Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, June 23, 2020

3:00 PM

Virtual Meeting Packet

Council Chamber

Urban County Council Work Session

Urban County Council
Schedule of Meetings
June 22, 2020 –June 29, 2020

Monday, June 22
No Meetings

Tuesday, June 23
Budget, Finance & Economic Development Committee……………………….…………...1:00 pm
Video Teleconference

Council Work Session…………………………………………………………………….…………3:00 pm
Video Teleconference

Wednesday, June 24
No Meetings

Thursday, June 25
No Meetings

Friday, June 26
No Meetings

Monday, June 29
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
June 23, 2020

I. **Public Comment - Issues on Agenda** (Instructions at end of packet)

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

III. **Approval of Summary – Yes**

- **a** Table of Motions: Council Work Session, June 16, 2020, p.1-2

IV. **Budget Amendments – No**

V. **New Business – Yes, p. 3-26**

VI. **Continuing Business/ Presentations**

- **a** Committee Summary: Planning & Public Safety, May 26, 2020, p. 27-28
- **b** Committee Summary: Budget, Finance & Economic Development, March 17, 2020 AND February 25, 2020, p. 29-38
- **c** Presentation: LCC/CBC Financing Proposals, p. 39-45

VII. **Council Reports**

VIII. **Mayor's Report – No**

IX. **Public Comment - Issues Not on Agenda** (Instructions at end of packet)

X. **Adjournment**

Administrative Synopsis - New Business Items

a	**0559-20**	Authorization to adopt an affiliation agreement for Search and Rescue between the Division of Fire and Emergency Services Rescue Team and the Division of Emergency Management. This is an annual requirement under the Emergency Management Assistance Program Grant. No budgetary impact. (L0559-20) (Dugger/Armstrong) p. 3
b	**0570-20**	Authorization to accept an award of federal Coronavirus Emergency Supplemental Funding (CESF) in the amount of $478,748 from the Office of Justice Programs at the U.S. Department of Justice - FY 2020. No matching funds are required. Budget amendment in process. (L0570-20) (Weathers/Haney/Armstrong) p. 4
c	**0580-20**	Authorization to accept award and to execute agreement with the Kentucky Department of Military Affairs, Division of Emergency Management in the amount of $1,036,765 under the Fiscal Year 2020 Chemical Stockpile Emergency Preparedness Program (CSEPP). No match is required. Budget amendment in process. (L0580-20) (Dugger/Armstrong) p. 5
d	**0585-20**	Authorization for Strothman and Company, Certified Public Accountants and Advisors, to conduct a financial audit of all Lexington-Fayette Urban County Government funds for Fiscal Year 2020 for an amount not to exceed $153,500 (FY2021), and authorization to execute a Letter of Agreement and any other necessary documents with Strothman and Company related to the audit. Funds are budgeted. (L0585-20) (O'Mara) p. 6
e	**0588-20**	Authorization to execute, on behalf of the Urban County Government, a Letter of Agreement with Strothman and Company, Certified Public Accountants and Auditors, for preparation of the Sheriff's Settlement for the 2019 Property Tax Year, at a cost not to exceed $8,200 (FY2020). Funds are budgeted. (L0588-20) (O'Mara) p. 7
f	**0590-20**	Authorization to Amend Section 16-48(c) of the Code of Ordinances to correct the fee for disposing of sewage, sewage waste, or similar refuse from tanks with a capacity of 1,000 gallons or more from $0.923 per gallon to 0.092 per gallon from July 1, 2019 to June 30, 2020, and $0.969 per gallon to $0.097 per gallon beginning July 1, 2020. This is to correct a clerical error and has no budgetary impact. (L0590-20) (O'Mara) p. 8-9

g	**0595-20**	Authorization to change the following street names and/or individual numbers of addresses within several Council Districts to ensure the proper operation of the Enhanced 9-1-1 system. 1871 BATTERY STREET TO 1874 BATTERY STREET, 3825 BRANHAM PARK (PVA ACCOUNT 38158160 ONLY) TO 3846 BRANHAM PARK, 947 DELAWARE AVENUE 1/2 TO 947 DELAWARE AVENUE B, 949 DELAWARE AVENUE 1/2 TO 949 DELAWARE AVENUE B, 949 DELAWARE AVENUE TO 949 DELAWARE AVENUE A, 951 DELAWARE AVENUE 1/2 TO 951 DELAWARE AVENUE B, 951 DELAWARE AVENUE TO 951 DELAWARE AVENUE A, 947 DELAWARE AVENUE TO 947 DELAWARE AVENUE A, 541 MARYLAND AVENUE 1/2 TO 541 MARYLAND AVENUE LOT B, 541 MARYLAND AVENUE TO 541 MARYLAND AVENUE LOT A, AND CHANGING THE STREET NAMES AND PROPERTY ADDRESS NUMBERS OF 400 MCKENNA COURT TO 1754 BRYAN STATION ROAD, 3921 KENNY LANE TO 3921 KENNEY LANE, 4250 KENNY LANE TO 4250 KENNEY LANE, 4400 KENNY LANE TO 4400 KENNEY LANE,1444 BRYAN AVENUE TO 401 MEADOW PARK. No budgetary impact. (L0595-20) (Stack/Armstrong) p. 10-12
h	**0606-20**	Authorization to execute a resolution authorizing the Mayor to execute Change Order No. 1 to the Grant Award Agreement with the Ashwood Townhomes of Laredo Association, inc, for a stormwater quality project, decreasing the grant award by the sum of $78.96, from $16,170.00 to $16,091.04. [L0606-20] [Martin/Albright] p. 13-17
i	**0607-20**	Authorization to execute a resolution authorizing the Mayor to execute Change Order No. 1 to the Grant Award Agreement with Gardenside Neighborhood Association, Inc., for a stormwater quality project, decreasing the grant award by the sum of $872.30, from $8,985.00 to $8,112.70. [L0607-20] [Martin/Albright] p. 18-22
j	**0610-20**	Authorization to execute a Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet (KYTC), under which LFUCG shall be paid, at mutually agreed upon prices per acre, to perform turf mowing and trimming of vegetation along certain roads under the control of KYTC. Budgetary impact is $160,000. Funds are budgeted. [L0610-20] [Plueger/Albright] p. 23-24
k	**0612-20**	Authorization to extend the allowable carryover period for classified civil service employees' vacation leave balance. This request extends the carryover period one year from December 31, 2020 to December 31, 2021. Due to extenuating circumstances, employees may not have adequate time to utilize their vacation leave in the allowable time frame, thereby potentially forfeiting such leave.

In accordance with Chapter 21-33(a) of the Code of Ordinances, every classified civil service employee who has an accumulated vacation leave balance in excess of 168 hours would be granted a one year extension to utilize such leave without any excess leave being subject to forfeiture. In accordance with this request, an employee may carry forward to December 31, 2021 or to the end of the payroll period in which December 31, 2021 falls, all accumulated vacation leave. At that time, vacation leave hours in excess of 168 will be reduced and forfeited. Please note that unclassified civil service employees who are entitled to the provisions of Chapter 21-33(a) would also be eligible for this carryover.

Additionally, employees who are granted an extension but separate from service prior to December 31, 2021, shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for all accumulated vacation leave. [L0612-20] [Maxwell/Hamilton] p. 25-26

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
June 16, 2020

Vice Mayor Kay called the meeting to order at 7:35pm. Council Members Moloney, Ellinger, J. Brown, McCurn, Swanson, Farmer, Evans, F. Brown, Mossotti, Reynolds and Plomin were present. Council Members Lamb, Worley and Bledsoe were absent.

Kay opened the meeting with the following statement: "Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting."

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

<u>Motion by Farmer to approve the docket for the June 18, 2020 council meeting. Seconded by Mossotti. Motion passed without dissent.</u>

III. Approval of Summary

<u>Motion by McCurn to approve the June 9, 2020 work session summary. Seconded by Farmer. Motion passed without dissent.</u>

IV. Budget Amendments

<u>Motion by Farmer to approve budget amendments. Seconded by Mossotti. Motion passed without dissent.</u>

V. New Business

<u>Motion by Farmer to approve new business. Seconded by McCurn. Motion passed without dissent.</u>

VI. Continuing Business/Presentations

The Planning and Public Safety Committee report out was postponed until the June 23, 2020 work session.

VII. Council Reports

<u>Motion by J. Brown to place on the docket for the June 18, 2020 Council Meeting, an ordinance amending and restating Ordinance 42-2020 to extend the operation of the ordinance through September 8, 2020; to include bars; and to include additional definitions and clarifications. Seconded by Swanson. Motion passed without dissent.</u>

VIII. Mayor's Report

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Farmer to adjourn at 7:57pm. Seconded by Mossotti. Motion passed without dissent.

SAM, 6/17/20

MAYOR Linda Gorton

LEXINGTON

PATRICIA L. DUGGER, RS MPA
DIRECTOR
EMERGENCY MANAGEMENT

TO: Mayor Linda Gorton and Urban County Council

FROM: Patricia L. Dugger, RS, MPA, Director DEM PLD

CC: Kenneth Armstrong, Commissioner of Public Safety

DATE: June 4, 2020

SUBJECT: Resolution for approval and adoption of the Search and Rescue Affiliation agreement

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Request

Authorization to: The Division of Emergency Management is requesting the Lexington Fayette Urban County Council to authorize the Mayor to sign a Statement of Affiliation for Search and Rescue between the Division of Fire and Emergency Services Rescue Team and the Division of Emergency Management in accordance with KRS Chapter 39F. This is an annual requirement under the Emergency Management Assistance Program Grant that is received by the Division of Emergency Management yearly.

