revised contract time with change order is 645 days. Final completion date – 1/27/2015.

Project Cost in FY16 and in Future Budget Years

Approval of this change order results in a net decrease of $208.00 to the contract. The revised contract amount including this change order will be $4,228,227.00, representing a, less than 1%, decrease to the original contract amount.

Are Funds Budgeted
N/A

Martin/Holmes

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER

To (Contractor): Howell Contractors, Inc.

Date:	September 22, 2015	
Project:	Wolf Run Pump Station Relocation - Contract B	
Location:		
Contract No.	120-2013	
Original Contract Amt.	$4,228,435.00	
Cumulative Amount of Previous Change Orders	$0.00	
Percent Change - Previous Change Orders		0.00%
Total Contract Amount Prior to this Change Order	$4,228,435.00	
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	Cost Savings	$208.00		
	Total decrease	$208.00		
	Total increase		$0.00	
	Net Amount of this Change Order	($208.00)		
	New Contract Amount Including this Change Order	$4,228,227.00		
	Percent Change - This Change Order			0.00%
	Percent Change - All Change Orders			0.00%

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

Recommended by ________ (Proj. Engr.) Date 9.24.15
Accepted by ________ (Contractor) Date ________
Approved by ________ (Director) Date 10-21-15
Approved by ________ (Commissioner) Date ________
Approved by ________ (Mayor or CAO) Date ________

Change Order No. 1

Project Name: Wolf Run Pump Station Relocation Contract B – Interceptor/FM	HDR Project No.: 0120085
Project Owner: LFUCG/Division of Water Quality 301 Lisle Industrial Ave. Lexington,KY 40511	Owner's Project No.: N/A Date of Issuance: 01/27/15
Project Contractor: Howell Contractors, Inc. 980 Helen Ruth Drive Fort Wright, Kentucky 41017	Date of Contract: 03/21/2013 (NTP 04/22/13) Contract Period: 232 days (12/10/13)

It is agreed to modify the Contract referred to above as follows:

CPR #	ITEM AND DESCRIPTION OF CHANGES	CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Multiple	See Attached Breakdown.	(-$208.00)	
	Time Extension		413 Days
	Difference Net	(-$208.00)	413 Days

Summary: It is agreed to modify the Contract referred to above as follows:

Contract Price prior to this Change Order	Contract Time prior to this Change Order
$ 4,228,435.00	232 days (Final Completion 12/10/13)
Net Increase/(Decrease) of this Change Order	Net Increase (decrease) of this Change Order
$ (208 00)	413 days
Revised Contract Price with all approved Change Orders	Revised Contract Time with all approved Change Orders
$ 4,228,227.00	645 days (Final Completion 01/27/15)

The changes included in this Change Order are to be accomplished in accordance with the terms, stipulations and conditions of the original Contract as though included therein.

		Date
Accepted for Contractor by: Paul B		Date: 9/1/15
Recommended for Approval by (HDR Engineering, Inc.):		Date: 9/14/15
Approved for Owner by:	Attest:	Date: 9.23.2015
Approved: (Other - when required)		Date:

Distribution: ☐ Owner ☐ Contractor ☐ Office ☐ Field ☐ Other

JUSTIFICATION FOR CHANGE	PROJECT: Wolf Run Pump Station Relocation - Contract B
	CONTRACT NO. 120-2013
	CHANGE ORDER: #1

1. Necessity for change: To recognize cost savings and extend the project completion date by 413 days. Revised contract time is now 645 days. Final completion 1/27/2015.

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

SIGNATURES TO CHANGE ORDER

Change Order No. 1 Amount: ($208.00)
Wolf Run Pump Station Relocation – Contract B
Resolution No. 120-2013

ACCEPTED:
Howell Contractors, Inc.

