Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, September 22, 2020

3:00 PM

Virtual Meeting Packet

Council Chamber

Urban County Council Work Session

Urban County Council
Schedule of Meetings
September 21, 2020 – September 28, 2020

Monday, September 21
No Meetings

Tuesday, September 22
Budget, Finance & Economic Development Committee……………………………………1:00 pm
Video Teleconference

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

Wednesday, September 23
Special Electronic Billboard Subcommittee………………………………………………………1:30 pm
Video Teleconference

Parks Advisory Board……………………………………………………………………………………..4:00 pm
Video Teleconference

Thursday, September 24
Council Meeting……………………………………………………………………………………………..6:00 pm
Video Teleconference

Friday, September 25
No Meetings

Monday, September 28
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
September 22, 2020

I. Public Comment - Issues on Agenda (temporarily suspended)

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-2

- **a** Table of Motions: Council Work Session, September 15, 2020

IV. Budget Amendments – Yes, p. 3-7

V. New Business – Yes, p. 8-31

VI. Continuing Business/ Presentations

- **a** Council Capital Projects: September 22, 2020, p. 32
- **b** Neighborhood Development Funds: September 22, 2020, p. 33
- **c** Committee Summary: Budget, Finance & Economic Development, August 25, 2020, p. 34-41
- **d** Presentation: November 2020 Election Plans
  Presented by Don Blevins, Jr., Fayette County Clerk, p. na

VII. Council Reports

VIII. Mayor's Report – Yes

IX. Public Comment - Issues Not on Agenda (temporarily suspended)

X. Adjournment

Administrative Synopsis - New Business Items

a	**0724-20**	Authorization to sign a construction agreement with R.J. Corman Railroad Company/Central Kentucky Lines, LLC as a part of the Town Branch Phase 6 project at a cost not to exceed $1500. Funds are budgeted. (L0724-20) (Burton/Albright) p. 8
b	**0793-20**	Authorization to execute a Memorandum of Understanding with Baptist Healthcare System, Inc. (dba Baptist Health Lexington) to participate in the drug discount program, pursuant to Section 340B of the Public Health Services Act. In order to participate in the 340B Program, Baptist Health must maintain an agreement with a unit of government. Baptist Health commits to provide health care services to low income individuals who are not entitled to Medicare or Medicaid benefits, at no reimbursement or considerably less than full reimbursement from these patients. In 2019, this commitment totaled approximately $9,000,000 in discounts for services and charity care. No budgetary impact. (L0793-20) (Ford) p. 9
c	**0873-20**	Authorization to accept a donation of $6,000 from the Friends of McConnell Springs for funding a part-time AmeriCorps Service Member for McConnell Springs. (L0873-20) (Conrad) p. 10
d	**0876-20**	Authorization to execute Purchase of Service Agreements with 29 Extended Social Resource (ESR) Program grantee agencies, pursuant to RFP #3-2020 Community Wellness and Safety; RFP #4-2020 Childhood and Youth Development; RFP #5-2020 Food Insecurity and Nutritional Insecurity; and RFP #6-2020 Emergency Overnight Shelter. The agencies will demonstrate impact and compliance through regular program and financial reporting to the Department of Social Services. Funds are budgeted. (L0876-20) (Ford) p. 11-12
e	**0886-20**	Authorization to renew the water franchise agreement with Kentucky American Water for an additional five (5) year term pursuant to the terms of the franchise agreement and Ordinance No. 144-15. Kentucky American Water’s franchise agreement, which expires on or about January 21, 2021, was for an initial term of five (5) years, with the option to renew for up to two (2) additional terms of up to five (5) years each. This would be Kentucky American Water’s first renewal. No budgetary impact. (L0886-20) (Baradaran/Conrad) p. 13
f	**0888-20**	Authorization to enter into a lease agreement with Robert Craig for his occupancy of approximately 2,340 sq. ft. of residential space located at mailing address 3561 Shamrock Lane in Lexington, Kentucky. Tenant is essential to Parks operations and the land shall be used for residential use and no other purpose. (L0888-20)(Conrad) p. 14

g	**0894-20**	Authorization to execute an agreement with Mountain Comprehensive Care Center to operate a Permanent Housing Intensive Case Management Program in partnership with the Catholic Action Center Emergency Shelter at a cost of $190,670.00, providing permanent housing focused comprehensive intensive case management services to residents staying at the Catholic Action Center. Funds are budgeted. (L0894-20) (Ruddick/Hamilton) p. 15-16
h	**0896-20**	Authorization to purchase right-of-way, permanent easements, and temporary easements needed for the construction of Citation Boulevard Phase IIIA. This will include associated recording fees, and authorizing to accept deeds and plats involved in the acquisition of right of way. There is a fiscal impact of $1,446,000.00 for which funds are budgeted. (L0896-20) (Burton/Albright) p. 17
i	**0897-20**	Authorization to use staff from Emergency Management vendor Management Registry to support coronavirus testing site and other coronavirus response activities at a cost not to exceed $15,021.74. Budget amendment in process. (L0897-20) (Brandewie/Armstrong) p. 18
j	**0898-20**	Authorization to request an extension and execute an amendment to the grant agreement extending the Period of Performance through January 31, 2022, for a $400,000 grant from the Kentucky 911 Services Board. Grant is for the purchase of a new Computer Aided Dispatch (CAD) system to include hardware, software, licenses, and consulting for the Division of Enhanced 911. No budgetary impact. (L0898-20) (Stack/Armstrong) p. 19
k	**0899-20**	Authorization to accept a federal award in the amount of $23,810.55 from the U.S. Department of Homeland Security under the 2019 Fire Prevention and Safety Program for the purchase and installation of smoke alarms for households in high-risk neighborhoods. Match of 5% is required in the amount of $1,190.53. Budget amendment in process. (L0899-20) (Chilton/Armstrong) p. 20
l	**0901-20**	Authorization for Change Order No. 1 with the Allen Company for work done on the Beaumont YMCA Trail Project. The change order is for $60,867.29 and will increase the contract to $394,389.84. The LFUCG Division of Engineering needs this action to cover unforeseen items not included in the original construction scope. Funds are budgeted. (L0901-20) (Burton/Albright) p. 21-25
m	**0902-20**	Authorization to execute a Purchase of Service Agreement with Stantec Consulting, Inc. in the amount not to exceed $215,900, for a comprehensive evaluation of the costs and public infrastructure requirements associated with the LFUCG Exactions Program (“Program”). Funds are budgeted. (L0902-20) (Atkins) p. 26-27

n	**0903-20**	Authorization to execute FY21 Neighborhood Action Match Program contracts with the following: Ashland Neighborhood Association ($2,295), Charleston Gardens Homeowners Association ($2,909), Cumberland Hills ($975), East Cooper Neighborhood Association ($3,072), Fayette Park Homeowner Association ($6,317), Garden Meadows Homeowner Association ($6,800), Gleneagles Owners Association ($4,577), Griffin Gate Community Association ($6,800), Kenwick Neighborhood Association ($6,800), Pensacola Park Neighborhood Association ($2,040), The Oak Condominiums of Lexington KY ($6,800), Walnut Ridge Homeowners Association ($3,220), and Wellington Maintenance Association ($6,800). Cost not to exceed $59,405. Funds are budgeted. [L0903-20] (Lanter/Hamilton) p. 28-29
o	**0904-20**	Authorization to submit an application, and accept award in the amount of $79,000, to the Kentucky Department of Education/Division of School and Community Nutrition for participation in the U.S. Department of Agriculture's Child Care Food Program for provision of breakfast, lunch, and supplements at free and reduced rates to infants and toddlers attending the Family Care Center's child care and pre-school programs, subject to the availability of sufficient funds in FY 2021. (L0904-20) (Rodes/Ford) p. 30
p	**0906-20**	Authorization to execute a Purchase of Service Agreement and a Vehicle Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed $1,495,273.00, beginning July 1, 2020 for a period of twelve months. Funds are budgeted. (L0906-20) (Armstrong) p. 31

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
September 15, 2020

Mayor Gorton called the meeting to order at 3:07pm. All Council Members were present.

Gorton opened the meeting with the following statement: "Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via video teleconference pursuant to 2020 Senate 150, 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

III. Approval of Summary

Motion by Plomin to the September 8, 2020 work session summary. Seconded by Swanson. Motion passed without dissent.

