

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, July 5, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
July 4, 2022 – July 11, 2022**

Monday, July 4

LFUCG Offices Closed – Independence Day Holiday

Tuesday, July 5

Environmental Quality & Public Works Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Council Meeting.....5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, July 6

IR Steering Committee.....10:30 am
Conference Room – 5th Floor Government Center

Thursday, July 7

Confirmation Hearing.....5:30 pm
Council Chamber – 2nd Floor Government Center

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

Council Summer Recess Begins (regular meetings resume August 16, 2022)

Friday, July 8

No Meetings

Monday, July 11

No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
July 5, 2022

- I. Public Comment - Issues on Agenda**
- II. Requested Rezonings/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1**
 - a** Table of Motions: Council Work Session, June 28, 2022
- IV. Budget Amendments – Yes, p. 2-4**
- V. New Business – Yes, p. 5-53**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds: July 5, 2022, p. 54
 - b** Summary: Environmental Quality & Public Works Committee, June 7, 2022, p. 55-73
 - c** Proclamation: Glenda George, Managing Attorney, Department of Law, p. na
 - d** Proclamation: John Maxwell, Director of Human Resources, p. na
 - e** Presentation: KU Revised Policy on Tree Cutting in Lexington, p. na
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0628-22** Authorization to execute a Mental Health Compliance Monitor agreement, pursuant to RFP #31-2022, with C Cesario Medical Consulting, LLC to monitor offender mental health services at the Division of Community Corrections at a cost of \$14,575.00 per year. Funds are budgeted. (L0628-22) (Farmer/Armstrong) p. 5
- b** **0648-22** Authorization to accept the donation of 132 smoke alarms from the Home Depot Inc. to increase the inventory for the smoke alarm installation program. (L0648-22) (Wells/Armstrong) p. 6
- c** **0650-22** Authorization to execute a commissary services agreement, pursuant to RFP #25-2022, with Keefe Commissary Network, LLC to provide commissary services at the Division of Community Corrections. Projected annual commission income is \$463,018.00. (L0650-22) (Farmer/Armstrong) p. 7
- d** **0652-22** Authorization to approve advertisement of bids, and a Preliminary Official Statement, for the purchase of the principal amount of its Various Purpose General Obligation Bonds, Series 2022B in an aggregate principle amount not to exceed \$44,500,000 (which may be increased by 10%). No budgetary impact. (L0652-22) (Hensley) p. 8
- e** **0653-22** Authorization to execute a Change Order to the grant award agreement with the Neighbors United for South Elkhorn Creek, Inc. for a Stormwater Quality Project, decreasing the grant award by \$261.52, from \$1,890.00 to \$1,628.48. (L0653-22) (Martin/Albright) p. 9-13
- f** **0654-22** Authorization to execute Change Order No. 1 to the agreement with Strand Associates, Inc. for the Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project, increasing the contract by \$60,000.00 from \$215,000.00 to \$275,000.00. (L0654-22) (Martin/Albright) p. 14-19
- g** **0655-22** Authorization to accept a Grant from the U.S. Department of Justice in the amount of \$100,792 under the 2020 State Criminal Alien Assistance Program (SCAAP) for reimbursement of costs related to the incarceration of undocumented criminal aliens. No matching funds are required. (L0655-22) (Farmer/Armstrong) p. 20
- h** **0658-22** Authorization to approve the Sale and Issuance of the Lexington-Fayette Urban County Government Various Purpose General Obligation, Series 2022B in an aggregate principal amount not to exceed \$44,500,000 (which may be increased by 10%), for a cost of \$4,600,000 in FY2023. Funds are budgeted. (L0658-22) (Hensley) p. 21
- i** **0660-22** Authorizing to execute Change Order No.1 to the agreement with Leak Eliminators, LLC for the annual Sanitary Sewer System Rehabilitation and Maintenance contract. Unit prices on various items are between 5% and 10% above the original contract value increasing the total contract value by \$665,858.00, from \$11,857,370.00 to \$12,523,228.00. Funds are budgeted. (L0660-22) (Martin/Albright) p. 22