DATE: 9/23/2015 BY: PAUL BRICKING

RECOMMENDED:
Lexington-Fayette Urban County Government

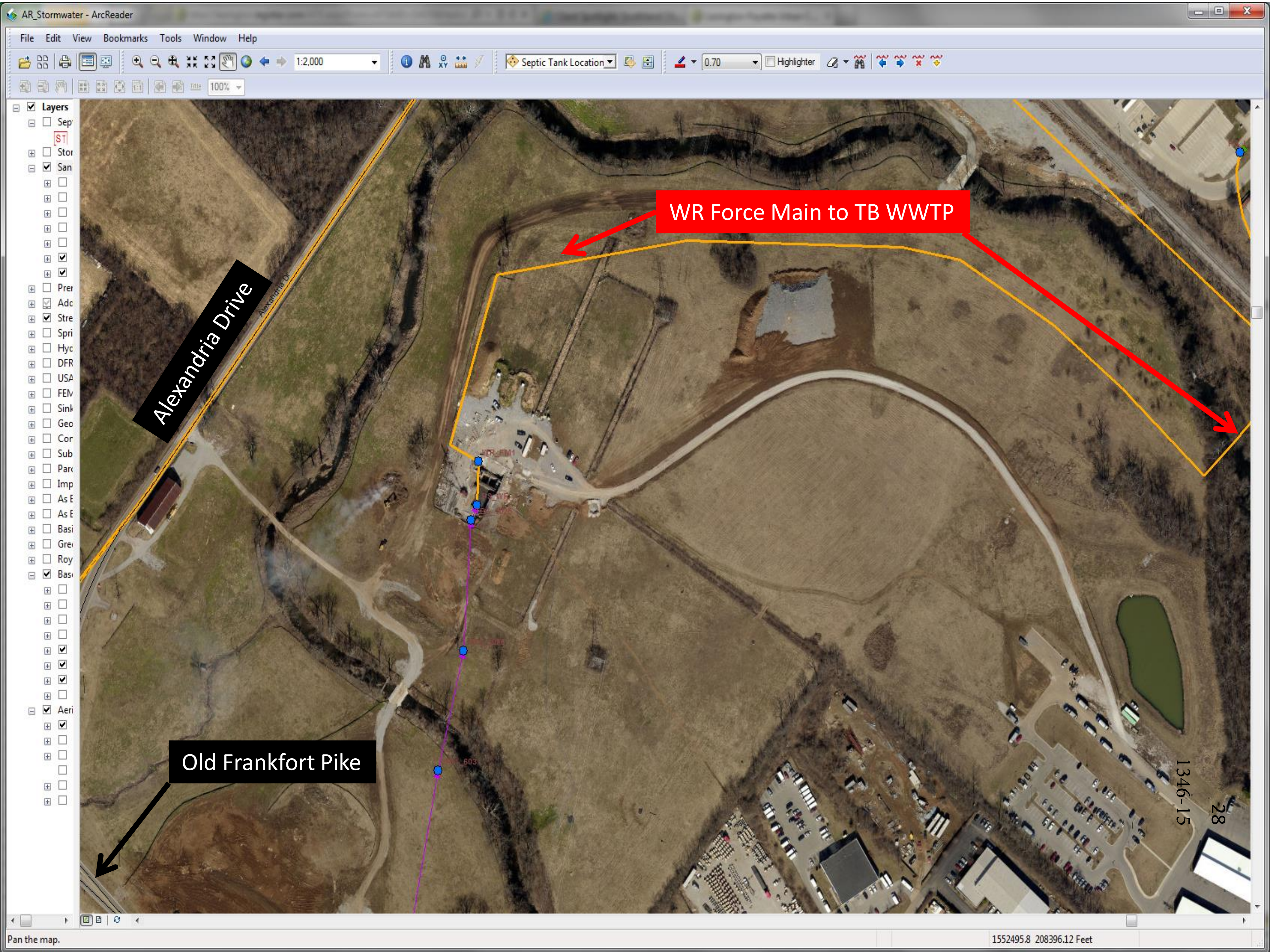
DATE: 9.23.2015 BY:
Project Manager

REVIEWED:
Lexington-Fayette Urban County Government

DATE: 10-21-15 BY:
Charles H. Martin, PE – Director
Division of Water Quality

APPROVED:
Lexington-Fayette Urban County Government

DATE:__________ BY:__________
Mayor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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL QUALITY

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM : ______________________
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: October 21, 2015

SUBJECT: Amendment to Agreement with Tetra Tech for MS4 Annual Program Management to Extend the Length of the Initial Term from One Year to 16 Months

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Request

The purpose of this memorandum is to request approval of an amendment to the MS4 Program Management Agreement with Tetra Tech, Inc. per Resolution #658-2014/RFP #57-2014 to extend the length of the initial term from November 20, 2014 to March 31, 2016, at no additional cost to LFUCG.