Why are you requesting?

This Statement of Affiliation will establish the LFUCG Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized technical rescue team (rescue squad) in Fayette County. It allows rescue team members coverage under the State liability and workers compensation, and would also allow for possible FEMA reimbursement for expended equipment while on a mutual aid assistance call.

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

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: N/A

Account number: N/A

File Number: 0559-20

Director/Commissioner: Patricia L. Dugger, Director/ Kenneth Armstrong, Commissioner of Public safety

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: **LINDA GORTON, MAYOR**
URBAN COUNTY COUNCIL

FROM: **CHARLIE LANTER, DIRECTOR**
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: **JUNE 10, 2020**

SUBJECT: **Coronavirus Emergency Supplemental Funding Program from the Office of Justice Programs**

Request: Authorization to accept an award of federal Coronavirus Emergency Supplemental Funding (CESF) in the amount of $478,748 from the Office of Justice Programs at the U.S. Department of Justice – FY 2020. No matching funds are required. Budget amendment in process.

Purpose of Request: The Office of Justice Programs is providing Coronavirus Emergency Supplemental grant funds to units of local government to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funds will used for overtime, equipment (including law enforcement and medical personal protective equipment), supplies (such as gloves, masks, sanitizer and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers. The Lexington Police Department and Community Corrections have been awarded federal funds in the amount of $478,748 for activities to prevent, prepare for and respond to the coronavirus.

What is the cost in this budget year and future budget years? Available funding in Fiscal Year 2021 is $478,748. No matching funds are required. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? FY2021 Budget Amendment is in process.

File Number: 0570-20

Director/Commissioner: Weathers and Haney/Armstrong

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: **LINDA GORTON, MAYOR**
URBAN COUNTY COUNCIL

FROM: **CHARLIE LANTER, DIRECTOR**
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: **June 10, 2020**

SUBJECT: **Fiscal Year 2020 Chemical Stockpile Emergency Preparedness Program (CSEPP) Funds for Kentucky Department of Military Affairs, Division of Emergency Managment**

Request: Authorization to accept award and to execute agreement with the Kentucky Department of Military Affairs, Division of Emergency Management in the amount of $1,036,765 under the Fiscal Year 2020 Chemical Stockpile Emergency Preparedness Program (CSEPP). No match is required. Budget amendment in process.

Purpose of Request: Since 1993, the US Army and FEMA developed twelve benchmarks to serve as core longterm goals to meet the NATO Treaty conditions of destroying the chemical weapons stockpile stored at the Bluegrass Depot in Madison and Estill Counties. Every year, Congress appropriates funding to protect the two counties and eight surrounding counties in case of chemical accidents during destruction. The overall mission is to protect communities and enhance emergency response long after the program ends. Fayette County's role is to enhance and support the mission as a host county. Funding is provided through reimbursement of this pass-through grant to Kentucky Emergency Management. These funds will be used to support Administration, Alert & Notification, Communication, Coordinated Plans, Emergency Operations Centers, Exercises, Medical Preparedness, Personnel, Protective Actions, Public Outreach & Education, and Training. Each benchmark is allocated funds under CFDA 97.040, beginning October 1, 2019 – September 30, 2021. Award is $1,036,765.

What is the cost in this budget year and future budget years? Available federal funding in Fiscal Year 2021 is $1,036,765. No matching funds are required. Future years funding is dependent upon availability of federal funding.

Are the funds budgeted? FY2021 budget amendment is in process.

File Number: 0580-20

Director/Commissioner: Dugger/Armstrong

MAYOR LINDA GORTON

LEXINGTON

WILLIAM O'MARA
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Urban County Council Members

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

CC: William O'Mara, Commissioner
Department of Finance

DATE: June 8, 2020

SUBJECT: Fiscal Year 2020 Financial Audit – Strothman & Company

Request

Authorization to: approve engagement with Strothman and Company, Certified Public Accountants and Advisors, to conduct a financial audit of all LFUCG funds for Fiscal Year 2020.

Why are you requesting?

Department needs this action completed to be in compliance with annual reporting requirements.

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

The cost for this FY is: $0

The cost for future FY is: $153,500 (FY2021)

Are the funds budgeted?

The funds are budgeted: Included in FY2021 Budget

Account number:
1101-202101-2011-71202 ($87,720.36)
1115-202101-2011-71202 ($15,639.25)
1181-202101-2011-71202 ($379.13)
4002-202101-2011-71202 ($32,330.79)
4121-202101-2011-71202 ($12,132.26)
4022-202101-2011-71202 ($777.23)
4051-202101-2011-71202 ($4,520.98)

File Number: 0585-20

Commissioner: O'Mara

MAYOR LINDA GORTON

LEXINGTON

WILLIAM O'MARA
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Urban County Council Members

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

DATE: June 9, 2020

SUBJECT: Sheriff's Settlement – 2019 Property Tax Year

Request

Authorization to: approve the agreement to conduct the Sheriff's Settlement for the 2019 Property Tax year to be prepared by Strothman & Company.

Why are you requesting?

Department needs this action completed to be in compliance with State Statute.

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

The cost for this FY is: $0

The cost for future FY is: $8,200 (FY2020)

Are the funds budgeted? Y

The funds are budgeted

Account number: 1101-202101-2011-71201 ($4,100)

1115-202101-2011-71201 ($4,100)

File Number: 0588-20

Commissioner: O'Mara

MAYOR LINDA GORTON

LEXINGTON

WILLIAM O'MARA
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Urban County Council Members

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

DATE: June 5, 2020

SUBJECT: Sewage Disposal Fee Ordinance [Amendment of Error in Section 16-48 (c)]

Request

Amending Section 16-48(c) of the Code of Ordinances to correct the fee for disposing of sewage, sewage waste, or similar refuse from tanks with a capacity of 1,000 gallons or more from $0.923 per gallon to 0.092 per gallon from July 1, 2019 to June 30, 2020, and $0.969 per gallon to $0.097 per gallon beginning July 1, 2020.

Why are you requesting?

On June 6, 2019, the Urban County Council passed Ordinance No. 34-2019 which, among other items, amended the fees contained in Section 16-48(c) for dumping sewage, sewage waste, or similar refuse based on the tank-load at the Urban County disposal plant. The Ordinance contained a clerical error in the fee for tank capacities of 1,000 gallons or more, as the placement of the decimal point meant fees for these tanks were exponentially higher than originally intended and not consistent with the fees collected for smaller tanks. Since the 2019 revision, the Division has collected fees in the amount intended and not the incorrect fee provided in the Ordinance. This amendment would correct the error and align with current and intended practice.

What is the cost in this budget year and future budget years? No cost

The cost for this FY is: $0

The cost for future FY is: $0

Are the funds budgeted? N/A

The funds are budgeted

Account number:

200 East Main St., Lexington, KY 40507 / 859.425.2255 Phone / 859.258.3385 Fax / lexingtonky.gov

File Number: 0590-20

Commissioner: O'Mara

Linda Gorton
MAYOR

LEXINGTON

Robert Stack
DIRECTOR
ENHANCED 911

TO: Mayor Linda Gorton
Council Members

Robert Stack

FROM: Robert Stack, Director
Lexington Enhanced 911

DATE: June 11, 2020

SUBJECT: E911 Quarterly Address Changes

Request:

The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to change street names and/or individual numbers of addresses within the 1st, 2nd, 5th, 6th, 7th and 12th Council Districts

Why are you requesting?

The Division of E911 needs this action completed because the street name and/or number changes are necessary to ensure the proper operation of the Enhanced 9-1-1 system. The corrections eliminate confusing, duplicate and/or improperly named and numbered addresses in Fayette County.

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

N/A

Are the funds budgeted?

N/A

File Number: 595-20

RESOLUTION NO. _________ - 2020

A RESOLUTION CHANGING THE PROPERTY STREET NAMES OF 1871 BATTERY STREET TO 1874 BATTERY STREET, 3825 BRANHAM PARK (PVA ACCOUNT 38158160 ONLY) TO 3846 BRANHAM PARK, 947 DELAWARE AVENUE 1/2 TO 947 DELAWARE AVENUE B, 949 DELAWARE AVENUE 1/2 TO 949 DELAWARE AVENUE B, 949 DELAWARE AVENUE TO 949 DELAWARE AVENUE A, 951 DELAWARE AVENUE 1/2 TO 951 DELAWARE AVENUE B, 951 DELAWARE AVENUE TO 951 DELAWARE AVENUE A, 947 DELAWARE AVENUE TO 947 DELAWARE AVENUE A, 541 MARYLAND AVENUE 1/2 TO 541 MARYLAND AVENUE LOT B, 541 MARYLAND AVENUE TO 541 MARYLAND AVENUE LOT A, AND CHANGING THE STREET NAMES AND PROPERTY ADDRESS NUMBERS OF 400 MCKENNA COURT TO 1754 BRYAN STATION ROAD, 3921 KENNY LANE TO 3921 KENNEY LANE, 4250 KENNY LANE TO 4250 KENNEY LANE, 4400 KENNY LANE TO 4400 KENNEY LANE,1444 BRYAN AVENUE TO 401 MEADOW PARK, ALL EFFECTIVE THIRTY (30) DAYS FROM PASSAGE.