j	0661-22	Authorization to approve the Reimbursement Resolution to allow approved spending of capital improvement bond projects which was budgeted and approved in the FY2023 Budget. Projects include Mason Headley Road construction/improvements (\$1,372,000.00); High Street Road improvements (\$5,000,000.00); paving/ resurfacing/ maintenance/ crack seal/ rejuvenation (\$11,500,000.00); detention center roof repair and replacement (\$10,000,000.00); public art project (\$1,500,000.00); and PDR agricultural land easement acquisition (\$2,000,000.00). This is a supplemental resolution to the previously approved Fleet Reimbursement Resolution (142-2022). (L0661-22) (Hensley) p. 23
k	0662-22	Authorization to enter into an agreement with MedAware/Anthem to begin a pilot program to share information between entities for the Community Paramedicine program. No budgetary impact. (L0662-22) (Wells/Armstrong) p. 24
l	0663-22	Authorization to enter into an agreement with Frost Brown Todd to assist the administration with negotiating two collective bargaining agreements for the Division of Community Corrections, using a professional negotiator and law firm with previous experience on related LFUCG agreements. Total cost not to exceed \$110,000.00. Funds are budgeted. (L0663-22) (Speckert) p. 25
m	0666-22	Authorization to execute a Purchase of Service Agreement with Frontrunners Lexington to donate proceeds of the Pride Run 5k toward support of LGBTQ+ students, families and allies affiliated with Fayette County Public Schools' GSA organizations. (L0666-22) (Scott) p. 26
n	0667-22	Authorization to execute an agreement with Gilbert-Hurt International, LLC for the Family Care Center at a cost not to exceed \$14,300.00 to provide training and consultation to staff in the early child care program. The Family Care Center received separate federal ARPA funds for this project and funds are budgeted. (L0667-22) (Horton-Holt/Allen-Bryant) p. 27
o	0669-22	Authorization to execute a contract, pursuant RFP No. 27-2022, with Stantec Consulting Services Inc. for evaluation of the Town Branch 5 Sub Drainage Area that includes the sanitary sewer service area for Remedial Measures Project TB-14, at a cost of \$241,268.00. Funds are budgeted. (L0669-22) (Martin/Albright) p. 28-29
p	0670-22	Authorization to execute an Agreement with Bench Craft Company to supply all LFUCG golf courses with custom scorecards and Lakeside and Tates Creek courses with tee signs, which shall contain sponsor's messages of reasonable amounts to satisfy the needs of Bench Craft Company, at no cost to LFUCG. This agreement presents potential budget savings and Bench Craft Company will pay LFUCG Golf Courses \$2,000 per year. (L0670-22) (Conrad/Ford) p. 30
q	0671-22	Authorization to create one (1) unclassified part-time position of Licensed Clinical Social Worker (LCSW) Grade 519E for a term of two (2) years, in the Division of Family Services, expiring July 31, 2024, to bring enhanced expertise in delivering abuse/neglect prevention to young mothers that are enrolled in the program. Additionally, this position will allow for future, expanded work if and when funding becomes available with the Parent Education clients. This has a 12-month future impact of a cost of \$52,705.48 and is grant funded. (L0671-22) (Walters/Hamilton) p. 31-32