Purpose of Request

In November 2014, through RFP #57-2014, Council approved the selection of Tetra Tech, Inc. as the annual MS4 Program Manager; however, LFUCG's five year MS4 Permit renewal was not issued by the Kentucky Division of Water until spring 2015. The RFP provided for four renewals that will now run from March to April to more closely align with the permit cycle.

Project Cost in FY16

There will be no change.

Are Funds Budgeted

Not applicable. Proposed change is to term not agreement amount—funds are already encumbered from
4052 303204 3373 71205 MS4_PM CONSENT_DE

File Number: RFP #57-2014/Resolution #658-2014

Director/Commissioner: Martin/Holmes

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Ronnie Bastin
Commissioner

TO: Major Jim Gray
Council Members

Robert Stack

FROM: Robert Stack, Director
Lexington Enhanced 911

DATE: October 23, 2015

SUBJECT: Windstream Service Agreement - Duo County Telephone (Adair County 911)

Request:

The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to sign a service agreement with Windstream Communications to establish a circuit connection between Lexington's Central Kentucky 911 Network (Network) and Duo County Telephone for the purposes of connecting the Network to Adair County 911.

Why are you requesting?

The Network has an existing agreement with Adair County 911 to route 911 calls on Lexington's selective router and controller and a connection is required between the Windstream Central Office and the local telephone provider in Adair County. The cost of the Kentucky Post Secondary Education (KPEN) circuit is approximately $435.00 per month (including fees) and is established by Kentucky Price Contract # UK-1364-14C. Lexington charges participating counties fees to participate in the Central Kentucky 911 Network.

What are the costs in this budget year and future budget years?

The cost in FY16 is $3,480 and $5,220 in subsequent years. The cost of the circuit will be budgeted in account 4205 in FY17 and thereafter.

Are the funds budgeted?

Yes (4205-505602-0001-72204)

File Number: 1348-15

cc: Ronnie Bastin, Commissioner of Public Safety

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Ronnie Bastin
Commissioner

TO: Major Jim Gray
Council Members

Robert Stack

FROM: Robert Stack, Director
Lexington Enhanced 911

DATE: October 23, 2015

SUBJECT: Windstream Service Agreement – Public Safety Operations Center

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Request:

The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to sign a service agreement with Windstream Communications to establish a telephone fiber circuit connection in Lexington's new 911 Center located in the Public Safety Operations Center (PSOC).

Why are you requesting?

The Division of Enhanced 911 needs to establish a dedicated circuit connection to the 911 selective router and controller located in the Windstream Central Office and the back-up router and controller. This connection will also support administrative software connected to the 911 telephone system and link Lexington 911 to the Central Kentucky 911 Network. The service agreement must be established in order for Windstream Communications to run the circuit to the PSOC during construction and have the circuit ready, even if the service is not turned on until closer to the time 911 center operations commence. The cost of the Kentucky Post Secondary Education (KPEN) circuit is approximately $2,104.15 per month (plus fees) and is established by Kentucky Price Contract # UK-1364-14C

What are the costs in this budget year and future budget years?

The cost in FY16 is estimated to be $10,520.75 if the service is operational five months, though service could be initiated sooner or later depending on the construction schedule. The FY17 cost to be budgeted is will be budgeted by E911 and is expected to be $25,500 annually.

Are the funds budgeted?

Yes (4204-505602-0001-72204)

File Number: 1349-15

Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Sally Hamilton
CAO

TO: Jim Gray, Mayor
Sally Hamilton, CAO
Council Members

FROM: Jenifer Wuorenmaa, Administrative Officer, Sr.

DATE: October 26, 2015

SUBJECT: Acceptance of Proposal – Architectural and Engineering (A/E) Services for the Historic Fayette County Courthouse Rehabilitation Project

Request

Authorization to execute an agreement between the Lexington Fayette Urban County Government (LFUCG) and K Norman Berry Associates Architects for A/E Services for the Historic Fayette County Courthouse Rehabilitation Project. This is pursuant to the recommendation of the selection committee for RFP 26-2015.

Why are you requesting?