WHEREAS, the Lexington-Fayette Urban County Government has created a Geographic Information System ("GIS"); and

WHEREAS, the GIS street mapping and addressing project is the foundation for the Urban County Government's enhanced 911 Emergency Telephone Communication System (the "911 System"); and

WHEREAS, in order for the GIS and 911 Systems to function properly it is imperative that street names and property addresses conform to the standards established in Section 17-2 through 17-4 of the Code of Ordinances; and

WHEREAS, various street names and property addresses located in several Council Districts do not meet the Code requirements and changes should be made to conform to the Code and to accomplish the goals of the GIS and 911 System projects.

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

Section 1 – That the property street names of the following property be and hereby are changed as follows:

(a) Battery Street

Current	New
1871 Battery Street	1874 Battery Street

(b) Branham Park

Current	New
3825 Branham Park (PVA # 38158160 only)	3846 Branham Park

(c) Delaware Avenue

Current	New
947 Delaware Avenue 1/2	947 Delaware Avenue B

949 Delaware Avenue 1/2	949 Delaware Avenue B
949 Delaware Avenue	949 Delaware Avenue A
951 Delaware Avenue 1/2	951 Delaware Avenue B
951 Delaware Avenue	951 Delaware Avenue A
947 Delaware Avenue	947 Delaware Avenue A

(d) Maryland Avenue

Current	New
541 Maryland Avenue 1/2 LotB	541 Maryland Avenue
541 Maryland Avenue LotA	541 Maryland Avenue

Section 2 – That the street names and property address numbers of the following properties be and hereby are changed as follows:

(a) McKenna Court: That the name of McKenna Court located at 400 is changed to Bryan Station Road and the following number changes are made:

Current	New
400 McKenna Court	1754 Bryan Station Road

(b) Kenny Lane: That the name of Kenny Lane located at 3921, 4250, 4400 is changed to Kenney Lane.

Current	New
3921 Kenny Lane	3921 Kenney Lane
4250 Kenny Lane	4250 Kenney Lane
4400 Kenny Lane	4400 Kenney Lane

(c) Bryan Avenue: That the name of Bryan Avenue located at 1444 is changed to Meadow Park and the following number changes are made:

Current	New
1444 Bryan Avenue	401 Meadow Park

Section 3 - That this Resolution shall be effective thirty (30) days from passage.

PASSED URBAN COUNTY COUNCIL:

____
MAYOR

ATTEST:

____
CLERK OF URBAN COUNTY COUNCIL

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: March 27, 2020

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #007-2017

Request

Requesting approval of a decreasing change order of $78.96 to the Stormwater Incentive Grant with the Ashwood Townhouses of Laredo Association, Inc., Contract #007-2017.

Purpose of Request

The original grant award to the Ashwood Townhouses of Laredo Association, Inc., was for $16,170.00; however, the grant-funded project came in under budget. The final grant award totaled $16,091.04.

The $78.96 from this decreasing change order request will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY21.

Project Cost in FY20 and in Future Budget Years

The decreasing change order savings of $78.96 will be returned to fund 4052 for FY21 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_17 – WQ_GRANT
However, once the change order is approved, there will be a budget amendment to move the funds into:
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_21 – WQ_GRANT

Albright/Martin

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER	DATE:	May 27, 2020
	Contract Modification:	0606-20
	CONTRACT #:	C-007-2017

PROJECT: Ashwood Townhouses of Laredo Association, Inc. Bioretention Project

TO: Ashwood Townhouses of Laredo Association, Inc

Original Contract Amount	$16,170.00
Cumulative Amount of Previous Contract Modifications	$0.00
Percent Change of Previous Contract Modifications	0%
Existing Contract Amount	$16,170.00
Net (increase/decrease) in Contract Amount - (From following pages)	-$78.96
Percent Change of This Contract Modification	0%
Original Contract Amount	$16,170.00
Cumulative Amount of all Contract Modifications	-$78.96
Percent Change of all Contract Modifications	0%
New Contract Amount Including this Change Order	$16,091.04

Recommended by F. M [signature] (Proj. Engr.) Date 6/5/20

Accepted by ______ (Consultant) Date ______

Accepted by Heather Warner (Contractor) Date 6.3.20

Approved by [signature] (Director) Date 6-12-20

Approved by ______ (Commissioner) Date ______

Approved by ______ (Mayor or CAO) Date ______

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CONTRACT MODIFICATION

DATE: May 27, 2020
Contract Mod #: 1
CONTRACT #: #007-2017

Project: Ashwood Townhouses of Laredo Association, Inc

TO:

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

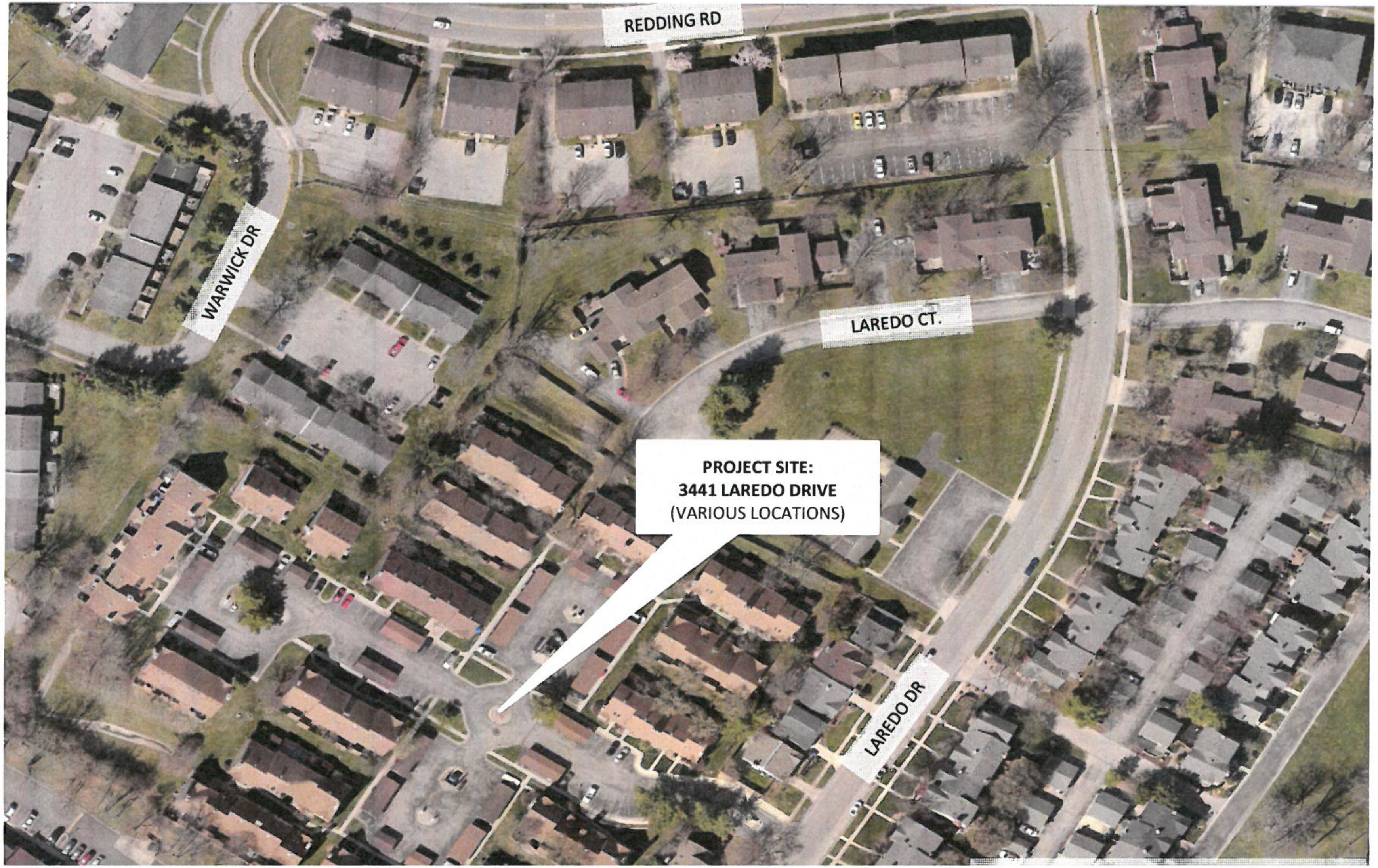
Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	DEL		LS	1	$ 78.96	$ 78.96	$ -
1						$ -	$ -
2						$ -	$ -
3						$ -	$ -
4						$ -	$ -
5						$ -	$ -
6						$ -	$ -
7						$ -	$ -
8						$ -	$ -
9						$ -	$ -
10						$ -	$ -
11						$ -	$ -
12						$ -	$ -
13						$ -	$ -
Total decrease						$ 78.96	
Total increase							$ -
Net (increase) in contract price							$ (78.96)

JUSTIFICATION FOR CHANGE	PROJECT:	Ashwood Townhouses of Laredo Association, Inc
	CONTRACT NO.	#007-2017
	CHANGE ORDER:	1

1. Necessity for change: Stormwater Quality Projects Incentive Grant came in under budget
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

Stormwater Quality Projects Incentive Grant Program



MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: May 20, 2020

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #012-2018

Request

Requesting approval of a decreasing change order of $872.30 to the Stormwater Quality Projects Incentive Grant with the Gardenside Neighborhood Association, Inc., Contract #012-2018.

Purpose of Request

The original grant award to the Gardenside Neighborhood Association, Inc., was for $8,985.00; however, the grant-funded project came in under budget. The final grant award totaled $8,112.70.

The $872.30 from this decreasing change order request will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY21.