IV. Budget Amendments

V. New Business

Motion by Kay to approve new business. Seconded by Lamb. Motion passed without dissent.

VI. Continuing Business/Presentations

Motion by Plomin to approve neighborhood development funds. Seconded by Kay. Motion passed without dissent.

Council Member Lamb provided a summary of the August 11, 2020 General Government & Social Services Committee meeting. There were no motions to report from the meeting.

Motion by Mossotti to place on the September 24, 2020 Council meeting docket under first reading resolutions, a resolution accepting the Hazard Mitigation Plan. Seconded by Higgins-Hord. Motion passed without dissent.

VII. Council Reports

Motion by Moloney that Council resume in person meetings on October 6, 2020. Seconded by Ellinger. Motion failed 4-11. Moloney, Ellinger, Farmer and F. Brown voted yes. Kay, J. Brown, McCurn, Lamb, Higigns-Hord, Worley, Mossotti, Bledsoe, Reynolds, Plomin and Swanson voted no.

Motion by J. Brown to place on the docket for the September 24, 2020 Council Meeting under Ordinances – First Reading, an ordinance amending Section 2-141(1) of the Code of

Ordinances to expand the qualifications of the nine resident members to include individuals who previously lived in the neighborhood and to include individuals who graduated from the former schools the neighborhood center now represents. Seconded by McCurn. Motion passed without dissent.

Motion by J. Brown to refer a quarterly report from the Sustainable Growth Task Force to the Planning & Public Safety Committee. Seconded by Plomin. Motion passed without dissent.

VIII. Mayor's Report

IX. Public Comment – Issues Not on Agenda

Motion by Kay to enter closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing potential litigation. Seconded by Lamb. Motion passed without dissent.

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

X. Adjournment

Motion by Kay to adjourn at 5:39pm. Seconded by Lamb. Motion passed without dissent.

SAM, 9/16/20

BUDGET AMENDMENT REQUEST LIST

JOURNAL	124766	**DIVISION**	Social Services	**Fund Name**	General Fund
				Fund Impact	2,100,000.00 2,100,000.00CR .00

To establish budgets for individual Extended Social Resource Grant recipients in FY 2021 by decreasing placeholder funds for this purpose.

JOURNAL	125147	**DIVISION**	Social Services	**Fund Name**	General Fund
				Fund Impact	50,000.00 50,000.00CR .00

To provide funds for Emergency Relocation Assistance Program, for relief of displaced residential tenants, due to code enforcement action.

JOURNAL	125172	**DIVISION**	Grants and Special Projects	**Fund Name**	General Fund
				Fund Impact	63,413.00 37,800.00CR 25,613.00

To budget additional grant match for Day Treatment FY 2021 by reallocating excess grant match from Aging Services and utilizing previously approved savings related to CARES act funds at Family Care Center.

JOURNAL	125207-08	**DIVISION**	Parks and Recreation	**Fund Name**	General Fund
				Fund Impact	1,140.00 1,140.00CR .00

To provide funds for Repairs and Maintenance by recognizing reimbursement from Stanley Pipeline for fencing and gate at Picadome Golf Course.

JOURNAL	124918-19	**DIVISION**	Family Services	**Fund Name**	Donation Fund
				Fund Impact	450.00 450.00CR .00

To recognize contributions for Family Services program supplies from the Muslim Community of Lexington.

JOURNAL	124971-72	**DIVISION**	Parks and Recreation	**Fund Name**	Donation Fund
				Fund Impact	1,765.00 1,765.00CR .00

To provide funds for memorial benches and special event supplies by recognizing donations for these purposes.

JOURNAL	125098-99	**DIVISION**	Parks and Recreation	**Fund Name** **Fund Impact**	Donation Fund 6,000.00 6,000.00CR .00

To provide funds for an AmeriCorps worker at McConnell Springs by recognizing a donation from the Friends of McConnell Springs for this purpose.

JOURNAL	125100-01	**DIVISION**	Family Services	**Fund Name** **Fund Impact**	Donation Fund 100.00 100.00CR .00

To recognize a contribution for case management program supplies.

JOURNAL	125202-03	**DIVISION**	Family Services	**Fund Name** **Fund Impact**	Donation Fund 100.00 100.00CR .00

To provide funds for case management program supplies by recognizing contributions for this purpose.

JOURNAL	125206	**DIVISION**	Parks and Recreation	**Fund Name** **Fund Impact**	Donation Fund 8,438.27 8,438.27CR .00

To reallocate Cultural Arts Part Time and Professional Services as well as Downtown Arts Center Professional Services funds to other accounts in these sections.

JOURNAL	125168-69	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Agriculture 125,000.00 125,000.00CR .00

To establish grant budget for Child Care Food Program FY 2021.

JOURNAL	124820	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Justice 33,103.39 33,103.39CR .00

To reallocate funds within Street Sales FY 2020 to reduce funds for Commonwealth Attorney and increase funds for Police due to salary changes.

JOURNAL	125175	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of HHS 9,000.00 9,000.00CR .00

To reallocate funds from Non-Civil Service Salaries to Overtime-CERS for Home Network FY 2019 grant.

JOURNAL	124853	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Homeland Sec 69,232.72 69,232.72CR .00

To reallocate Chemical Stockpile Emergency Preparedness Program (CSEPP) FY 2019 based on revised award.

JOURNAL	125145-46	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Homeland Sec 25,001.08 25,001.08CR .00

To establish grant budget for Assistant to Firefighter Grant Program-Fire Prevention and Safety Grant FY 2021.

JOURNAL	125165-66	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	US Dept of Treasury 15,628,924.00 15,628,924.00CR .00

To budget additional Coronavirus Relief Funds from the Kentucky Department for Local Government.

JOURNAL	124854-55	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	Grants - State 3,002.91 3,002.91CR .00

To budget additional funds received on Fire Administration FY 2020 grant.

JOURNAL	124856-57	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	Grants - State 40,000.00 40,000.00CR .00

To establish grant budget for Fire Administration FY 2021.

JOURNAL	125143-44	**DIVISION**	Grants and Special Projects	**Fund Name** **Fund Impact**	Grants - State 475,498.00 475,498.00CR .00

To establish grant budget for Day Treatment FY 2021.

JOURNAL	124846	**DIVISION**	Revenue	**Fund Name** **Fund Impact**	Sanitary Sewer Fund 556.50 556.50CR .00

To provide fund for Sanitary Sewer Fund annual maintenance and support agreement for the RedHat OS license that is being used for enQuesta services in Oracle's OCI environment.

JOURNAL	124845	**DIVISION**	Revenue	**Fund Name**	Water Quality Mgmt Fund
				Fund Impact	283.50 283.50CR .00

To provide fund for Water Quality Fund annual maintenance and support agreement for the RedHat OS license that is being used for enQuesta services in Oracle's OCI environment.

JOURNAL	124844	**DIVISION**	Revenue	**Fund Name**	Landfill Fund
				Fund Impact	210.00 210.00CR .00

To provide fund for Landfill Fund annual maintenance and support agreement for the RedHat OS license that is being used for enQuesta services in Oracle's OCI environment.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	25,613.00
1103	Donation Fund	.00
3100	US Department of Agriculture	.00
3140	US Department of Justice	.00
3190	US Department of Health & Human Services	.00
3200	US Department of Homeland Security	.00
3230	US Department of Treasury	.00
3400	Grants - State	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4051	Water Quality Management Fund	.00
4121	Landfill Fund	.00

YEAR END BUDGET AMENDMENT REQUEST LIST

JOURNAL	PO00124168	**DIVISION**	Various	**Fund Name**	Urban Fund
				Fund Impact	266,439.46CR

To correct the budget for purchase orders rolled to FY 2021. Accounting has moved expenses to FY 2020 for these accounts based on when the expenses were incurred and funds are no longer needed in FY 2021.

JOURNAL	PO00124170	**DIVISION**	Various	**Fund Name**	General Fund
				Fund Impact	11,260.00
				Fund Name	Urban Fund
				Fund Impact	32,307.21

To restore funds for expenses accrued to FY 2020 that were not related to rolled purchase orders. These should not have been included on budget amendment PO00124166 approved September 3, 2020.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	11,260.00
1115	Full Urban Services District	234,132.25CR

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: **SEPTEMBER 10, 2020**

SUBJECT: **Town Branch Trail Phase 6 Project Construction Agreement with R. J. Corman/Central Kentucky Lines LLC**

Request: Council authorization for the Mayor to sign a construction agreement with R.J. Corman Railroad Company/Central Kentucky Lines, LLC as a part of the Town Branch Phase 6 project at a cost not to exceed $1,500.