The Office of the Chief Administrator is requesting approval to engage K Norman Berry Associates Architects to provide A/E Services for the Historic Fayette County Courthouse Project. The project will include site improvements, improvements to the exterior building envelope and improvements to the interior architecture, all of which must meet the U.S. Department of the Interior Rehabilitation Standards. K Norman Berry and Associates will assist the LFUCG with Schematic Design, Design Development, Construction Documents, Competitive Bidding, Negotiations with the Construction Manager, the Construction Phase, and Evaluation of the Work.

What is the cost in this budget year and future budget years?

The cost for this FY is: Contract total is $2,480,000.

The cost for future FY is: NA

Are the funds budgeted? Yes

Account number: 2606-133002-0001-90511-2016-OLD_COURT_2016

File Number: 1350-15

Director/Commissioner: Sally Hamilton, Chief Administrative Officer

Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Sally Hamilton
CAO

TO: Jim Gray, Mayor
Sally Hamilton, CAO
Council Members

FROM: Jenifer K. Wuorenmaa
Jenifer Wuorenmaa, Administrative Officer, Sr.

DATE: October 26, 2015

SUBJECT: Acceptance of Proposal – Legal Services for the Historic Fayette County Courthouse Rehabilitation Project

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Request

Authorization to execute an agreement between the Lexington Fayette Urban County Government (LFUCG) and Reed Weitkamp Schell and Vice (RWS&V) and Frost Brown Todd LLC (FBT) for Legal Services for the Historic Fayette County Courthouse Rehabilitation Project. This is pursuant to the recommendation of the selection committee for RFP 31-2015.

Why are you requesting?

The Office of the Chief Administrator needs this action completed because the Historic Fayette County Rehabilitation Project will require specialized legal expertise due to the use of historic tax credits. The firms' representation will include reviewing and analyzing the federal and Kentucky historic tax credit requirements, analyzing debt and equity financing, assisting in negotiating the loan and partnership documents with lenders and investors, reviewing the real estate title for the project, preparing necessary real estate and title insurance documents, and closing the loan, partnership and real estate transactions.

What is the cost in this budget year and future budget years?

The cost for this FY is: Contract not to exceed $60,000.

The cost for future FY is: NA

Are the funds budgeted? Yes

Account number: 2606-133002-0001-90511-2016-OLD_COURT_2016

File Number: 1352-15

Director/Commissioner: Sally Hamilton, Chief Administrative Officer

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: **OCTOBER 26, 2015**

SUBJECT: **Grant application for submission to the Kentucky Commercial Mobile Radio Service (CMRS) Board**

Request:

Request Council Authorization to submit grant application to the Kentucky Commercial Mobile Radio Services (CMRS) Board in the amount of $70,000 for purpose of acquiring hardware, software, technical support and services for provision of text-to-911 capability for Lexington and partnering counties in the Central Kentucky 911 Network (Cky911net).

Why are you requesting?

Funds are needed to provide text-to-911 capability for Lexington and the Central Kentucky 911 Network for the improvement of emergency communications. Services will be coordinated through AK Associates, the existing managed services provider for Lexington E911 and sole source provider for the Solacom text-to-911 solution, in an amount not to exceed $70,000 during the first year of operation.

What is the cost in this budget year and future budget years?

$70,000 in state funds is requested for first year of installation and operation (FY 2016-2017). The fiscal impact for Lexington 911 is expected to be $13,900 in Fiscal Year 2018. Each participating county will be responsible for maintaining the service in Fiscal Year 2018 using its own resources.

Are the funds budgeted: Funds are not yet budgeted. If CMRS board approves the grant request, a budget amendment will be initiated.

File Number: 1353-15

Director/Commissioner: Stack/Bastin

Irene Gooding, Director

Neighborhood Development Funds
November 3, 2015
Work Session

Amount	Recipient	Purpose
$ 1,700.00	The Salvation Army 722 West Main Street Lexington, KY 40508 Bruce Manor	To provide funds for the annual Kettle Breakfast.
$ 1,000.00	Dogwood Trace NA 4860 Bud Lane Lexington, KY 40513 Patti Ruff	To provide funds for improvements to the entrance and the Harrodsburg Road intersection.