Project Cost in FY20 and in Future Budget Years

The decreasing change order savings of $872.30 will be returned to fund 4052 for FY21 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_18 – WQ_GRANT
However, once the change order is approved, there will be a budget amendment to move the funds into:
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_21 – WQ_GRANT

Albright/Martin

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		
	DATE:	May 20, 2020
	Contract Modification:	0607-20
	CONTRACT #:	C-012-2018

PROJECT: Gardenside Neighborhood Association Stream Buffer Project

TO: Gardenside Neighborhood Association, Inc.

Original Contract Amount	$8,985.00
Cumulative Amount of Previous Contract Modifications	$0.00
Percent Change of Previous Contract Modifications	0%
Existing Contract Amount	$8,985.00
Net (increase/decrease) in Contract Amount - (From following pages)	-$872.30
Percent Change of This Contract Modification	-10%
Original Contract Amount	$8,985.00
Cumulative Amount of all Contract Modifications	-$872.30
Percent Change of all Contract Modifications	-10%
New Contract Amount Including this Change Order	$8,112.70

Recommended by T. Ma__________ (Proj. Engr.) Date 6/4/2020

Accepted by__________ (Consultant) Date______

Accepted by Susan E Spalding, Gardenside Neighborhood Assn (Contractor) Date 6/1/2020

Approved by [signature] (Director) Date 6/12/20

Approved by__________ (Commissioner) Date______

Approved by__________ (Mayor or CAO) Date______

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CONTRACT MODIFICATION

DATE: May 20, 2020
Contract Mod #: 1
CONTRACT #: #012-2018

Project: Gardenside Neighborhood Association Stream Buffer Project

TO:

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
1	DEL		LS	1	$ 872.30	$ 872.30	$ -
2						$ -	$ -
3						$ -	$ -
4						$ -	$ -
5						$ -	$ -
6						$ -	$ -
7						$ -	$ -
8						$ -	$ -
9						$ -	$ -
10						$ -	$ -
11						$ -	$ -
12						$ -	$ -
13						$ -	$ -
14						$ -	$ -
Total decrease						$ 872.30	
Total increase							$ -
Net (increase) in contract price							$ (872.30)

JUSTIFICATION FOR CHANGE		
	PROJECT:	Gardenside Neighborhood Association, Inc.
	CONTRACT NO.	#012-2018
	CHANGE ORDER:	1

1. Necessity for change: Stormwater Quality Projects Incentive Grant completed under budget

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

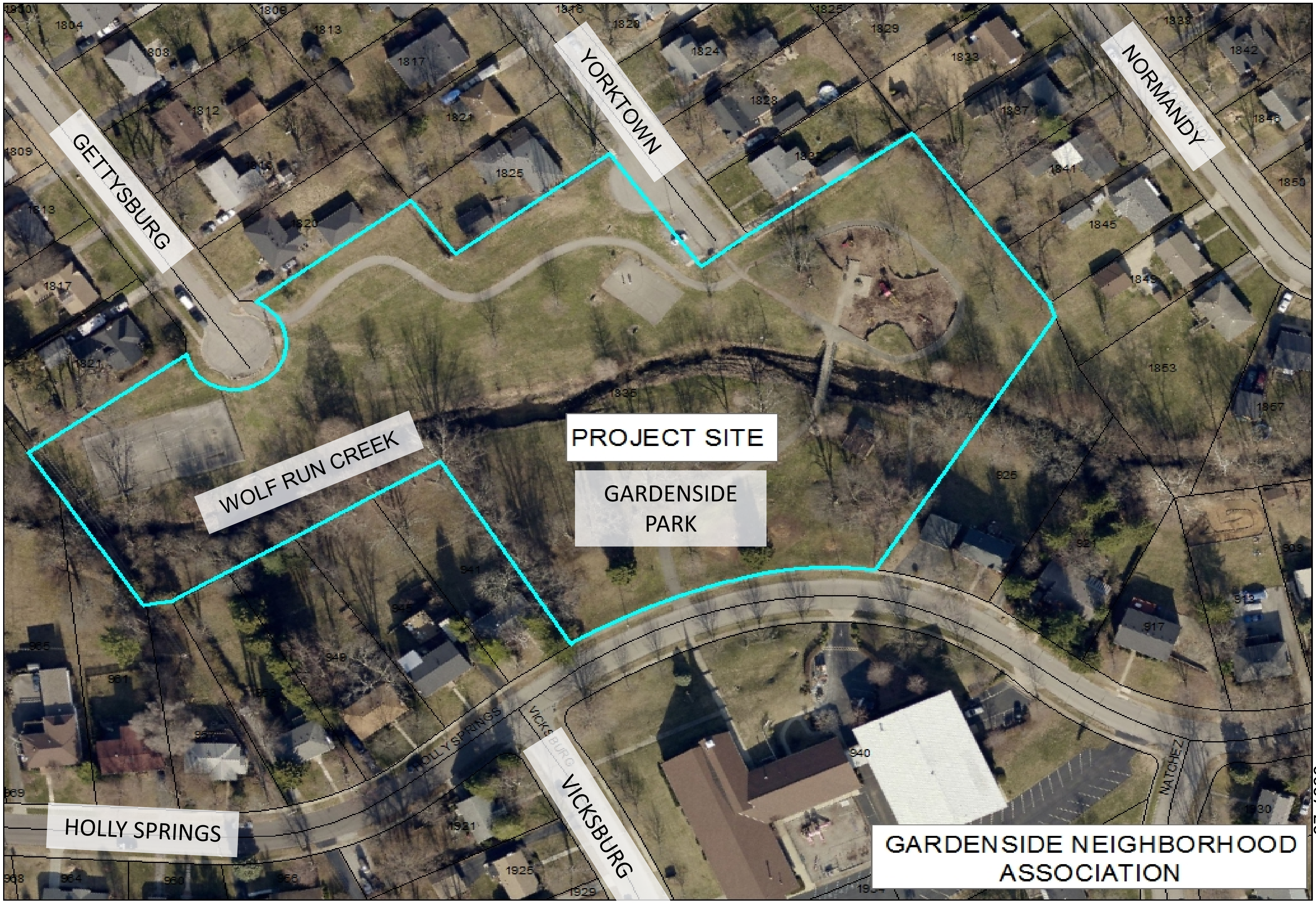
   If "Yes", will the policies be extended? ___Yes ___No

7. Effect on operation and maintenance costs: N/A

8. Effect on contract completion date: N/A

_______________________ Mayor ____________ Date

Stormwater Quality Projects Incentive Grant Program



MAYOR LINDA GORTON

LEXINGTON

SUSAN PLUEGER
DIRECTOR
ENVIRONMENTAL SERVICES

MEMORANDUM

TO: Mayor Linda Gorton
Urban County Council

FROM: Susan Plueger, Director
Division of Environmental Services

DATE: June 15, 2020

SUBJECT: Memorandum of Agreement with the Kentucky Transportation Cabinet related to Turf Mowing on State Routes

Request
The Division of Environmental Services requests authorization for the Mayor to execute a Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet (KYTC), under which LFUCG shall be paid, at mutually agreed upon prices per acre, to perform turf mowing and trimming of vegetation along certain roads under the control of KYTC.

Why are you requesting?
In 2019, LFUCG entered into a Memorandum of Agreement with KYTC (R#203-2019) to provide turf mowing services on state rights-of-way. LFUCG began these services in April of 2019 and KYTC reimburses LFUCG for the contracted costs. The term of the original MOA was for April 1, 2019 to June 30, 2020.

KYTC has requested to continue these services with LFUCG under a new MOA beginning on July 1, 2020 effective through June 30, 2022. All other contract terms remain the same.

Turf mowing will be performed under existing LFUCG contracts managed by the Division of Environmental Services. Turf mowing includes litter removal, mowing, and trimming services for locations, and on a schedule, to be specified by KYTC. For performing these services, LFUCG will be paid the following rates:

- $35/acre for Citation Boulevard, and
- $58/acre for all other areas.

All turf mowing will be performed on state-owned rights-of-way, including approximately 170 acres on Citation Boulevard (KY 1878), Georgetown Road (US 25), Leestown Road (US 421), Newtown Pike (KY 922), Old Frankfort Pike (KY 1681), Winchester Road (US 60), Liberty Road (KY 1927), Todds Road (KY 1927), Richmond Road (US 25), Athens-Boonesboro Road (KY 418), Versailles Road (US 60), New Circle

Road (KY 4), Iron Works Pike (KY 1973), Harrodsburg Road (US 68), and Tates Creek Road (KY 1974). See attached map for an area overview. Areas may be added or removed at the request of KYTC.

What is the cost in this budget year and future budget years?
Expenses and equally offsetting revenues are budgeted for $160,000 per fiscal year. Amounts will vary depending upon the number of mows authorized by KYTC, but will not exceed this amount.

Are funds budgeted?
Funds are budgeted for FY2021 in revenue and expense accounts 1101-313201-3091-xxxxx.

File Number: 610-20

Director/Commissioner: Plueger/Albright

MAYOR LINDA GORTON

LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: John Maxwell, Director
Division of Human Resources

DATE: June 15, 2020

SUBJECT: **Vacation Leave Carryover — Division of Human Resources**

Request:
The attached is requesting authorization to extend the allowable carryover period for classified civil service employees' vacation leave balance. This request extends the carryover period one year from December 31, 2020 to December 31, 2021.

Why are you requesting:
Due to extenuating circumstances, employees may not have adequate time to utilize their vacation leave in the allowable time frame, thereby potentially forfeiting such leave.