Purpose of Request: The Division of Engineering needs this action to construct Town Branch Trail Phase 6. This agreement is to construct the Town Branch Trail parallel and adjacent to tracks owned or operated by the railroad near Thompson Road and Railroad Milepost 92.6 to 92.8 on an easement from CSX Transportation Inc. Details of the changes are shown in the attached agreement.

What is the cost in this budget year and future budget years? The cost for FY 2021 is $1,500. Fund are budgeted. No expenses are anticipated for future budget years.

Are the funds budgeted? Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY	AMOUNT
3160	303202	3225	90313	2017	TOWN_TGER_2017	CONSTRUCTION	$1,500

File Number: 0724-20

Director/Commissioner: Burton/Albright

MAYOR LINDA GORTON

LEXINGTON

CHRIS FORD
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: ______________________________
Chris Ford, Commissioner of Social Services

DATE: September 10, 2020

SUBJECT: Memorandum of Understanding with Baptist Healthcare System, Inc.

Request:

Request Council Authorization for the Mayor to execute a Memorandum of Understanding with Baptist Healthcare System, Inc. (dba Baptist Health Lexington) to participate in the drug discount program, pursuant to Section 340B of the Public Health Services Act.

Why are you requesting?

In order to participate in the 340B Program, Baptist Health must maintain an agreement with a unit of government. Baptist Health commits to provide health care services to low income individuals who are not entitled to Medicare or Medicaid benefits, at no reimbursement or considerably less than full reimbursement from these patients. In 2019, this commitment totaled approximately $9,000,000 in discounts for services and charity care.

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

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

Are the funds budgeted?

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

File Number: 0793-20

Director/Commissioner: Chris Ford

MAYOR LINDA GORTON

LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

TO:	**Linda Gorton, Mayor** **Sally Hamilton, CAO** **Urban County Council Members**
FROM:	**Monica Conrad, Director** **Parks and Recreation**
DATE:	**September 4, 2020**
SUBJECT:	**Friends of McConnell Springs Donation**

Request:

Council approval is requested to accept a donation of $6,000 from the Friends of McConnell Springs.

Why are you requesting?

This donation will go toward funding a part-time AmeriCorps Service Member for McConnell Springs.

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

The cost for this FY is: No cost

The cost for future FY is: No cost

Are the funds budgeted? N/A

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

Account number: N/A

File Number: 0873-20

Director/Commissioner: Monica Conrad

MAYOR LINDA GORTON

LEXINGTON

CHRIS FORD
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: ______________________________
Chris Ford, Commissioner of Social Services

DATE: September 10, 2020

SUBJECT: Purchase of Service Agreements – FY 2021
Extended Social Resource (ESR) Program

Request:

Request Council Authorization for the Mayor to execute Purchase of Service Agreements with 29 Extended Social Resource (ESR) Program grantee agencies, pursuant to RFP #3-2020 Community Wellness and Safety; RFP #4-2020 Childhood and Youth Development; RFP #5-2020 Food Insecurity and Nutritional Access; and RFP #6-2020 Emergency Overnight Shelter.

Why are you requesting?

Extended Social Resource (ESR) funding is awarded for specific program implementation. A total of 35 programs will be funded. Exhibits defining the program(s) and establishing expectations for outcomes contained in grantee's RFP responses are attached to each Purchase of Service Agreement. The agencies will demonstrate impact and compliance through regular program and financial reporting to the Department of Social Services.

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

The cost for Fiscal Year 2021 is $2,100,000. This is a one-year grant award.

Are the funds budgeted?

Funds are budgeted, and Budget Amendment is in process to appropriate funds in Department ID accounts for each respective ESR grantee in the Fiscal Year 2021 Budget. A listing (in alphabetical order) of each grantee's award and Department ID is attached to this memorandum.

File Number: 0876-20

Director/Commissioner: Chris Ford

Agency	ESR FY21 Funding Level	DeptID
Arbor Youth Services*	$205,000	900212
AVOL Kentucky	$55,000	900243
Big Brothers Big Sisters	$65,000	900328
Bluegrass Care Navigators	$55,000	900368
Bluegrass Council of the Blind	$32,000	900357
Central Music Academy	$24,000	900375
Children's Advocacy Center	$75,000	900248
Chrysalis House	$100,000	900209
Common Good	$56,000	900369
Community Action Council*	$127,000	900307
FoodChain	$52,000	900361
GleanKY	$23,000	900350
God's Pantry Food Bank	$67,000	900323
GreenHouse17*	$168,000	900304
Lexington Gay Services Organization	$29,000	900376
Lexington Hearing & Speech Ctr	$52,000	900370
Lexington Leadership Foundation*	$157,700	900356
Lexington Rescue Mission*	$87,000	900250
Moveable Feast Lexington	$60,000	900324
NAMI Lexington	$57,400	900349
Natalie's Sisters	$37,900	900336
New Beginnings Bluegrass	$68,000	900235
Repairers Lexington	$5,000	900237
The Nathaniel Mission*	$130,000	900374
The Nest	$62,000	900306
The Refuge Clinic	$62,000	900337
The Salvation Army	$100,000	900317
Visually Impaired Preschool (VIPS)	$38,000	900367
YMCA of Central KY	$50,000	900325
** indicates multiple awards*		
ESR Funding Total:	**$2,100,000**	

LINDA GORTON
MAYOR

LEXINGTON

MONICA CONRAD
ACTING COMMISSIONER
GENERAL SERVICES

TO: Linda Gorton, Mayor
Urban County Council

(for Comm Conrad)

FROM: Monica J. Conrad
Acting Commissioner of General Services

DATE: 9-14-20

SUBJECT: Extension of Water Franchise with Kentucky America Water

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Request:

Council authorization to renew the water franchise agreement with Kentucky American Water for an additional five (5) year term pursuant to the terms of the franchise agreement and Ordinance No. 144-15.

Purpose of Request:

Kentucky American Water's franchise agreement, which expires on or about January 21, 2021, was for an initial term of five (5) years, with the option to renew for up to two (2) additional terms of up to five (5) years each. It is the administration's recommendation that the franchise agreement be renewed for an additional five (5) years. This would be Kentucky American Water's first renewal.

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?

N/A

File Number:

Director/Commissioner: Baradaran/Conrad

MAYOR LINDA GORTON

LEXINGTON

MONICA CONRAD
DIRECTOR, PARKS & RECREATION

MEMORANDUM

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

FROM: Monica Conrad, Director, Parks and Recreation

DATE: September 9, 2020

SUBJECT: Lease Agreement with Robert Craig, 3561 Shamrock Lane, Lexington

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Request: Urban County Council authorization to enter into a lease agreement with Robert Craig for his occupancy of approximately 2,340 sq. ft. of residential space located at mailing address 3561 Shamrock Lane in Lexington, KY. Tenant is essential to Parks operations and the land shall be used for residential use and no other purpose.

Why are you requesting? Lessor and Lessee wish to enter into a lease agreement defining their rights and responsibilities relating to the use and occupancy of said rental property.

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

The cost for this FY is: $ 4,725.00 (revenue)
The cost for future FY is: contingent on renewal of lease

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: Yes
Account number: 1101-707606-7672-42181

File Number: 0888-20

Director/Commissioner: Monica Conrad

469 Parkway Drive, Lexington, KY 40504 / 859.288.2900 Phone / 859.288.2989 Fax / lexingtonky.gov

MAYOR JIM GRAY

LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: ______________________________
Polly Ruddick, Director, Office of Homelessness Prevention & Intervention

CC: Sally Hamilton, CAO

DATE: August 25, 2020

SUBJECT: Permanent Housing Intensive Case Management Program in partnership with Catholic Action Center

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Request:

Authorization to: Execute an agreement with Mountain Comprehensive Care Center to operate a Permanent Housing Intensive Case Management Program in partnership with the Catholic Action Center Emergency Shelter at a cost of $190,670.00, providing permanent housing focused comprehensive intensive case management services to residents staying at the Catholic Action Center.

Why are you requesting?
Department needs this action completed because: Due to the COVID-19 pandemic, congregate emergency shelters were required to limit access in order to comply with social distancing requirements of the CDC. This is limiting adult individuals' ability to access emergency shelter services as needed. Case management services are currently not available at the Catholic Action Center to address housing needs and assist in movement to permanent housing. This program will address the need to provide case management services in an effort to quickly move current residents out of the shelter, therefore, freeing up space for new residents.