General Government & Social Services Committee
October 6, 2015
Summary and Motions

Chair Lamb called the meeting to order at 1:00 p.m. Committee Members Lamb, Evans, Akers, Bledsoe, F. Brown, Gibbs, Henson, Moloney and Scutchfield were in attendance. Committee Member J. Brown was absent. Council Member Stinnett was present as a non-voting member.

I. Approval of Committee Summary

Lamb noted the vote on a motion by Evans needs to be corrected to state that the motion failed by a 2-8 vote.

<u>A motion was made by Henson to approve the September 1, 2015 General Government & Social Services summary with corrections, seconded by Scutchfield. The motion passed without dissent. Akers was absent for the vote.</u>

II. Revision of CAO Policy 14R – Inclement Weather

Tammy Walters, Deputy Director of Human Resources, gave a presentation of the proposed updates to the Inclement Weather Policy, and clarified time reporting policies for weather emergencies.

III. Revision of Comp. Time Carry Over Policy

Jenifer Wuorenmaa explained that the Administration reviewed this policy, and is not recommending amendments at this time.

IV. Revision of Vacation Time Carry Over Policy

Jenifer Wuorenmaa presented the proposed vacation time carry over policy, which allows the Chief Administrative Officer (CAO) the discretion to extend the deadline for vacation carryover to the end of a fiscal year. This will be considered on an individual basis, and the request must demonstrate that leave time could not be reasonably used due to weather, work demands, or other extenuating circumstances as determined by the CAO.

Henson stated a concern that the policy is subjective. Wuorenmaa stated that the Law Department was consulted in drafting the Code amendment, and noted that all requests would require approval from the CAO's office. Wuorenmaa stated that the Administration left room for exceptions in the ordinance to allow for unanticipated circumstance on a case by case basis. Wuorenmaa stated there is also a condition that Stacey Maynard, Council Administrator, would be notified each time a request is approved, so that Council remains informed.

Lamb inquired if this would be on an employee or a divisional- basis. Wuorenmaa stated that the requests will be made for individual employees, and stated that accruals may be significantly different across all employees of a division.

A motion was made by Henson to approve the Vacation Time Carry Over Policy, seconded by Bledsoe. The motion passed without dissent. Akers was absent for the vote.

V. Boards, Agencies & Commissions – Membership, Vacancies, Etc.

F. Brown stated he would like a list of vacancies that need to be appointed by district so Council Members can assist in finding qualified candidates. Jamie Emmons, Chief of Staff, stated that this information will be provided. He also asked for feedback on how to better organize the list.

Moloney asked that Council Members receive a list of board vacancies every few months in order to help fill those vacancies.

Scutchfield asked Emmons if there are opportunities to combine similar boards. Emmons stated that this was last considered in 2007, and will be reviewed again in the near future. Scutchfield inquired about the number of inactive boards. Emmons stated he believes there are only a few inactive boards, and stated that some boards are inaccurately listed as inactive.

Scutchfield asked Emmons to explain the process of filling vacancies and the appointment of new members. Emmons commented on the various ways they receive nominations (via the Mayor, Council, staff, and other board members, etc.). Scutchfield inquired how many of the boards and commissions require confirmation by Council. Emmons stated there are three: Planning, Board of Adjustment, and the Ethics Commission.

Henson asked if the Town & Gown Commission has been dissolved. Emmons replied it has not but that it was not accomplishing what it had been set up to do and required reevaluation. He added that it is important for the University and the City to have a relationship. Moloney echoed that he feels the Town & Gown Commission had achieved positive results. Henson stated she feels they should hold a meeting of the Commission and have an election for vacant positions.

Evans asked if the Administration needs additional staff to coordinate board memberships. Emmons stated that the current process is working well. He noted that improvements can be made in the consistency of reports from staff assigned to boards and committees.

Bledsoe agreed with Scutchfield that there is significant duplication across existing boards and committees. Bledsoe suggested seeking young professionals to serve, particularly on smaller boards, in order to fill those positions and provide individuals with much needed experience.

Lamb inquired what qualifies a board as inactive. Emmons stated there is not an official definition but it typically means they are not meeting. Lamb inquired if inactive boards are needed. Emmons responded that this is being reviewed. Lamb requested a quarterly report.