In accordance with Chapter 21-33(a) of the Code of Ordinances, every classified civil service employee who has an accumulated vacation leave balance in excess of 168 hours would be granted a one year extension to utilize such leave without any excess leave being subject to forfeiture. In accordance with this request, an employee may carry forward to December 31, 2021 or to the end of the payroll period in which December 31, 2021 falls, all accumulated vacation leave. At that time, vacation leave hours in excess of 168 will be reduced and forfeited. Please note that unclassified civil service employees who are entitled to the provisions of Chapter 21-33(a) would also be eligible for this carryover.

Additionally, employees who are granted an extension but separate from service prior to December 31, 2021, shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for all accumulated vacation leave.

File Number:
0612-20
Director/Commissioner:
John Maxwell/Sally Hamilton

Planning and Public Safety Committee
Virtual Meeting
May 26, 2020
Summary and Motions

Chair Jennifer Mossotti called the meeting to order at 1:02 p.m. Committee Members Chuck Ellinger, James Brown, Josh McCurn, Mark Swanson, Susan Lamb, Preston Worley, Amanda Mays Bledsoe, Jennifer Reynolds, and Kathy Plomin were in attendance. Council Members Angela Evans, Steve Kay, Richard Moloney, and Bill Farmer, Jr. were in attendance as non-voting members.

Chair Mossotti began the meeting with the following statement: Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting is being held via teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.

I. Approval of March 10, 2020 Committee Summary

A motion was made by McCurn to approve the March 10, 2020 Planning and Public Safety Committee Summary, seconded by Reynolds, the motion passed without dissent.

II. Comprehensive Review of Code Enforcement

Alex Olszowy, Director of Code Enforcement, presented the item. He reviewed the types of problems they investigate including housing disrepair, nuisance, sidewalk, snow, unsolicited materials. He reviewed the housing complaint process, the nuisance complaint process, and the sidewalk complaint process and said sidewalks can be a sensitive subject. He reviewed some of the significant changes including salesforce and the 311 web interface, compliance letters, courtesy notices, and administrative fees for citations. He described the officer qualifications, training required, and he reviewed the attrition rates from 2016-2019. He provided an overview of the cases and citations by Council District. He explained the appeals process and reviewed the various cases city-wide for 2019.

Reynolds asked about soft-skills training and the classes that are available. Olszowy said there is an all day class related to customer service and we are working with HR for internal staff training. Reynolds said tree removal should be included in sidewalk repair and she said we might have to review whether to include this. Olszowy said we wouldn't want to provide information that indicates people would be reimbursed for this if we aren't prepared to allow that. Reynolds asked what a person should do if they feel targeted. Olszowy said they should check with Code Enforcement first as there can be many explanations for this including an eyesore, bad neighbors, etc.

J. Brown expressed appreciation for the work being done in the division. He spoke about the improvements in District 1 and said the closeout letter is a good idea and will be a good benefit as well as a customer service training tool. He said Code Enforcement is customer-facing and public perception is important. He asked to keep the item in committee to allow public to comment on issues.

Moloney spoke about the 3rd district and the number of citations being lower than it has been in the past. Olszowy said the correlation would be based on the number of permits and if there were no calls coming in to report violations. Moloney spoke about signs in right-of-way and he asked if they are just removed and if so, why they are not enforced with a citation. Olszowy said the issue is catching someone putting the sign out which would be appealable.

Kay questioned the appeals process and asked if the state statute requirement was that it must be 7 days or at least 7 days and if there is any flexibility with this. Olszowy said it must be within 7 days. Kay asked if we would have to work with legislature if we wanted to extend this and change the language and Olszowy said that is correct. Kay asked if a complaint is registered, and a Code Enforcement Officer inpsects but does not find anything, if that owner would receive an indication that a complaint has been filed. Olszowy said that is correct and no notification would be sent that Code Enforcement was there. Kay commented that although it might look like certain areas are being targeted, as long as Code Enforcement is following procedure and can verify there is a problem, this should not be seen as targeting by Code Enforcement.

Swanson asked about staff attrition for the last 4 years with 17 employees having left and he asked if that is normal. Olszowy said this is not surprising because there have been retirements, promotions, etc. and there has only been one termination which was a probationary termination. He said for the most part, these have been good moves.

Lamb asked about the Code Enforcement Officer and the Nuisance Complaint Officer and the pay range for those positions. Olszowy said the Code Enforcement Officer is about 19.10/hr and the Nuisance Complaint Officer is about 17.80/hr. He said the average salary is about $40,000.

Mossotti asked what the protocol is generally. Olszowy said it can be public view like overgrown grass or by appointment if it is housing disrepair. He said permission is needed to go past the side of the house. Mossotti asked if it would be better to have Building Inspection under Code Enforcement. Olszowy said the issue levels vary so it would better to have them separate. Mossotti asked what calls have come in over the last 10 weeks. Olszowy said tenants don't want to risk it anymore than others so calls are typically an emergency situation. He said they thought cases would increase, but they have not.

<u>No further comment or action was taken on this item.</u>

III. Items Referred to Committee

<u>No further comment or action was taken on this item.</u>

<u>A motion by J. Brown to adjourn, seconded by Ellinger, the motion passed without dissent.</u>

The meeting was adjourned at 2:01 p.m.

KT 06.04.2020

Special Budget, Finance & Economic Development Committee
March 17, 2020
Summary and Motions

Amanda Bledsoe, chair, called the meeting to order at 2 p.m. Committee members Richard Moloney, Chuck Ellinger, James Brown, Susan Lamb, Bill Farmer, Angela Evans, Fred Brown, and Jennifer Mossotti were in attendance. Committee member Steve Kay was absent. Councilmembers Jennifer Reynolds and Kathy Plomin were in attendance.

I. Review of the Exaction Program

Craig Bencz, Administrative Officer Sr., provided the presentation via Skype. He reviewed a map of the expansion areas and said 51 percent of the total expansion area (4,273 acres) remains unplatted. He provided an overview of the exactions program that was intended to provide an equitable means of allocating a fair share of the costs of capital facilities to serve new development. He reviewed a list of facilities or infrastructure covered in the program. He said the rate table separates costs between sewer and non-sewer, describing how developers can pay cash or enter into agreements with the city if they choose to build the improvements themselves. Article 23C-5(b) of the zoning ordinances directs the rate table to be updated quarterly, recommending the increases or decreases of all exactions. Bencz established the assumptions made to update the rate tables, including a reduction in the rate of vacant land to 7 percent. They also shifted from using the acreage assumptions from the expansion area master plan to GIS, which increased the overall acreage by 266 acres. These assumptions were applied to development from 2015, forward.

Bencz proposed a 2015 rate table update based on conditions as of January 1, 2015, which removed 182 acres of land that was platted after this date. He highlighted issues in EA 2C starting in 2009, including the city providing refunds of $2.51 million because of over collections in the past. Currently over collections in EA 2C total $1.34 million, which need to be resolved. He highlighted the changes in the 2015 rate table, compared to the 2010 rate table. He said most exactions decreased; the ones that increased were mostly non-residential and some were zeroed out. He said the 2020 rate table was based on recalculated plats starting in 2015 and the 2015 rate table, which resulted in a $1.39 million reduction. For each facility, Bencz reviewed the total costs, amount collected, and remaining exactions under the 2020 rates, all of which are based on the goal to zero-out each category. He summarized the total program costs under the 2020 rate table is $108.75 million, of which LFUCG has collected 51 percent, leaving a total of $54.27 million remaining exactions. He recommended the adoption of the updated rate tables, reporting next steps to address refunds owed because of recalculated exactions under the 2015 rate table and the over-collection in EA 2C, and amending zoning ordinance Article 23C.

CM Mossotti questioned the decisions to update the rate annually versus quarterly. Bencz explained an annual adjustment is more than enough, pointing out how adjustments will be made along the way if significant rezoning takes place. He added that quarterly updates were likely established in anticipation of the land developing more quickly, noting how long the program has existed to only be halfway through anticipated development.

CM Plomin asked why we haven't updated the rate table since 2010. Bencz said it is a combination of the complexities associated with EA 2C that was unorthodox and required more creative solutions and general changes over time. Plomin asked for the acreage of rural open space, specifically the priority on the mile radius around an expansion area boundary. Bencz said there isn’t a specific number, instead the value is $1,000 per acre that would apply to obtain and reserve open space. They discussed how there isn’t goal for a certain amount of acreage to be rural open space.

CM. F. Brown asked how parks and greenways were priced, with consideration of the value of the land. Bencz said it is valued per acre according to expected acquisition costs and based on past appraisals. F. Brown asked who is paying the exaction fee on park-land because it is usually donated to the city. Bencz said the fee is built into the overall collections of fees, pointing out how the city often obtains park-land through dedication at the time of development; the owner would then receive exaction credits. F. Brown confirmed the remaining exactions totaling $4.8 million for parks and greenways is unplatted land. Bencz explained how exactions are calculated once the land is platted and considered collected with respect to the rate table. F. Brown and Bencz established that there are less than 10 large landowners in the expansion areas but also dozens of small landowners for the remaining land in total. Bencz said they have been working with the large land-owners to get their input, some of which has been implemented.

CM Worley asked about large increases for the community center, non-residential, and economic development uses. Bencz explained how some increases are due to the intensity of specific land use, for example, commercial roads have more traffic than residential roads. He associated other increases with rates applied for trip generation, in particular, recalculated trip generation for economic development land. The ED ZOTA that came before the council a couple of years ago was excluded from the 2015 calculations but included for 2020. Worley talked about the calculations using trip generation which he described as long-term cost and maintenance versus the cost of the original infrastructure; he wants to make sure this is done consistently and correctly and questioned why a long-term use would apply to the cost of the infrastructure. Bencz said the fees are only based on the development of the infrastructure and not long-term maintenance. With roads, he said best practices use proportionate fair share of the impact based on trips and referenced the use of the ITE trip generation manual that is generally accepted for impact analysis.