Fund allocation has been approved by the Homelessness Intervention and Prevention Board under the Innovative and Sustainable Solutions to Ending Homelessness Fund.

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

The cost for this FY 21 is: $190,670.00

The cost for future FY 22 is: $0

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: Yes
Account number: 1145-155003-0001-78112

File Number: 894-20

Director/Commissioner: Polly Ruddick/Sally Hamilton, CAO

LINDA GORTON
MAYOR

LEXINGTON

DOUG BURTON, P.E.
DIRECTOR
DIVISION OF ENGINEERING

TO: Linda Gorton, Mayor
Urban County Council

FROM: W. Doug Burton, P.E.
Director of Engineering

DATE: September 11, 2020

SUBJECT: Citation Boulevard Phase IIIA Right-of-Way and Easement Acquisition

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Request:

Council authorization to purchase right-of-way, permanent easements, and temporary easements needed for the construction of Citation Boulevard Phase IIIA. This will include associated recording fees.

Purpose of Request:

Additional right-of-way, permanent easements, and temporary construction easements are needed for the construction of Citation Boulevard Phase IIIA and the extension of Winburn Drive. Both streets will have curb and gutter adhering to LFUCG standards, sidewalks, ADA access, storm drainage improvements, and a multiuse path running from the intersection of Citation Boulevard and Newtown Pike to Winburn Middle School.

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

The cost for this FY is: $1,446,000.00
The cost for future FY is: None

Are the funds budgeted?

The funds are budgeted per BA
Account number:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY	AMOUNT
2610	303202	3251	91715	2021	CITWINBURN_2020	ENG_ROW	$1,446,000.00

File Number:

Director/Commissioner: Burton/Albright

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: **September 11, 2020**

SUBJECT: **MANAGEMENT REGISTRY EXPENSES FOR CORONAVIRUS TESTING**

Request: Council authorization to use staff from Emergency Management vendor Management Registry to support coronavirus testing site and other coronavirus response activities at a cost not to exceed $15,021.74.

Why are you requesting? On February 20, 2020 (Resolution #086-2020), Council authorized execution of an agreement with Management Registry to provide LFUCG's Division of Emergency Management with assigned employees to support the Chemical Stockpile Emergency Preparedness Program. Management Registry was awarded the contract in response to RFP #45-2019 for the grant-approved WebEOC Coordinator services.

In the course of preventing, preparing for, and responding to the coronavirus, it has been necessary to utilize these Management Registry staff at testing sites and to perform related emergency response activities. Those activities were not eligible expenses under the CSEPP grant after April 20 and must be charged to other accounts. The expenses will be moved to the Division of Emergency Management's General Fund budget and tracked for possible future FEMA reimbursement.

What is the Cost in this budget year and future budget years? The cost is $15,021.74.

Are the funds budgeted? Yes. Expenses will be moved to 1101-505204-5251-71299.

File Number: 0897-20

Director/Commissioner: Brandewie/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: SEPTEMBER 11, 2020

SUBJECT: FY18 Kentucky 911 Services Board Extension to Agreement

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Request: Council authorization to request an extension and execute an amendment to the grant agreement extending the Period of Performance through January 31, 2022, for a $400,000 grant from the Kentucky 911 Services Board. Grant is for the purchase of a new Computer Aided Dispatch (CAD) system to include hardware, software, licenses, and consulting for the Division of Enhanced 911.

Why are you requesting? On October 26, 2017 (Resolution 649-2017) Council authorized the acceptance of an award from the Kentucky 911 Services Board (f/k/a Commercial Mobile Radio Services Board) in the amount of $400,000 for the purchase of a new Computer Aided Dispatch (CAD) system to include hardware, software, licenses, and consulting. On December 4, 2018 (Resolution 731-2018) Council authorized an amendment to extend the period of performance through January 31, 2020. On October 24, 2019 (Resolution 586-2019) Council authorized a second extension amendment to extend the period of performance through January 31, 2021.

The Division of Enhanced 911 now anticipates training on the new system in November 2020 and implementation in October 2021. This extension provides enough time to complete the project.

The funding agency has offered LFUCG an extension to the original grant agreement extending the Period of Performance through January 31, 2021.

What is the cost in this budget year and future budget years? There is no cost.

Are the funds budgeted: N/A

File Number: 0898-20

Director/Commissioner: Stack/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: SEPTEMBER 11, 2020

SUBJECT: Acceptance of 2019 Fire Prevention and Safety Program Grant for Division of Fire and Emergency Services

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Request: Council authorization to accept federal award in the amount of $23,810.55 from the U.S. Department of Homeland Security under the 2019 Fire Prevention and Safety Program for the purchase and installation of smoke alarms for households in high-risk neighborhoods. Match of 5% is required in the amount of $1,190.53.

Why are you requesting? On May 28, 2020 (Resolution 225-2020), Council authorized the submission of a grant application requesting funding from the Fire Prevention and Safety Program. The purpose of the Fire Prevention and Safety Grant Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards by assisting fire prevention programs and supporting firefighter health and safety research and development. The FP&S Activity is designed to reach high-risk target groups and mitigate the incidence of death, injuries and property damage caused by fire and fire-related hazards. The purpose of this project is to purchase new hard-wired and 10 year battery smoke alarms to install in Fayette County, with the overall goal of making Lexington an even safer place to live.

The Division of Fire and Emergency Services has been offered a grant in the amount of $23,810.55 which will be used to purchase and install approximately 1,876 smoke alarms for households in high-risk neighborhoods.

What is the cost in this budget year and future budget years? The federal award is $23,810.55, which requires a local match in the amount of $1,190.53. Match is budgeted in 1101-505702-5717-78201.

Are funds budgeted: BA 10799 is in process.

File Number: 0899-20

Director/Commissioner: Chilton/Armstrong

MAYOR LINDA GORTON

LEXINGTON

DOUG BURTON
DIRECTOR
ENGINEERING

TO: Mayor Linda Gorton
Urban County Council

FROM: W. Douglas Burton, Director
Division of Engineering

DATE: September 11, 2020

SUBJECT: Change Order No. 1 for Beaumont YMCA Trail

Request:

Authorization for the Mayor to sign Change Order No. 1 with the Allen Company for work done on the Beaumont YMCA Trail Project. The change order is for $60,867.29 and will increase the contract to $394,389.84.

Why are you requesting?

The LFUCG Division of Engineering needs this action to cover unforeseen items not included in the original construction scope. Details of the changes are shown in the attached Change Order forms.

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

The cost for this FY is: $60,867.29
The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted in: 2607 303202 3251 91715 BEAUMONT_2018

File Number:

Director/Commissioner: Burton/Albright

CONTRACT HISTORY FORM

CO #1

Project Name: Beaumont YMCA Trail

Contractor: The Allen Company

Contract Number and Date: 040-2020 February 28, 2020

Responsible LFUCG Division: Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	$	333,522.55	
Next Lowest Bid Amount: $413,060.00			
B. Amount of Selected Alternate or Phase:	$		
C. Cumulative Amount of All Previous Alternates or Phases:	$		
D. Amended Contract Amount:	$	333,522.55	
E. Cumulative Amount of All Previous Change Orders:	$	0.00	0.0% *(Line E / Line D)*
F. Amount of This Change Order:	$	60,867.29	18.25% *(Line F / Line D)*
G. Total Contract Amount:	$	394,389.84	

SIGNATURES

Project Manager: [signature] Date: 9-3-20

Reviewed by: [signature] Date: 09/03/20

Division Director: [signature] Date: 9/4/20

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER
Page 1

Date:	September 3, 2020		
Project:	Beaumont YMCA Trail		
Location:	Beaumont YMCA/Harrods Hill Park		
Contract No.	040-2020		
Original Contract Amt.	$333,522.55		
Cumulative Amount of Previous Change Orders	$0.00		
Percent Change - Previous Change Orders		0.00%	
Total Contract Amount Prior to this Change Order	$333,522.55		
Change Order No.	1		

To (Contractor):

The Allen Company
3009 Atkinson Ave.
Lexington KY 40509

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	$8,520.00		
	Total increase		$69,387.29	
	Net Amount of this Change Order	$60,867.29		
	New Contract Amount Including this Change Order	$394,389.84		
	Percent Change - This Change Order			18.25%
	Percent Change - All Change Orders			18.25%