r	0672-22	Authorization to create two (2) unclassified positions of Information Security Engineer Sr. (Grade 532E) to provide information security (cybersecurity) staffing for the protection of all IT assets, systems and data for a term of three (3) years, in the Department of Information Technology, expiring July 31, 2025. These positions will replace the need for contracted cybersecurity professional services budgeted in the amount of \$520,000.00 in FY2023. The 12-month budgetary impact of the two positions totals \$361,319.35, creating a cost savings in FY2023. (L0672-22) (Walters/Hamilton) p. 33-34
s	0674-22	Authorization to execute Agreement(s) with MillerMendel, Inc. and Experian Information Solutions, Inc. and establish MillerMendel, Inc. as a Sole Source Vendor for the eSOPH Background Software System at a cost of \$14,000.00. The cloud based system will streamline much of the background hiring process. Funds are budgeted. (L0674-22) (Weathers/Armstrong) p. 35
t	0675-22	Authorization to execute a future subrecipient agreement with the HOPE Center as an approved LFUCG project funded by the American Rescue Plan Act at a cost not to exceed \$2,000,000. A budget amendment is in process. (L0675-22) (Wuorenmaa/Hamilton) p. 36
u	0676-22	Authorization to accept Deeds of Easement for a property needed for the construction of the Clays Mill Rd. Sanitary Realignment Project, at a cost of \$7,000.00. Funds are partially budgeted and a budget amendment is in process. (L0676-22) (Martin/Albright) p. 37-38
v	0677-22	Authorization to execute Change Order No. 4 with ATS Construction for the Town Branch Trail Phase 6, increasing the contract price by the sum of \$194,604.26 from \$4,438,505.01 to 4,633,109.27, to construct additional parking along the trail at 1265 Manchester Street. Funds are budgeted. (L0677-22) (Burton/Albright) p. 39
w	0678-22	Authorization to execute an amendment to the agreement with the Kentucky Emergency Management Agency extending the period of performance through June 30, 2024 for the Flood Markers Project. No budgetary impact. (L0678-22) (Dugger/Armstrong) p. 40
x	0679-22	Authorization to execute Purchase of Services Agreements (PSAs) with economic development partner agencies, pursuant to RFP 26-2022: Commerce Lexington for business development services at cost of \$300,000.00 and Urban League of Lexington-Fayette County for WORK-Lexington at cost of \$150,000.00. Funds are budgeted. (L0679-22) (Atkins) p. 41
y	0680-22	Authorization to enter into an agreement with the Fayette Fiscal Court accepting and establishing funding for FY 2023 County Road Aid projects in the Rural Service Area. The estimated amount of the funds is \$831,000.00. (L0680-22) (Burton/Albright) p. 42
z	0681-22	Authorization execute a Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet (KYTC), under which LFUCG shall be paid to perform turf mowing and trimming of vegetation along certain roads under the control of KYTC through June 30, 2024. Expenses and equally offsetting revenues are budgeted for \$183,500.00. (L0681-22) (Carey/Albright) p. 43
aa	0682-22	Authorization to execute a Memorandum of Agreement, accepting federal funds in the amount of \$20,000 from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks grant program - FY 2023. Match in the amount of \$3,450 is budgeted. (L0682-22) (Weathers/Armstrong) p. 44

bb	0683-22	Authorization to donate \$25,000.00 of the Percent for Art funds to the Central Bank Center to assist in the installation of John Henry's <i>Publisher</i> at the Central Bank Center. The piece is currently located at Ashland - The Henry Clay Estate. Funds are budgeted within PUBLIC_ART_2022 bond project. (L0683-22) (Scott) p. 45-46
cc	0684-22	Authorization to execute an amendment to the agreement with Fayette County Local Development Corporation under the HOME Investment Partnerships Program to extend the period of performance through March 31, 2023, and to execute any other agreements or amendment with Fayette County Local Development Corporation related to the use of these funds. No budgetary impact. (L0684-22) (Reynolds/Lanter) p. 47
dd	0685-22	Authorization to execute an amendment to the agreement with Fayette County Local Development Corporation under the HOME Investment Partnerships Program to extend the period of performance through July 31, 2022, and to execute any other agreements or amendment with Fayette County Local Development Corporation related to the use of these funds. No budgetary impact. (L0685-22) (Reynolds/Lanter) p. 48
ee	0686-22	Authorization to execute Change Order No. 2 to the agreement with Tribute Contracting & Consultants, LLC for the Wolf Run Trunks D & E project, increasing the contract by the sum of \$706,800.06, from \$3,250,119.96 to \$3,956,920.02 and extending the contract term 68 calendar days to November 12, 2022. Funds are budgeted. (L0686-22) (Martin/Albright) p. 49
ff	0687-22	Authorization to abolish one (1) vacant classified position of Administrative Specialist Sr. (Grade 516N) and create one (1) classified position of Administrative Specialist Principal (Grade 518N) in the Division of Emergency Management, effective upon passage of Council. This has a 12-month impact cost of \$6,636.93 and funds are budgeted. (L0687-22) (Walters/Hamilton) p. 50-51
gg	0688-22	Authorization to amend the unclassified civil service authorized strength, abolishing and creating positions as approved in the FY 2023 budget process, to become effective July 1, 2022. The fiscal impact for FY 2023 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2023 approved budget. (L0688-22) (Walters/Hamilton) p. 52
hh	0689-22	Authorization to execute an Agreement of Sale, and any other necessary documents, and to accept deed for the properties located at 206, 208, 214 and 218 East Third Street and 213-215 East Noble Street, at a cost of \$929,500.00. Funds are budgeted. (L0689-22) (Baradaran/Ford) p. 53