CM Moloney talked about the need for jobs in Lexington, as well as the need to make development affordable, providing flexibility. He eluded to situations in the past and turning people away. Public comment was allowed. Nick Nicholson spoke about representing two developers who have had different experiences with the exaction program, advocating for the passage of the proposed resolution if language is added to wrap this program up.

A motion was made by Farmer to approve a resolution for the adoption of the expansion area exaction rate tables for January 1, 2015, and March 1, 2020, for roads, parks, stormwater, open space, sewer transmission, and sewer capacity to reflect actual and/or contracted costs for eligible system improvements contracted for the department of finance, the department of environmental quality and public works, and the divisions of planning and reengineering. Discussion on the motion included the following comments.

> A motion was made by CM Ellinger to amend the proposed resolution to add the following language to section 3 “that the administration be and hereby is authorized and directed to engage necessary consultants to perform a comprehensive review of the existing exactions program to determine whether alternatives exist to equitably allocate and distribute the costs of improvements in the Expansion Areas, with the ultimate objective of bringing the program to a full and final conclusion.”

Discussion on the motion to amend included the following comments. F. Brown confirmed this meets Nicholson's needs and spoke about having the stakeholders involved in the resolution. Mossotti with Susan Speckert, Commissioner of Law, established that the administration is comfortable with the amendment. Farmer asked if this will end the entire program or part of it and what the aftereffect looks like being halfway through the program. Speckert explained the plan to engage an expert to explore an alternative that applies to the entire program and expansion area. Farmer questioned the same intended outcome for the developers to pay for the infrastructure that isn't done. Speckert said the expansion area master plan still requires infrastructure to be built but the matter remains of how it is built and paid for. She eluded to not knowing the details of the process that will come from engaging an expert but pointed out the amendment for how often the rate table is amended will come forward under the direction of Bencz; there could be others. Farmer talked about a way to perform the functions that are needed and to find a way for all parties to be served, eluding to additional amendments, and follow up in the future.

CM Evans said we are unsure of what the comprehensive review will provide and that the result is hopefully different and better. CM Lamb asked about utilizing consultants and the potential timeline. Speckert said they plan to draft the RFP immediately and necessary funding is available. Lamb said she is hopeful to find the proper solution to finish the remaining 49 percent so it doesn't prohibit us in the future. Mossotti talked about developers being assured they won't face hiccups in the immediate future. Speckert said she cannot predict the timeline but expressed their desire is for this to happen as expeditiously as possible. They discussed the developer's future clients potentially choosing not to locate in Lexington because of this and working with LFUCG in the meantime. F. Brown and Bledsoe discussed how the agreement with the expert that the RFP recommends will come back to the council for approval. Bledsoe spoke about a long year since the last presentation but applauded the administration and stakeholders to get to a place to consider this amendment to move forward, as quickly as possible, and using the expansion area wisely.

> A motion was made by Ellinger to amend the proposed resolution to add the following language to section 3 "that the Administration be and hereby is authorized and directed to engage necessary consultants to perform a comprehensive review of the existing exactions program to determine whether alternatives exist to equitably allocate and distribute the costs of improvements in the Expansion Areas, with the ultimate objective of bringing the program to a full and final conclusion"; seconded by CM J. Brown. The motion passed without dissent.

A motion was made by Farmer to approve a resolution for the adoption expansion area exaction rate tables for January 1, 2015, and March 1, 2020, for roads, parks, stormwater, open space, sewer transmission, and sewer capacity to reflect actual and/or contracted costs for eligible system improvements contracted for the department of finance, the department of environmental quality and public works, and the divisions of planning and engineering; seconded by Ellinger. As amended, the motion passed without dissent.

A motion was made by Mossotti to report this to the full council at work session on March 17, 2020; seconded by Lamb. The motion passed without dissent.

A motion was made by Mossotti to adjourn at 2:53 p.m.; seconded by Ellinger. The motion passed without dissent.

HBA
6/17/20

Budget, Finance & Economic Development Committee

February 25, 2020

Summary and Motions

Committee chair, Amanda Bledsoe, called the meeting to order at 1:02 p.m. Committee members Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Susan Lamb, Bill Farmer, Angela Evans, Fred Brown, and Jennifer Mossotti were in attendance. Councilmembers Josh McCurn, Jennifer Reynolds, and Kathy Plomin were in attendance.

I. Approval of January 28, 2020, Committee Summary

A motion was made by CM Farmer to approve the December 3, 2019, Budget, Finance & Economic Development Committee summary; seconded by CM Mossotti. The motion passed without dissent.

II. Economic Development Partner: Lyric Theatre & Cultural Arts Center

Whit Whitaker, Executive Director of the Lyric Theater, reviewed the theater's mission to preserve, promote, present, and celebrate diverse cultures. He talked about the Lyric's impact on the community, first reviewing various black history cultural celebrations such as the Jason Thompson exhibit and Selma the Musical, which received a lot of positive feedback for the type of events people want to see there. He highlighted a variety of events that are free to the public and talked about the back to school carnival held in partnership with the William Wells Brown Community Association where they handed out backpacks for kids. Whitaker described the Lyric as the center point for the Roots and Heritage Festival and said they have big plans for the 2020 anniversary gala. He spoke about the rebranded Miracle on 3rd Street event that partnered with the Divisions of Fire and Police to use a fire-truck sleigh, a red, white, and blue cruiser-Rudolf nose, and black Santa. He highlighted the Kwanzaa Celebration that featured the documentary *The Black Candle* and Dr. Haki R. Madhubuti. The International Women's Festival is on March 7, 2020; Whitaker said the event will celebrate women's' diversity, culture, and successes. Lastly, he talked about Woodsongs Old Time Radio, who celebrated their 1,000th show broadcast in November at the Lyric.

CM J. Brown talked about last year as a transitional year for the Lyric, including the hiring of Whitaker. He mentioned the new board chair and the work to enhance the new director's job description to include strategic planning. He said Whitaker is doing a great job fulfilling the Lyric's mission, particularly through his dedication to community engagement and successful programming, such as bringing Selma to Lexington. He talked about the Lyric being a good steward of the city's funding and a good working relationship with the Department of General Services for maintenance. J. brown talked about Whitaker working to make the Lyric a desired destination for the entire community, not just the black community, while also mentioning Woodsongs and weddings.

CM Mossotti asked for the organization's financial information, which Whitaker said he can get that for the committee. Mossotti said she would like to see their progress over the years and how things are going. CM Evans asked for the seating capacity of the theater. Whitaker said 526 seats. CM Lamb talked about her excitement for Whitaker to join the Lyric, especially with his theatre background and said the Lyric is in good hands.

Bledsoe said the committee would like to see how the organization is leveraging public sector funds through the private sector, whether that be through renting out the facility, private fundraising, or events. She added that they would like to see the progress over the last few years since it has been more widely used. Whitaker said that was in the original information shared with the Council Office but he will follow up. Bledsoe mentioned this item will be removed from committee and we will find a new way to have the awarded economic development partners come to committee.

CM Moloney talked about other cities using an organizational structure similar to our parking garages for the local theater and entertainment venues. He proposed an idea, which he has made in the past, for our local theater entities to come together under one umbrella that could provide capacity for bonding, particularly for maintenance of the facilities. He eluded to how bad the budget is for LFUCG and how well the Lexpark has done. He describes Lexpark as a prime example to take the entertainment industry to the next level, which he feels is being held back because of the city. He talked about working together and the need to get out of owning these buildings.

Mossotti said we talked about this 20 years ago, providing the example of production and lighting needs at each facility. She said it is something to look at because of the consolidation effort. She told Moloney to roll with it.

J. Brown generally agreed with Moloney and Mossotti but said we need to be careful about how we go about doing that. He talked about taking the first steps by separating the Lyric and LexArts from the newly structured competitive funds that economic development agencies can apply for. He acknowledged how these two organizations are a different type of economic development engine that enhances the quality of life, which works to attract people here. He said we need to have that conversation and believes this item is in committee. He talked about the various organizations operating under different structures such as the Opera House being under the Lexington Convention Center, in addition to LexArts, the Lyric, the Kentucky Theater, and the Pam Miller Downtown Arts Center.

Bledsoe recalled similar conversations in past BFED Committee meetings. She suggested Heather Lyons could look at this under the cultural affairs umbrella. Based on previous discussions, Sally Hamilton, CAO, brought up the idea of the arts being a topic to review as part of the deep-dive review process that the Division and Program Review Process Subcommittee is working on. Hamilton agreed that the city has talked about this before. She added that the idea of an umbrella organization is excellent but is also a huge undertaking because there is a lot of turf out there on this.