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

Recommended by [signature] MA 9/3/20 (Proj. Engr.) Date 9-3-20
Accepted by [signature] President (Contractor) Date 9-4-20
Approved by [signature] (Director) Date 9/4/20
Approved by Nancy Albright (Commissioner) Date 9/10/2020
Approved by ______ (Mayor or CAO) Date ______

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CHANGE ORDER

Page 2

DATE:	September 3, 2020
Change Order #:	1
CONTRACT #:	040-2020

Project: Beaumont YMCA Trail

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
8	ADD	DGA Base, 4 inch	TN	14.46	$26.40	$ -	$ 381.74
9	ADD	No. 2 Stone	TN	72.38	$50.00	$ -	$ 3,619.00
11	ADD	Class II Bituminous Base 1.00D PG 64-22	TN	3.10	$94.50	$ -	$ 292.95
12	ADD	Class II Bituminous Surface 0.38D PG 64-22	TN	15.49	$106.80	$ -	$ 1,654.33
15	ADD	Seeding and Protection	SY	4468.00	$1.33	$ -	$ 5,942.44
16	ADD	4" PVC Pipe	LF	185.00	$40.00	$ -	$ 7,400.00
20	ADD	Single Block Masonry Retaining Wall	SF	325.00	$40.35	$ -	$ 13,113.75
27	DEL	Utilities Allowance	EA	0.71	$12,000.00	$ 8,520.00	$ -
	ADD	Low Water Crossing Concrete Pad and Undercutting	EA	1.00	$2,255.30	$ -	$ 2,255.30
	ADD	Geotextile Fabric Type IV	SY	600.00	$3.85	$ -	$ 2,310.00
	ADD	Non Perforated Pipe 8 in.	LF	140.00	$21.75	$ -	$ 3,045.00
	ADD	No. 2 Stone for Trail Stabilization	TN	612.60	$28.95	$ -	$ 17,734.77
	ADD	Triaxial Geogrid	SY	1562.88	$5.40	$ -	$ 8,439.55
	ADD	Temporary Construction Fence	LF	425.00	$2.95	$ -	$ 1,253.75
	ADD	Irrigation Line Repair	LS	1.00	$1,944.70	$ -	$ 1,944.70
Total decrease						$ 8,520.00	
Total increase							$ 69,387.29
Net (increase) in contract price							$ 60,867.29

JUSTIFICATION FOR CHANGE Page 3	PROJECT:	Beaumont YMCA Trail
	CONTRACT NO.	040-2020
	CHANGE ORDER:	1

1. Necessity for change: To stabilize the subgrade underneath the trail, increase the size of a retaining wall, and extend/repair roof drains and an irrigation system.

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

MAYOR LINDA GORTON

LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Craig Bencz, Admin. Officer, Sr.

CC: Kevin Atkins, Chief Development Officer
Susan Speckert, Commissioner of Law

DATE: September 11, 2020

SUBJECT: Purchase of Service Agreement – Evaluation of Exactions Program

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Request

Request Council authorization to execute a Purchase of Service Agreement with Stantec Consulting, Inc. for a comprehensive evaluation of the costs and public infrastructure requirements associated with the LFUCG Exactions Program ("Program").

Reason for Request

Request for Proposal ("RFP") No. 12-2020 was advertised in July 2020 for the purpose of seeking proposals from qualified firms for a comprehensive evaluation of the costs and public infrastructure requirements associated with the LFUCG Exactions Program. This evaluation will lead to the development of a plan for achieving the infrastructure development and implementation objectives of the Expansion Area Master Plan in a manner that allocates and distributes the costs associated with infrastructure development throughout the Expansion Areas, which may lead to the equitable dissolution of the Program.

Stantec Consulting, Inc. was chosen by the selection committee at the conclusion of the RFP process.

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

The cost for this FY is: $215,900

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted.

Account number: 6021-160906-0001-73203

File Number:

Director/Commissioner: Atkins

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: SEPTEMBER 14, 2020

SUBJECT: Neighborhood Action Match Program Contracts - Fiscal Year 2021

Request:
Request Council authorization to execute FY21 Neighborhood Action Match Program contracts with the following: Ashland Neighborhood Association ($2,295), Charleston Gardens Homeowners Association ($2,909), Cumberland Hills ($975), East Cooper Neighborhood Association ($3,072), Fayette Park Homeowner Association ($6,317), Garden Meadows Homeowner Association ($6,800), Gleneagles Owners Association ($4,577), Griffin Gate Community Association ($6,800), Kenwick Neighborhood Association ($6,800), Pensacola Park Neighborhood Association ($2,040), The Oak Condominiums of Lexington KY ($6,800), Walnut Ridge Homeowners Association ($3,220), and Wellington Maintenance Association ($6,800).

Why are you requesting?
In response to a Request for Applications, Grants and Special Programs received 13 applications requesting funds under the Fiscal Year 2021 Neighborhood Action Match Program. The Neighborhood Action Match Program Review Board met and reviewed requests for funding. Listed above are the recommendations for funding of various neighborhood activities and improvements.

What is the cost in this budget year and future budget years? The cost in this budget year is not to exceed $59,405. No additional costs in future budget years are anticipated.

Are the funds budgeted? $59,405 is currently budgeted in account # 1101-160202-1427-71299.

File Number: 0903-20

Director/Commissioner: Lanter/Hamilton

FY21 Neighborhood Action Match Grant Applications

Applicant Name	Amount Awarded	Amount of Match	Project Description	New Applicant?	Last Funded
Ashland Neighborhood Association	$2,295	$3,375	Ground cutting, mulch and treatment to 4 large trees, replenish and prune shrubs	No	FY 2014
Charleston Gardens Homeowner Association	$2,909	$4,280	Playground Revitalization and Park Improvements	Yes	N/A
Cumberland Hills	$975	$975	Front Wall Lighting Replacement	No	FY 2020
East Cooper Neighborhood Association	$3,072	$4,517	Landscaping and improvement of neighborhood entrance (island)	Yes	N/A
Fayette Park Homeowner Association	$6,317	$1,034	Historic Marker & Landscape Enhancements	No	FY 2018
Garden Meadows Homeowner Association	$6,800	$10,000	Landscaping clean the area up and remove all the honey suckle, down trees	Yes	N/A
Gleneagles Owners Association	$4,577	$6,731	Farm fencing repair, painting and landscaping	No	FY2016
Griffin Gate Community Association	$6,800	$41,000	Bridgestone Fence	No	FY2018
Kenwick Neighborhood Association	$6,800	$10,000	Kenwick Park Basketball Court Relocation	Yes	N/A
Pensacola Park Neighborhood Association	$2,040	$3,000	Revitalizing the Greenspace on Penmoken Park	No	N/A
The Oak Condominiums of Lexington KY	$6,800	$10,000	Community Landscape Enhancements	No	N/A
Walnut Ridge Homeowners Association	$3,220	$4,736	Street sign post and bronze plaques at the entrance	Yes	FY 2019
Wellington Maintenance Association	$6,800	$10,000	Roundabout Landscape Enhancement	Yes	FY 2020
	$ 59,405	**$109,648**			

MAYOR LINDA GORTON

LEXINGTON

CHARLE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: **SEPTEMBER 14, 2020**

SUBJECT: **Child Care Food Program application for the Family Care Center – FY21**

Request:
Council authorization to submit an application, and accept award in the amount of $79,000, to the Kentucky Department of Education/Division of School and Community Nutrition for participation in the U.S. Department of Agriculture's Child Care Food Program for provision of breakfast, lunch, and supplements at free and reduced rates to infants and toddlers attending the Family Care Center's child care and pre-school programs, subject to the availability of sufficient funds in FY 2021.

Purpose of the Request:
It is estimated that 35,000 meals will be served during the twelve-month period, beginning October 1, 2020. As of July 1, 2020, the Federal reimbursement rates for free meals are as follows: $1.89 for breakfast, $3.51 for lunch, and $.96 for a supplement. Approximately 73% of the children enrolled in Family Care Center programs qualify for free or reduced meals.

What is the cost in this budget year and future budget years?
Based upon current enrollment, an estimated $79,000 in federal funds will be collected. While no match is required, an additional $46,000 in 2021 General Fund dollars has been budgeted to cover catering costs that exceed actual reimbursement.