VI. Aquatics Program Design

Monica Conrad, Director of Parks and Recreation, presented an update on the Aquatics Master Plan. Pat Hoagland, from Brandsetter Carroll, Inc. also presented. The Plan timeline was reviewed, and details regarding the citizen engagement process were presented. The qualitative analysis of citizen engagement and analytics will be completed by October 30, 2015. The preliminary Plan will be completed by November 30, 2015, and a draft action plan will be submitted by December 31, 2015.

In response to a question from F. Brown, Hoagland reviewed the construction and renovation history of Lexington's swimming pools, and Conrad stated that she will provide Council with updated information. F. Brown inquired if the newest pool is 15 years old, which Hoagland confirmed. He further inquired if there is a breakdown of revenue and expenses of each pool; Conrad stated that this information will be provided as the Plan moves toward completion.

Henson emphasized the need for ADA compliant pools. Henson also noted her desire for low income children to have access to swim lessons, including transportation. Henson suggested that the City partner with other non-government agencies to this end.

Evans stated her desire for Parks to look into and anticipate future pool trends. Hoagland stated it is hard to anticipate those trends, but noted some of the trends they have seen in past years.

Scutchfield stated the Steering Committee offers many different perspectives.

Items in Committee

A motion was made by Scutchfield to remove Boards, Agencies & Commissions from Committee, with the understanding that the Administration will provide a quarterly update. Seconded by F. Brown. The motion passed without dissent.

A motion was made by Henson to remove the Revision of CAO Policy 14R – Inclement Weather, seconded by Bledsoe. The motion passed without dissent.

A motion was made by Henson to remove the Comp Time Carry Over Policy from Committee, seconded by Evans. The motion passed without dissent.

A motion was made by Henson to remove the Vacation Time Carry Over Policy, seconded by Evans. The motion passed without dissent.

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

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

D.S. 10.7.2015

DRAFT
10/1/15

ORDINANCE NO. _________ - 2015

AN ORDINANCE

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

Section 1 – That Section 21-33 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-33. - Vacation leave.

(a) Every classified civil service employee shall earn vacation leave at the rate of ten (10) hours per month of service for the first ten (10) years of service. Newly hired employees, however, shall, for the first month of employment only, earn vacation leave at the prorated rate of two and one-half (2½) hours for each full week of service. Every employee with more than ten (10) years of service shall earn vacation leave at the rate of fourteen (14) hours per month of service for the duration of employment. Employees may accumulate vacation leave but may not carry forward after the later of December 31 or the end of the first payroll period of each calendar year in which December 31 of the previous calendar year falls more than twenty-one (21) working days (one hundred sixty-eight (168) hours).

(b) Vacation leave may only be utilized upon the supervisor's approval of the prior written request of the employee. It may be used in any increment. Vacation leave will not be granted in excess of vacation credit earned by service prior to the starting date of leave. It shall be scheduled with regard to operating requirements, seniority of the employee, and, insofar as possible, with the written request of the employee. In situations where an employee is unable to obtain prior written approval, the employee may contact his supervisor and obtain verbal approval prior to using vacation leave. A leave form shall be submitted once the employee returns to work to document the verbal approval.

(c) Employees shall earn vacation leave during their probationary periods, but shall not be authorized to use it until they complete their probation; provided, however, that the following probationary employees may use vacation leave:

(1) Those with immediate prior urban county government service and no break in service.

(2) Those who exhaust sick leave and who can provide a doctor's excuse substantiating the need for leave.

(3) Those who are appointed to new positions during their probationary periods after six (6) months of urban county government service so long as the supervisor

certifies to the director that the employee's service is satisfactory.

(d) Absences on account of sickness, injury or disability in excess of sick leave authorized in this chapter, for sick purposes may, at the written request of the employee and with the written consent of the supervisor and the approval of the director, be charged to vacation leave credit. No refund of vacation time shall be allowed for illness incurred while on vacation leave.

(e) Upon separation from service, all employees shall be paid for accumulated vacation leave at their then current pay rate under sections 21-25 and 21-31, computed on an hourly basis.

(f) The vacation leave provided by this section is personal in nature and shall not be transferable from one (1) employee to another for any purpose.

(g) The Chief Administrative Officer, may, upon request, extend the deadline for vacation carryover to the end of a fiscal year. Said extension shall only be granted in cases where employees are unable to use their leave time due to weather, work demands, or other extenuating circumstances as determined by the Chief Administrative Officer. Approved extensions shall be submitted in writing, to the Division of Accounting with a copy of same to the Council Administrator.