Moloney cited the downtown arts center as an example and said we should not be in the business of deciding who uses that space because LFUCG doesn't have that kind of expertise. He emphasized the potential, pointing out the new level of concerts at Rupp Area and the opportunity generated by working together, concluding we need to get out of this business. Hamilton said there is a huge difference between the arts and supervising buildings. She said because it falls within LFUCG arts and buildings have mingled, explaining people who know arts don't know how to do buildings and vice-versus; the goal is to find some way for these two plains to meet for a better product. <u>No further comment or action was taken on this item.</u>

III. Economic Development Grant

Elodie Dickinson, Director of Business and Workforce Engagement, first provided background on the 2018 grant of $300,000. The Purchase Service Agreements required agencies to complete 75 percent of their placement goal and submit quarterly performance reports. She listed nine grant partners in 2018 and the types of placements; there was a total of 182 placements and 391 individuals enrolled in workforce training. The wages ranged from $7.25 to $30.00. Dickinson listed the job sectors in which those positions fall. Next, she reviewed the 2020 grant cycle, awarding $200,000; applicants could choose between a certification/license model and the traditional model that focuses on entry and re-entry. She said $50,000 was the max amount an agency could request and that the RFP scoring committee reported its recommendations to the Economic Development Investment Board, who approved those recommendations. She highlighted the makeup of the scoring committee and reviewed the scoring criteria that focuses on workforce need and the employment entry/re-entry. She talked about the applicant pool and reviewed each of the 2020 grant recipients: Building Institute of Central Kentucky and Community Action Council under the certification/license model; Jubilee Jobs, Lexington Rescue Mission, and Kentucky Refugee Ministries under the entry/re-entry model. Dickinson said 402 grant participants are expected to be placed into employment or attain a certificate from the grand funds. She explained they will begin to execute PSAs with each recipient for them to begin programing in July 2020 (grant cycle ending 2022). She said a new grant cycle would begin in the fall of 2021.

Mossotti confirmed the program subsidizing these agencies with funding and pointed out, under the 2018 grant outcomes, the lowest wage of $7.25. Dickinson explained the funds subsidize the agency to conduct work readiness programs and job placement with employers. She said they analyze the wages per agency and noted $7.25 per hour wage was under the food sector. Mossotti asked what percentage of funds went to the food sector. Dickinson said this was a factor in incorporating the certification/license model. She mentioned specific sectors had higher wages such as business, IT, and skilled trades, adding that she can meet with council members to review that analysis. Mossotti concluded her concern about subsidizing folks to make $7.25 per hour, which is not a living wage. She said the scoring committee looked at wages for the 2020 grant and that the food sector is not represented in the 2020 recipients.

Moloney talked about return on investment for the program, referencing the cost of $1,000 to $3,000 for a participant to potentially get a $40,000 salary. He talked about data that measures how much we put into training and the wages it translates into. Dickinson said they tracked the wages and can make assumptions for salary calculations. She said they will have a better calculation on the ROI in the new grant cycle with improved data collection. She added their perspective to look at this as adding people to the workforce.

Evans talked about wanting more analyzed data and asked about entry and re-entry being the more difficult task but pointed out the category got a smaller amount of funds. She talked about the challenges to place people in jobs who haven't worked for a while and she feels the numbers seem to be off-balance between entry versus certification. She asked who is eligible to apply for the funding. Dickinson said for-profit businesses were eligible this year and pointed out only non-profits were eligible for 2017 and 2018. She is working with Sherita Miller, LFUCG's Minority Business Liaison, and meeting with small business owners. Evans pointed out unions train people and encouraged getting the word out to everyone. She is curious about the rationale in the funding for each workforce model. Dickinson explained the inclusion of the certificate model this year as a pilot so they will pay close attention to understand the difference in the wages.

J. Brown said creating jobs and getting people back into the workforce is exactly what we should be doing to grow our city and economy. He asked for the investment amounts, which Dickinson outlined year one at $150,000, years two and three at $300,000, and year four at $200,000. He said council members need to have a serious conversation about restoring the funding that was cut last year and maybe expanding it, which he described as an investment in our future. They discussed the participants enrolled versus those who will get a certificate or a job; Dickinson explained enrollment just means that they are receiving a service. J. Brown said this work is mission serving and that workforce development requires a lot of capacity to do development, training, and tracking; he said more funds are needed to broaden our reach.

Bledsoe said the intent was never to provide minimum wage training, the goal was to help people who are making a minimum wage get a license or certificate that also fits Lexington's economic needs, today. She talked about the purpose of matching private sector needs with training, how people often don't have the funds to afford training, for example, CDL jobs, and better job placement for individuals that result in a better ROI for LFUCG.

A motion by Mossotti to support the Economic Development Grant recommendations for 2020; seconded by Ellinger. The motion passed without dissent.

IV. Bluegrass Farm to Table

Ashton Potter Wright, Director of Local Food & Agricultural Development, stated the mission of the program and highlighted the advisory committee that helps this initiative move forward. She said a large part of her time is spent on match-making foodservice and businesses who want to source local food with local farmers and described the variety of organizations she helps. She highlighted the contractual partnerships with the University of Kentucky and Aramark, also between Transylvania and Bon Appetit, and most recently the Lexington Convention Center contract with Levy that includes local food commitments, which should start in 2021. She highlighted the impact of the program to date, emphasizing a conservative estimate of $4.1 million in sales for Kentucky farmers between June 2014 and December 2019.

Wright talked about programs she works with to increase access to local farmers, such as CSA through employers. LFUCG's CSA program has had about 150 employees participate annually the last three years. She cited research on the health benefits to individual CSA participants. She talked about the Kentucky Double Dollars program she helped launch in 2015 as a pilot project with a grant that doubles the benefits for participants of the federal nutrition assistance programs to purchase Kentucky grown farm products. She showed the program's accomplishments in 2017, 2018 and 2019 and talked about her initiatives to expand consumer awareness, such as Beyond Grits and the field to table dinners. She talked about the Mayor's agtech initiative to position Lexington as a hub for high-tech agriculture and intervention, and their partnership with Dean Cox (UK, College of Agriculture, Food, and Environment), Commissioner Ryan Quarrels (Department of Agriculture), Dr. Mark Lyons (Alltech). Cox is assisting with developing objectives and the strategy to make this a reality. Lastly, she mentioned the Kentucky Local Foods Systems Summit, held in February 2020.

Farmer talked about the first Field to Table Dinner, recalling each of the annual dinners to be great. Moloney talked about proposed state legislation for medical marijuana and the impact that could have on people in the community, which he has heard will involve food. Kevin Atkins, Chief Development Officer, said they are watching these bills, that it still has to pass the Senate, and it will come with a lot of regulations. Moloney said he hopes we can stay on top of it, teaching people the right way to do it, and take the lead because Kentucky has the best land to do this. Atkins believes we have the best college of agriculture to address this type of production anywhere in the country.

Evans asked about the Kentucky Double Dollars program. Wright explained it as an incentive program for participants of SNAP, WIC, and the Seniors Farmers Market Nutrition Program (i.e. programs for seniors) to spend a minimum amount of their benefits at participating locations such as the Lexington Farmers Market and then receive an additional amount equal to the benefits used, for free, to buy Kentucky fruits and vegetables. Evans was curious about the data, specifically if it's being used because of eligible individual's access to participating locations. Wright pointed out the challenge to find locations that carry Kentucky grown products and balancing the need with accessibility, which is tracked in the program. Wright said she would share additional data with Evans.

Bledsoe talked about these same concerns being talked about when the program started in 2015. She applauded the 12,000 participants in 2019. <u>No further comment or action was taken on this item.</u>

V. Industrial Authority Update

Craig Bencz, Administrative Officer, Sr., explained the Industrial Authority was created by ordinance in 2018 to aid in the acquisition, retention, and development of land for industrial and commercial purposes. He said the board, which consists of seven members, meets quarterly and listed the names of the members. The total FY2020 budget was $70,000, which Bencz said is predominantly for legal fees. He reviewed the Memorandum of Understanding between UK and LFUCG for the transfer of 250 acres of land in or adjacent to Coldstream Research Campus and certain campus area streets and alleys. He mentioned 50 percent of proceeds from the 50-acre site will go to improvements costs for the 200-acre site. He mentioned the 200-acre site will transfer to the Industrial Authority no later than July 1, 2022. He showed a map of the two sites. He said the planning committee of the Industrial Authority Board is developing conceptual plans for the site and outlined the plan to issue an RFP for the 200-acre land by the end of FY2020. He showed a conceptual layout of potential streets for the 200-acre site, which could help inform the RFP.

Mossotti talked about the lack of a real estate professional on the board and missing that expertise. Atkins said he agreed, noting that someone from this profession was originally added to the board but that the Law Department eventually determined it presented a conflict of interest, adding that the Ethics Commission also looked at it. She asked about the thought process behind the conceptual layout for the RFP because big companies will want to see the entire property. Bencz said the RFP will include several options, including the entire 200-acre site. Mossotti said it's all about the user. Atkins mentioned a company that was interested in the entire lot but it wasn't going to be ready in time. He added that the final product will be different than the RFP but the goal was to begin the planning process with hard numbers and to begin implementing from those. Mossotti asked how this will be marketed and that it needs to be on websites, which she thinks could be accomplished with $200 per month. In speaking to competitiveness, Atkins talked about the price of this land is higher than in other places.

Plomin asked about engagement with nearby neighborhoods. Bencz said this has not happened yet but expects it will take place after a consultant is selected, which would mostly consist of community meetings to talk issues such as proposed uses that are adjacent to them and what buffering could look like. He said it would be similar to what we currently ask of any developer in Lexington. Bencz said he would get a list of adjacent neighborhoods to Plomin. Plomin pointed out Commerce Lexington is not on the board.

Moloney talked about the 50-acre parcel requiring UK's approval and if we don't have to do that for the 200-acre parcel. Atkins explained the 50-acres is a P-2 zone – *university research campus*, which requires a relationship between the company and UK; the 200-acre does not have this same requirement. Moloney asked if the 200-acre site could be developed before the 50-acre; he talked about the great location of the land and that he doesn't want this land to be held back while referencing the slow development of the Coldstream campus. Atkins said a few folks are looking at the 50-acre site now and UK has been nothing but supportive.