Are the funds budgeted? Budget amendment 10803 is in process to establish grant budget for FY 2021.

File Number: 0904-20

Director/Commissioner: Rodes/Ford

200 East Main St., Lexington, KY 40507 / 859.258.3070 Phone / 859.258.3081 Fax / lexingtonky.gov

MAYOR LINDA GORTON

LEXINGTON

KEN ARMSTRONG
COMMISSIONER
PUBLIC SAFETY

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: Ken Armstrong, Commissioner of Public Safety

DATE: September 11, 2020

SUBJECT: Purchase of Service Agreement with Lexington-Fayette Animal Care and Control, LLC

Request: To request approval of the Purchase of Service Agreement with Lexington-Fayette Animal Care and Control, LLC

Authorization to: Enter into a 12-month Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC beginning on July 1, 2020.

Why are you requesting? Lexington-Fayette Urban County Government provides funding for Lexington-Fayette Animal Care and Control, LLC.

Department needs this action completed because: The contract for last fiscal year has expired. Budget must be in place before preparation of contract for new fiscal year.

The cost for this FY is: $1,495,273.00

The cost for future FY is: Unknown based on future requests from Lexington-Fayette Animal Care and Control, LLC

Are the funds budgeted? Yes.

The funds are budgeted or a budget amendment is in process: Funds are budgeted for FY 2021.

Account number: 1101-505002-0001-71299

File Number:

Director/Commissioner: Ken Armstrong, Commissioner of Public Safety

Council Capital Projects
September 22, 2020
Work Session

Amount	Recipient	Purpose
$ 6,582.65	LFUCG-Traffic Engineering 1105-303602-3606-91614 Jeff Neal	To cover costs associated with the multiway stop at Lane Allen and Georgian.

Neighborhood Development Funds
September 22, 2020
Work Session

Amount	Recipient	Purpose
$ 500.00	NAMI, Lexington (KY), Inc. 498 Georgetown Street, Suite 100 Lexington, KY 40508 Phil Gunning	To assist with ongoing operations.
$ 1,150.00	North Limestone Community Development Corp. 714 North Limestone Street, Unit B Lexington, KY 40508 Kristofer Nonn	To assist with the Julietta Market.

Budget, Finance & Economic Development Committee
August 25, 2020
Summary and Motions

Committee chair, Amanda Bledsoe, called the meeting to order at 11:02 a.m. Committee members Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Susan Lamb, Bill Farmer, Lisa Higgins-Hord, Fred Brown, and Jennifer Mossotti were in attendance. Councilmembers Josh McCurn, Mark Swanson, Preston Worley, Jennifer Reynolds, and Kathy Plomin attended as voting members.

Bledsoe read the following statement: “Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 Senate Bill 150, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting."

A motion was made by Kay to suspend the rules for this special committee meeting and allow all council members to participate fully, including voting; seconded by Farmer. The motion passed without dissent.

I. Approval of June 23, 2020, Committee Summary

A motion was made by Farmer to approve the June 23, 2020, Budget, Finance & Economic Development Committee summary; seconded by Mossotti. The motion passed without dissent.

II. Local Small Business Economic Stimulus Program

Tyrone Tyra, Senior Vice President, Community and Minority Business Development for Commerce Lexington, with Larry Forester, a member of Commerce Lexington’s board of directors and chair of their Minority Business Development Advisory Committee provided an update on the stimulus program. Tyra talked about using the Access Loan Committee to reaching businesses left out of federal relief programs and thanked the review team members. To date they received 235 applications requesting over $5 million; 151 companies were awarded funding. He spoke to the international flavor of the awardees; minority-owned businesses made up 30 percent of awarded businesses and women-owned businesses 36 percent. Almost $2.2 million of the grant funds have been awarded. Tyra showed a map of the businesses that received grant funds. He thanked several key individuals and partners, specifically Traditional Bank, to make this program possible.

Dan Mason, President of Traditional Bank, spoke about the Access Loan Committee and the opportunity for their business development staff to meet small business owners. He said small businesses bring life and vitality to our community. Elodie Dickinson, Director of Workforce and Business Engagement, introduced Mamadou Savane of Sav’s Grill, which he opened in 2008. He talked about moving the business to a new location on East Main Street last year and reopening just before the pandemic hit. The second business owner and grant recipient, Arely Lara of Lara’s Beauty Salon, spoke about being an entrepreneur, following her dreams, and the challenges of shutting down for two and a half months. Both owners thanked everyone for the grant.

Kay asked about interpreting the percent of minority and women-owned businesses and whether there is overlap. Tyra explained how the information was collected and said there was not much overlap. Kay asked how the committee made the decisions to allocate funds to applications. Tyra said they looked at payroll and harm to the business and created a CARES Act related formula to award the business. Four committee members are bankers, which allowed them to dig into the financials. Kay confirmed they reviewed applications as they came in but Tyra pointed the first applications submitted were not necessarily the first ones reviewed or awarded because of necessary follow-up to make applications complete. They discussed how the city reviewed the applications first to ensure they are registered with the city and up to date with taxes, etc. Tyra and his team only reviewed the ones the city approved. Kay established they are working on to distribute the remaining balance now. Atkins said the final list of businesses and their awards will be shared with the council.

Ellinger asked about reaching the goal for 50 percent of funds to reach minority and women-owned businesses, which Tyra said the total is 66 percent of the grant; the overlap is minimal. Tyra explained how he would communicate with businesses to collect additional information they needed and the committee review often led to additional communication. Tyra added that they are in the process of sending letters to the businesses that were flagged by the city. They talked about executing the program in five weeks because of the volunteer commitment of the committee. About $180,000 remains to be distributed.

In response to Plomin, Tyra said they hope to finish the program next week. Plomin asked about notification to the businesses who are not awarded, which they are doing now. Tyra said they will include the reason why they weren't awarded. Funding the businesses was first their priority. J. Brown said this program shows minority and women-owned businesses can be reached and mentioned the program exceeding its goal. He talked about the program's priorities and communicating with businesses that weren't awarded to help them in the future. Tyra said about 20 nonprofits received funding J. Brown recalled his concern to allow nonprofits to apply. J. Brown said the council should consider the total requests for the grant when they discuss coronavirus relief funds.

Lamb confirmed the total funds requested ($5 million) was before the city vetted applications, which Tyra added that some requests were over the $25,000 maximum. The breakdown of the amounts awarded will be on the final list of awarded businesses. They discussed some nonprofits who applied were not approved. Because of how well the minority and women-owned businesses goal was met, Swanson asked about lessons to be learned to incorporate minority businesses into government. Tyra said it's about intentionality, highlighting the flyer, his work with a minority business development consortium, the use of 27 partnering banks, and individual outreach to meet people where they are.

McCurn asked about entities that applied with multiple businesses. Tyra explained they looked at those carefully, using the Federal EIN. There were only a few instances, mostly in the hospitality industry, where multiple businesses under one entity were funded. Moloney spoke about federal aid programs for businesses during the pandemic not reaching minority and women-owned small businesses. He was surprised the request only reached $5 million, comparing it to the overall nonprofit request for ESR funds, which is traditionally much higher. He talked about the program supporting jobs and the money coming back to the city. He said these businesses are the most important community we can help.

Reynolds spoke about having more people to help answer questions about the application. She asked how this program compliments what banks are doing to support local businesses. Forester talked about the Small Business Administration's PPP Loan and this grant program filling the gap for those who did not get that funding, adding that some banks allowed businesses to move principal and interest payments back. He said an FAQ could be created to better prepare people for the application if this program was repeated. He concluded the program did the right thing for the right reasons.

Mossotti asked if there was a breakdown of the businesses by industry. Bledsoe said that Dickinson will be reporting a more detailed analysis once all the funds are awarded. Ellinger asked for the average grant award (rough estimate $14,500). Tyra said they looked at the need. Ellinger asked how many employees will benefit from the program, which will be in Dickinson's report. Ellinger confirmed the nonprofits awarded were not counted in the minority and women-owned businesses percentages. Worley coined the program as a council initiative, thanking all the partners, and concluded that businesses are the lifeblood of our community. Bledsoe said this will return to committee with a deeper analysis.

Bledsoe recessed the committee at 11:55 a.m. The committee returned at 12:31 p.m.