(h) An employee who is granted an extension but separates from service prior to the end of the fiscal year, shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for no more than one hundred sixty eight hours plus any hours of vacation leave accrued during the extension period (January 1 – June 30).

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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Environmental Quality & Public Works Committee
October 20, 2015
Summary and Motions—Snow & Ice Control Plan Update

Chair Farmer called the meeting to order at 1:00 p.m. Committee Members F. Brown, Evans, Gibbs, Kay, Moloney, Stinnett, J. Brown and Hensley were in attendance. Committee Member Mossotti was absent. Council Members Akers, Bledsoe, Lamb and Scutchfield were also in attendance.

I. Snow & Ice Control Plan Update

David Holmes, Commissioner of Public Works, presented the updated Snow & Ice Plan, based on feedback from the last committee meeting. Susan Plueger, Director of Environmental Services, presented the Sidewalk Clearance Plan.

F. Brown stated he feels the issue of snow and ice removal is separate from the issue of sidewalk clearance. He further inquired about changing the street rankings within districts. Holmes stated the street rankings were not a part of the presentation as they focused on items brought up at the last meeting. Holmes informed that they are working on the rankings and will discuss those with Council Members individually. F. Brown stated his support for the new rankings.

A motion was made by F. Brown to adopt the service levels and accumulation amounts outlined on slide three of the presentation, seconded by Evans. The motion passed without dissent.

Moloney inquired if there is a different crew that will carry out the sidewalk clearance and snow and ice removal, to which Holmes replied that Streets & Roads will have ownership of the sidewalk clearance.

Bledsoe inquired if Level 2 is an attempt to capture rank 5 streets. Holmes stated they will get to the unranked streets under any of the levels assuming they have finished rankings 1 - 4 and that the plan does not give time estimates for the unranked streets.

Akers inquired about the corridors support from private contracts and how those were determined. Holmes stated they assigned private contractors to broad boulevards, rather than residential areas so that the City could focus on the residential areas they have a better knowledge of.

Gibbs thanked Susan Plueger for her work on the Sidewalk Clearance Plan and stated his support.

F. Brown inquired if the sidewalk plan considered different amounts of accumulation to which Plueger replied that when Streets & Roads mobilize, they will mobilize also. In response to a question from F. Brown, Holmes stated that Director Miller gives the mobilization alert to both departments. F. Brown inquired if the sidewalk plan will interfere with snow & ice removal. Albert Miller, Director of Street & Roads, stated it will be a timing issue that will have to be addressed and they are still discussing. Miller stated the sidewalks in question typically do not have driveway entrances as they are not residential. F. Brown stated he would like to see a list of sidewalks and priority levels by District. Plueger stated she will provide this. F. Brown stated that he is not sure he can vote on the sidewalk plan because it is a new undertaking and he feels he does not have enough information.

Lamb inquired if they took into consideration parks that are located near schools. Plueger stated they did not consider schools, but rather bus stops, noting that schools are responsible for their own sidewalks. Lamb inquired about ADA ramps on sidewalks and if they considered their locations in the plan. Plueger stated they need to look at this, as they do not want to damage the ramps with a plow. Lamb stated they received complains during the last snow events that individuals with disabilities were not able to access sidewalks.

Farmer stated his favor for the motion. He noted that it starts in FY 2017-18 and makes a commitment to the citizenry and pedestrians that the City has not made before. Farmer stated this also sets a good example for citizens to remove the snow from their own sidewalks and that he hopes they will move towards better enforcement of the existing ordinance regarding sidewalks.

Moloney stated his concern for enforcement in areas where vehicles are adding to the amount of snow on the sidewalks. Holmes stated the issue of sidewalk clearing enforcement has been put into Planning & Public Safety Committee for discussion. Moloney further stated his concern for salt damage to sidewalks during snow and ice removal. Plueger stated during the clearance process they will be experiencing the difficulties that pedestrians experience and hope to gain greater insight into these areas of need. She further stated they are looking into environmentally friendly pre-treatments that will not damage the sidewalks.