Lamb asked about engagement with the Council once conceptual ideas are ready to move forward. Bencz said it is up to the board to approve the details to be included in the RFP but that information can be shared with the council. Lamb and Atkins discussed the financial interest statement for the board members relative to the progress of the development. Atkins said funds have not transferred to the

Industrial Authority yet. Lamb talked about previous discussions about the financial interest statements and said this is an easy way to improve transparency.

Evans asked for clarification on who has final authority; Atkins said currently all transactions must go through the council but, later, when the property transfers to the Industrial Authority they will own the property. An ordinance was passed when this initiative started. Evans asked if the process is codified. Atkins said industrial authorities are governed by KRS. David Barberie said until the council approves the transfer of the land to the Industrial Authority the council retains the authority; he added that the appropriate time to add any restrictions to the land would be when the land is transferred. He believes the long-term plan is for the Industrial Authority to handle this. He can send the committee the legislation. No further comment or action was taken on this item.

VI. Items Referred to Committee

No comment or action was taken on this item.

VII. Monthly Financials Update – January 2020

Bledsoe spoke about the new structure of the monthly financial information included in the packet for information only. She highlighted the substantial variance in employee withholding revenue, which is mainly because of one company that processed this information for several employers later than we budgeted for it.

January 2020 YTD Actual Compared to Adopted Budget:

Revenue Category	Actual	Budget	Variance	%Var
OLT- Employee Withholding	118,974,365	111,422,547	7,551,818	6.8%
OLT - Net Profit	13,498,291	13,703,596	(205,306)	-1.5%
Insurance	19,643,408	21,376,997	(1,733,589)	-8.1%
Franchise Fees	14,593,509	15,399,240	(805,731)	-5.2%
TOTALS	166,709,573	161,902,381	4,807,192	3.0%

January 2020 YTD/January 2019 YDT Current Year to Prior Year:

Revenue Category	Jan '20 YTD	Jan '19 YTD	Variance	%Var
OLT- Employee Withholding	118,974,365	109,146,190	9,828,176	9.0%
OLT - Net Profit	13,498,291	13,927,674	(429,384)	-3.1%
Insurance	19,643,408	19,284,727	358,682	1.9%
Franchise Fees	14,593,509	14,079,545	513,964	3.7%
TOTALS	166,709,573	156,438,136	10,271,437	6.6%

2020 Fiscal Year – Cash Flow Variance Revenue (Actual to Budget):

For the seven months ended January 31, 2020				
	Actuals	**Budget**	**Variance**	**% Var**
Revenue				
Payroll Withholding	**118,974,365**	**111,422,548**	**7,551,818**	**6.8%**
Net Profit	**13,498,291**	**13,703,596**	**(205,306)**	**-1.5%**
Insurance	**19,643,408**	**21,376,997**	**(1,733,589)**	**-8.1%**
Franchise Fees	**14,593,509**	**15,399,240**	**(805,731)**	**-5.2%**
Other Licenses & Permits	**4,225,381**	**3,671,240**	**554,140**	**15.1%**
Property Tax Accounts	**23,047,463**	**23,132,591**	**(85,128)**	**-0.4%**
Services	**15,553,023**	**13,687,031**	**1,865,992**	**13.6%**
Fines and Forfeitures	**144,385**	**151,783**	**(7,398)**	**-4.9%**
Intergovernmental Revenue	**283,826**	**236,887**	**46,939**	**19.8%**
Property Sales	**64,444**	**87,500**	**(23,056)**	**-26.4%**
Investment Income	**768,706**	**570,027**	**198,680**	**34.9%**
Other Income	**2,278,623**	**1,670,033**	**608,590**	**36.4%**
Total Revenues	**$213,075,425**	**$205,109,475**	**$7,965,950**	**3.9%**

2020 Fiscal Year – Cash Flow Variance Expense (Actual to Budget):

For the seven months ended January 31, 2020				
	Actuals	**Budget**	**Variance**	**% Var**
Expense				
Personnel	**137,522,048**	**138,026,959**	**504,911**	**0.4%**
Operating	**26,748,010**	**30,846,719**	**4,098,710**	**13.3%**
Insurance Expense	**954,723**	**968,725**	**14,002**	**1.4%**
Debt Service	**36,142,431**	**36,142,431**	**0**	**-**
Partner Agencies	**14,312,164**	**13,147,802**	**(1,164,362)**	**-8.9%**
Capital	**263,819**	**307,495**	**43,676**	**14.2%**
Total Expenses	**$215,943,194**	**$219,440,132**	**$3,496,938**	**1.6%**
Transfers	**3,187,981**	**2,925,886**	**(262,095)**	**-6.4%**
Change in Fund Balance	**($6,055,750)**	**($17,256,543)**	**$11,200,793**	

A motion was made by Evans to adjourn (at 2:31 p.m.); seconded by Ellinger. The motion passed without dissent.

LEXINGTON CENTER CORPORATION TAXABLE PROJECT BONDS AND LINE OF CREDIT PROPOSALS

Work Session

6/23/2020

LEXINGTON

Purpose of Bond Issue

- Due to the pandemic, revenue sources for the Lexington Convention Center have been severely reduced.
- LCC will not have sufficient revenues to make all required bond payments.
- LFUCG has a responsibility to make these payments if LCC cannot.
- An additional bond issue has three major benefits.
  - Provides a period where the debt payments are funded.
  - LFUCG would not have to find additional funds for debt service.
  - Prevents defaults of the current bonds.
- LCC will then have time to recover revenue streams lost from the sudden cessation of business activity due to the Covid-19 pandemic.

New Bond Issue

- What is included in this issue?
  - Paying debt service on a portion of the existing bonds through March 2023
  - Interest for the new bond issue through September 2022
  - Paying the Issuance Cost
- The principal amount of the bonds is currently estimated at $34 million.
- The annual interest cost is estimated to be $1.6 million through 2048 and principal and interest to 2053.

Bond Security

- The recommended structure for these bonds includes a *General Obligation Lease.*
  - Same structure provided to the Airport Board which has a similar legal relationship to LFUCG.
  - This structure provides the full faith and credit of LFUCG as a support to the bonds.
- Ultimately, we are already legally responsible for paying the debt service so this is formalizing that legal responsibility in bond documents.
- The advantage of more support from LFUCG is anticipated to lower borrowing costs which will decrease the cost of the bonds over the long-term.

LCC Line of Credit

- LCC has arranged a line of credit to bridge working capital needs over the next year:
  - $2.75 million line of credit
  - One-year term
  - Interest paid quarterly
  - Unsecured- no liens or pledged security
  - Floating rate with floor of 4.25%
- Many organizations, private and not for profit, are entering into similar arrangements due to the COVID emergency.

Summary

- LCC requests council approval to go forward with these financing arrangements to enable LCC to be viable and reestablish their financial footing.

Questions?

LEXINGTON

JUNE 23, 2020 COUNCIL WORK SESSION
PUBLIC COMMENT VIA ZOOM
You are invited to a Zoom webinar.

When: Jun 23, 2020 03:00 PM Eastern Time (US and Canada)
Topic: Council Work Session - June 23, 2020

To join the webinar from your computer, click the link below:
https://zoom.us/j/93572665881?pwd=VHJnK24zWmIycGl3U0JFUjNuaWdQdz09
Password: 365086

To join the webinar from your cellular phone, one-tap either number below:
US: +13017158592,,93572665881#,,,,0#,,365086# or +13126266799,,93572665881#,,,,0#,,365086#

To join the webinar from a landline telephone, dial a number below and follow the prompts:
Dial(for higher quality, dial a number based on your current location):
US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782
or +1 346 248 7799 or +1 669 900 9128
Webinar ID: 935 7266 5881
Password: 365086

International numbers available: https://zoom.us/u/abKSOXMqZr

Information for Public Comment during the
Lexington-Fayette Urban County Council's
Video Teleconference Meetings

Please be advised that Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting. Therefore, the meeting will be conducted via Zoom video teleconference. You may view the meeting on LexTV Spectrum channel 185, MetroNet channel 3, Windstream channels 3 and 20, or via live stream here.

If you are a member of the public and wish to address the Council during the public comment portion of the meeting, please follow the instructions below to join the virtual meeting using Zoom.

1. Please wait for public comment portion to be announced in the meeting before joining the meeting via Zoom. If you call or log in prior to public comment, you will not be allowed to enter the meeting. **The URL link and call-in information will be included with the packets/dockets when they are distributed.**
2. If entering using a non-smartphone, join the meeting by dialing any of the phone numbers provided. When prompted please enter the following:
    - Webinar I.D.
    - Enter # (pound) for the participant I.D.
    - Enter the provided meeting password

   At this point you will be able to hear and see the meeting on your device.
3. If entering with a computer or smartphone, use the provided URL link.
4. You will be called on to speak during the public comment portion of the meeting. Please listen for your name (or last 4 digits of your phone number) to be called.
5. Once you are called to speak, please state your name and address for the record. You will be given three (3) minutes to complete your comments.
6. You will be notified when your time expires and placed back in the lobby, at which time you may choose to disconnect from the meeting.
7. You will have to access the meeting using the steps above in order to comment.
8. You can test your computer, phone or tablet's ability to use Zoom, including speaker/microphone functionality at https://zoom.us/test

*Please note that the procedure outlined above may be modified as circumstances change.