III. Current Financial Position – August 2020

Wes Holbrook, Director of Revenue, talked about a sharp dive in the comparative unemployment rate for Lexington to just above 4 percent, which is much lower than the national average around 10 percent and doesn't match payroll collections, therefore indicating a false recovery. Payroll withholding is LFUCG's largest revenue source (a combination of the number of people working in Lexington and how much money they make). He showed a loss of about five years of job growth. He reviewed preliminary numbers for the top four revenue sources, FY20 June year-to-date, pointing out the city's net profit for FY20 is still about $5M behind, despite collections after the delayed tax filing deadline. He explained a significant loss in employee withholding from March when the city was $3.3M ahead of budget, resulting in $1.5M below budget in June. He mentioned the unknown impact of PPP loans. He said the insurance variance is likely because of car insurance rebates that companies issued.

June '20 YTD Actual Compared to Adopted YTD Budget

Revenue Category	**Actual**	**Budget**	**Variance**	**% Var**	**Annual Budget**	**% Collected**
OLT- Employee Withholding	206,714,539	208,250,000	(1,535,461)	-0.7%	208,250,000	99.3%
OLT - Net Profit	37,995,745	42,848,000	(4,852,255)	-11.3%	42,848,000	88.7%
Insurance	34,636,664	35,900,000	(1,263,336)	-3.5%	35,900,000	96.5%
Franchise Fees	25,478,399	26,350,000	(871,601)	-3.3%	26,350,000	96.7%
TOTALS	304,825,346	313,348,000	(8,522,654)	-2.7%	313,348,000	97.3%

Lamb established the original estimated loss for FY20 was about $9M in the fourth quarter (actual loss was about $8.5M). O'Mara said the PPP loans likely helped employee withholding from being the largest loss in revenue, as anticipated. The loss in net profit was much greater than predicted. The Division of Accounting is still reviewing year-end information, such as expenditures and actuaries. The fund balance discussion will take place in October. O'Mara said he cannot give any final figures on FY20 before then.

J. Brown asked about Lexington's employment trends differing from national and state trends. Holbrook explained that because fewer people are looking for jobs, it's making the unemployment rate appear lower than it actually is; employment data versus unemployment is a better indicator. Holbrook said employee withholding collections match better with the employment trend and July numbers not as strong as last year.

In response to Moloney, O'Mara said it is not known if $2M of budget stabilization that was budgeted to help balance the FY20 budget is needed but they hope the savings from operating, personnel, and medical in the fourth quarter will help cover lost revenue. O'Mara expects the budget stabilization funds that are reserved to be sufficient to balance FY20 if needed. Kay and Holbrook clarified net profit revenue the city receives is for the prior calendar year (i.e. calendar year 2019 tells what FY20 net profit will be). Kay talked about the idea of businesses not having the cash flow to pay their net profit tax for 2019 but stated that it's likely this owed money will eventually be paid to the city. Holbrook explained employee withholding is based on the fiscal year, July through June.

O'Mara continued the presentation, reviewing recent bond rating reports, which confirmed the city's AA rating with a stable outlook. He highlighted comments from Moody's reports, particularly the credit challenges, which are steps the city can control. He reviewed factors that could lead to a downgrade in rating. S&P reports expressed caution of a lower rating "if reserves are sustained at materially lower level." O'Mara said forecasts expect the recovery to be slow and that an unbalanced budget is okay for one year but not for the long-term.

Moloney asked about the council's resolution to repay the rainy day fund impacting our bond rating. Plans to restore funding to the two reserve funds were communicated to the agencies. In reference to the S&P's report and the budgeted deficit of $29.4 for FY21, Moloney talked about the need to save the relief funds for programs in next year's budget and avoid drastic cuts. O'Mara said the rating agencies are watching the level of reserve funds. Moloney talked about the possibility of facing a worse financial situation when creating next year's budget.

F. Brown questioned the perception of not adjusting expenditures based on S&P's comments of "less than 0.1 percent reduction in expenses" conflicting with the efforts made to balance FY20 and FY21 budgets. O'Mara said the comment is based on total expenses compared to the prior year, the FY21 budget is $378.9M, which will be released quarterly. F. Brown concluded that we shouldn't spend any money until we have the fund balance numbers.

Farmer referred to our community's need but said the pandemic isn't over, suggesting the council takes its time while considering coronavirus relief funds. He supports parceling the budget quarterly but mentioned roads that may need to be paved regardless of quarterly budget limitations. O'Mara clarified that requests to release additional funds are reviewed by the Division of Budgeting to manage government; those are approved when appropriate.

Kay mentioned future discussions to determine whether to spend relief funds. He talked about a 0.1 percent reduction in expenditures in correlation with the majority of the city's budget dedicated to payroll. O'Mara explained operational cuts were made to remain flat despite a variety of fixed costs that continue to go up. These are challenges in addition to 63 percent of the budget that is payroll related.

O'Mara continued the presentation, reviewing the FY21 budget use of $36M of non-recurring revenue. He reviewed the anticipated reimbursement of $25M of coronavirus relief funds and funds received to date. He reviewed recent changes to the economic contingency fund; the current balance is about $21.7M, or 6.2 percent of revenue. He illustrated cash flow for FY21 revenue, which won't have any short term borrowing needs. He talked about FY22 budget pressures using a scenario to outline FY22 challenges such as starting with a $23.6M deficit and insufficient cash to pay anticipated needs, indicating a potential need for short-term borrowing. He discussed expenses, with 63 percent dedicated to personnel and 14 percent for operating but pointed out the city can't control about half of operating costs; these are the two sections to review relevant to potential reductions to balance a budget. He provided examples of anticipated expense increases and finished the presentation by mentioning the community's immediate needs and how to stay financially healthy.

Bledsoe confirmed public safety step increases cost about $2 to $3M each year, CERS pension increases are about $2M to 2.5M. She recalled the original assumption that the city would be back to full capacity by August, which is not the case. O'Mara stated that with FY20 fourth-quarter net profit ending lower than the predicted 17 percent reduction, we may have overestimated net profit for FY21.

Mossotti talked about peoples' inability to pay various taxes because of the pandemic and assumptions used to create the FY21 budget. O'Mara outlined considerations such as the start of a recovery, property sales, and tax receipts but said assumptions are outdated quickly. He talked about various economists they work with regularly from across the state to stay tuned with the latest forecasts. Lamb and Lueker clarified CERS pension increases are paid to the state. Lamb said public safety employees are the only ones that receive step increases. Lueker explained, of the six bargaining units, four units are for Police and Fire are under the city's pension, two units for Community Corrections are under CERS pension.

J. Brown talked about cautious spending of coronavirus relief funds while diligently addressing the needs of the community, to ensure, for example, businesses are with us next year. He said the next financial presentation should review the condition of revenue and expenses that explains what's happening, particularly because of a possible positive variance for expenses. He discussed the repayment of a short term loan shouldn't be less than three years, comparing it to the mechanism used with the Lexington Convention Center. O'Mara explained an ordinance the drafted that would allow the Department Finance to determine the best way and time to request a line of credit and the complexities associated with requesting it.

F. Brown talked about looking at the city as a business, setting our priorities for expenditures, and the possibility of riding out FY22 without effecting services or employees by using economic contingency funds and making appropriate adjustments. With the unknowns of the pandemic impacting city services, he stressed the importance of basic services such as public safety and infrastructure, which reaches the whole community. F. Brown said the FY22 cash flow projection is premature that he likes the use of bonding as an option over short term borrowing.

Moloney and O'Mara discussed how the Kentucky Retirement Services Board determines CERS pension contributions and increases; O'Mara anticipates a 12 percent increase next year. Moloney referenced the use of surplus funds (i.e. fund balance) versus prioritizing coronavirus relief funds to get through the next six months and five years. He emphasized a focus on basic services and the importance to keep social services going.

Kay asked for a better understanding of why the city would borrow money to help with cash flow versus using the economic contingency fund. O'Mara compared the economic contingency fund to a savings account, explaining you could borrow from it but it lowers your liquidity ratios and could limit your ability to access short term loans. He said it's best practice to have the cash to meet immediate expenses at all times, the conversation is how long the reserves can protect. Kay talked about the present fiscal crisis, agreeing with the need to replenish the rainy day fund but to also consider the responsibility to think long term, specifically about the needs that will cost more in the long run, such as the road fund, and many other things like this. Lamb asked for more information about the possibility of another $30M of reimbursement funds from the federal and state government.