Holmes stated the amounts they look at are currently not budgeted and that the additional funding for sidewalk clearance would need to be discussed in the Fund Balance discussion at the end of the month.

Stinnett stated they need to look at where the funding will come from, noting the only source that has been mentioned is the Fund Balance. Stinnett noted they have not yet identified funding for this project and that needs to be a consideration as they review the proposal, adding that it would be a long-term budgeting commitment.

Kay noted the city is just beginning to learn how to handle large snow events. He stated that enforcement alone will not be successful in getting citizens to clear their sidewalks and stated his support for an education and public relations push to make more people aware of their responsibility.

Evans inquired about the impetus for this proposal and Plueger stated this desire comes from citizens, Council and the Administration's input.

Hensley noted that there are not many sidewalks in the 12th District, and that he would not support the proposal.

Lamb inquired about the $19,000 additional overtime cost. Plueger stated the amount is calculated for 22 mobilizations, 12 people, 4 hours per mobilization and the unit rate for an hour.

Gibbs stated he feels pedestrian needs have been largely overlooked for a long time in Lexington and that it is time to catch up.

F. Brown stated he cannot support the proposal due to his concern for the budgetary impact.

A motion was made by Gibbs to accept the sidewalk plan as proposed, seconded by J. Brown. The motion passed with a 7 - 2 vote. (Yay: Evans, Farmer, Gibbs, Kay, Moloney, Stinnett, J. Brown Nay: F. Brown, Hensley)

In response to a question from Farmer, Holmes stated the only funds in the budget for snow removal are for salt and general overtime (which is not specific to snow removal, but is divided between Water Quality and Street and Roads).

J. Brown inquired if it was challenging to find contractors for snow removal during the past winter's snow events. Holmes stated it was a challenge and noted that many contractors had contracts with the State and could not be mobilized in Lexington until state roads were clear. J Brown inquired if there is a base fee to mobilize the contractors in addition to the $10,000 and Miller stated there is not.

Moloney inquired how much money they have budgeted this year for salt. Miller stated the amount is $600,000 and they have 45,000 tons of salt already in store. Moloney inquired how they paid for the mobilizations last year. Bill O' Mara, Commissioner of Finance, stated a budget amendment was passed to Council and they were able to move money from another area that had available savings. Moloney inquired if the proposals pass if they would locate available funds or if they would use the Fund Balance. O'Mara replied that they do not have variance they would be able to use only 3 months into the fiscal year and that they would suggest using the Fund Balance.

Hensley inquired if the City would be the first priority for the contractors this winter. Holmes stated that the RFP would only be for a single contractor and that they would be obligated to the City during snow events.

Evans stated she feels the discussion of the funds for the current year and the funding of snow removal going forward are two separate issues, requiring different motions.

Kay stated he feels they are asking for funding for the coming year and on an ongoing basis. Kay stated they are being asked to approve a plan, noting that the snow will be removed regardless, but it would be more efficient and effective to have an approved plan in place.

In response to a question from F. Brown, Holmes stated the only items in the budget currently are for overtime and salt. F. Brown inquired how the proposed amount compares with the amount spent last winter on snow removal and Holmes stated he does not have that information but it was a substantial number, larger than $300,000.

Gibbs asked for clarification of the motion and Evans stated her intention to secure funding for snow removal for the next fiscal year, and that the plan for the current year would still need approval.

A motion was made by Evans to adopt the Snow Plan as presented, including recommendations for the FY2017 budget, seconded by J. Brown. The motion passed without dissent.

> **A motion was made by Hensley to call the question. The motion passed without dissent.**

F. Brown inquired if the approval of moving forward with an RFP should include a funding amount. Holmes stated if they approve only the base $172,000 "fit up" amount it would not pay for any mobilizations going forward. Farmer gave a breakdown of the funding options. O'Mara stated he recommend funding the $172,000 and the amount given for 11 mobilizations. Holmes stated that amount is $288,034.

A motion was made by Kay to approve as amended the request to move forward with funding the RFP to contract for snow removal in FY2016, seconded by F. Brown. The motion passed without dissent.

A motion was made by Kay to amend the motion to include a total funding for FY16 of $288,034 (11 mobilizations), seconded by F. Brown. The motion passed without dissent.

The meeting was adjourned at 3:00 p.m.
D.S. 10.26.2015