IV. Residential Assistance Program

Chris Ford, Commissioner of Social Services, outlined four housing assistance programs for a total cost of $980,000 to get started but he reminded the council of many unknowns. He said these programs are in collaboration with agencies to keep folks in their homes through the pandemic. The *affordable housing market partnership* (initial budget $100,000), led by the Lexington Housing Authority, would provide relief to those with the housing choice voucher and to their community of landlords to encourage these units to remain affordable. Ford described the *community feeding collaborative* (initial budget $100,000), led by United Way of the Bluegrass and Bluegrass Community Foundation, who has raised just under $1M, a lot of which has been dedicated to food insecurity. He said a small portion of this proposal would go to the *emergency relocation assistance program* (initial budget $50,000), working with the Division of Code Enforcement to keep folks safe when they need to be relocated.

Moloney clarified the funds approved for this programming comes from the first reimbursement allocation of coronavirus relief funds. He and Ford discussed how the governor's announcement about the $15M to address evictions being one of the unknowns. Ford said the proposed programs will get Lexington started. Moloney talked about seeing how the state funds impact Lexington before moving forward, which he believes is the responsibility of the state versus the city's responsibility to take care of basic services.

F. Brown and O'Mara confirmed that a budget amendment for $1.9M on the August 25 work session agenda supports the budgets for the household assistance programing that the council approved on August 11 at work session. The mayor's original proposal for household assistance was $3M but $1.9 was the amount available at the time. In response to F. Brown, Ford explained the program for rent and utility assistance for displaced service workers was approved in the spring under CARES Act funding ($500,000); they expect to help no less than 250 families. Ford said the initiatives presented today are to help the broader need to avoid eviction; we don't know how much of the $15M from the state will come to Lexington. He assured F. Brown there is no duplication. They discussed the position of landlords and accountability to benefit the client but also ensure funds go to the property owner.

Kay talked about the need to move swiftly and not wait for the state or federal government while emphasizing the fact that people are in jeopardy of losing their homes and don't have money for food, particularly because people in the lower end of the economic scale are in crisis. Mentioning the three different housing assistance programs, Swanson asked about safeguards to prevent people from double-dipping. Ford confirmed they have a system of partners to prevent that from happening, which Polly Ruddick, Director of the Office of Homelessness Prevention and Intervention, will explain. Swanson asked whether locals funds will be needed depending on how robust the state program is. Ford said he anticipates being able to use as much funds that are provided and "the need is there."

Ruddick continued the presentation and said the housing stabilization program covers housing eviction prevention and relocation, providing financial assistance to folks before and after eviction. Both services offer up to $4,000 per household. They kept eligibility requirements simple, including 80 percent Area Median Income and you must be a Fayette County resident. To ensure accountability, she pointed out the need for landlords to verify the reason for the loss of income and explained the importance to weed people out who are just refusing to pay rent. The relocation services require documentation between May 1 and August 24 for non-payment violations only. She said the courts, which opened Monday, are working through a backlog of cases, many for pre-pandemic violations. To access assistance, Ruddick said you can use the website, which was created by Lexington Fair Housing in June and has more than 2,000 signed up. She believes the partners will spend the funds quickly. You can also apply in person at any of the partners' offices. She talked about the statewide homeless management system that will avoid duplication and that reporting on the programs will take place every two weeks. Participation in the program would a 90-day notice of eviction while referencing the exhibits to the program scope in the packet. She explained the goal to allow people to remain in their homes to get through winter.

F. Brown asked about involvement with non-profits, churches, and the community. Ruddick said they prioritized non-profits to partner with by those with both diverse target populations and diverse locations. F. Brown said he can support the proposal for $980,000 but not the full $1.9M because of accountability. Sally Hamilton, CAO, explained the original proposal was for $3M but $1.9 was available; they envision spending $1.9M very easily (probably two weeks) but felt it prudent to start with $980,000 to see if the programs work.

In response to McCurn, Ruddick explained the tenant is responsible for exhibit B and C but encourages a conversation between the tenant and landlord, which follows the governor's executive order. They discussed a hypothetical situation with a landlord that only wanted the tenant gone, in which case the tenant would fall under the relocation program.

Mossotti asked if there is an estimate of the number of people facing eviction. Ruddick said research varies but a conservative moving estimate is that about $25M is needed to shore up rent loss in Fayette County. Of the more than 2,000 folks who applied for rental assistance, households are averaging $2,500 in back-rent. They discussed the ever-evolving process to prioritize and distribute funds to households, which the administration is working through. Mossotti confirmed they have been in communication with landlords.

Moloney asked about coronavirus relief funds versus the use of budget stabilization. Hamilton explained LFUCG received part of the first reimbursement from the Department of Local Government, of which $6.4M went into the economic contingency fund and what was left went into budget stabilization. The $1.9M, which is a reimbursement from DLG, is coming from budget stabilization. She indicated they are preparing to request the second reimbursement allocation, about $15M, which will go to budget stabilization when it is received. The discussed what resolution 269-2020 directs and confirmed a budget amendment will be required to use these reimbursement funds. Hamilton said they will learn more about the state's $15M to address evictions after September 8.

Bledsoe mentioned the application for $15.6M from the DLG for relief funds will be walked on at work session today. She asked about the 10 percent administrative fee, referencing the small business stabilization grant that had a 5 percent administrative fee. Charlie Lanter, Direction of Grants and Special Programs, explained the decision to use 10 percent, including that the contracts are small, the need to reach a viable fee, and that the workload is significant, particularly because of a short timeframe and follow up that will be required.

Plomin said a 10 percent fee is common for non-profits. She asked about the nearly 300 evictions that are going to court now. Ford said state regulations currently require a 30-day notice, as well as a meet and confer with the tenant and landlord. They discussed the Bluegrass Community Foundation and United Way's Coronavirus Relief Fund, which has spent $630,000, about half of that went to food insecurity; they are determining the priorities for the remaining $350,000. Ford said they anticipate the proposal of $100,000 to be used once they have exhausted their remaining balance. They discussed marketing the city's contribution to help raise funds.

J. Brown and Ford discussed the Rental Hardship to Impacted Service Employees (RISE) program that has $500,000 to distribute up to $2,000 per household for rent and utilities, to public-facing service employees who have been laid off or furloughed. J. Brown talked about the umbrella of residential assistance and how the Household Stabilization Partnership is collaborating with partners to meet folks where they are. He believes the full $1.9 million is needed and said these programs also inject money back into the economy, labeling landlords as small business owners.

A motion was made by J. Brown to approve the household assistance programs (housing stabilization partnership, affordable housing market partnership, community feeding collaborative, and emergency relocation assistance program) and move forward with $1.9 million; seconded by Plomin. The motion passed without dissent.

> Discussion on the motion included the following. Bledsoe asked for clarification because the program proposals total $980,000. J. Brown and Hamilton clarified the preference is to maintain approval of $1.9 million that would allow the administration to execute PSAs with partner organizations for the respective programs and increase funding based on where the money is needed without doing another budget amendment for the remaining but initially approved $1.9 million. Hamilton explained $980,000 was outlined with the programs to ensure the funds can be used correctly and expeditiously. It was established that the original approval of $1.9 million for household assistance programs was contingent upon council approval of the programs.

Ellinger asked about evictions that are happening now. Ford referenced the 30-day notice to give residents more time and said they continue to monitor and connect residents to resources. They talked about 150 eviction cases on the docket yesterday. Ellinger talked about a voucher program for cases currently before a judge, which Ford compared to a program in Louisville but said we are not doing that yet. Ford said the goal is to minimize evictions and limit displacement.

V. Coronavirus Relief Fund Proposals

Bledsoe suggested moving this item to the next BFED Committee meeting or a special committee meeting. The council discussed having a special meeting, waiting until the city receives additional relief funds and/or real fund balance numbers, as well as the public waiting to hear the discussion of the proposals during this meeting. Bledsoe confirmed she would have this item on the next regularly scheduled committee meeting, September 22.

A motion was made by Kay that the next BFED Committee meeting on September 22 .includes all council members to participate; seconded by Mossotti. The motion passed without dissent.

VIII. Items Referred to Committee

No comment or action was taken on this item.

A motion was made by F. Brown to adjourn (at 3:35 p.m.); seconded by Swanson. The motion passed without dissent.

Link to video of the meeting: http://lfucg.granicus.com/MediaPlayer.php?view_id=4&clip_id=5193

HBA 9/16/20