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
June 28, 2022**

Mayor Gorton called the meeting order at 3pm. Council Members Kay, Moloney, Ellinger, J. Brown, McCurn, Lamb, Sheehan, Kloiber, F. Brown, Baxter, Reynolds and Plomin were present. Council Members Worley and Bledsoe were absent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezoning/Docket Approval
- III. Approval of Summary

Motion by Ellinger to approve the June 21, 2022 work session summary. Seconded by Baxter. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

Motion by Plomin to approve new business. Seconded by McCurn. Motion passed without dissent.

- VI. Continuing Business/Presentations

Motion by Lamb to place on the docket for the Tuesday, July 5, 2022, Council Meeting a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with the Lexington History Museum, for a term not to exceed three years, and at a total cost not to exceed \$705,500.00, in order to aid the museum in the fulfillment of its business plan. Seconded by Plomin. Motion passed 12-1. Kay, Moloney, Ellinger, J. Brown, McCurn, Lamb, Sheehan, F. Brown, Baxter, Reynolds and Plomin voted yes. Kloiber voted no.

- VII. Council Reports
- VIII. Mayor's Report
- IX. Public Comment – Issues Not on Agenda
- X. Adjournment

Motion by Lamb to adjourn at 3:41pm. Seconded by Ellinger. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	135134	DIVISION	Social Services Partner Agencies	Fund Name Fund Impact	General Fund 3,839,588.00 3,839,588.00CR .00
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To establish budgets for individual Extended Social Resource Grant recipients in FY 2023 by decreasing placeholder funds for this purpose.

JOURNAL	135320	DIVISION	Office of Chief Information Officer	Fund Name Fund Impact	General Fund 361,319.35 361,319.35CR .00
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To provide funds for two positions of Information Security Engineer Senior in Information Technology Administration Office by decreasing funds for professional services.

JOURNAL	135348	DIVISION	Economic Development Agencies	Fund Name Fund Impact	General Fund 450,000.00 450,000.00CR .00
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To reallocate funds for Economic Development Partner Agencies and establish budget for Commerce Lexington and Urban League for FY 2023.

JOURNAL	135452	DIVISION	Parks and Recreation	Fund Name Fund Impact	General Fund 110,000.00 110,000.00CR .00
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To provide funds for Splash! project in capital accounting by reallocating funds for this project in grant match.

JOURNAL	B135202	DIVISION	Family Services	Fund Name Fund Impact	Donation Fund 500.00 .00CR 500.00
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To recognize contribution from Bluegrass Families First for counseling and consultation services for clients by recognizing funds received in FY 2022.

JOURNAL	135351	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Urban Fund 7,345.00 .00CR 7,345.00
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To provide additional grant match for Hazard Mitigation Grant Program - Thompson Road Shelter - FY 2018

JOURNAL	135324-25	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 153,791.00 153,791.00CR .00
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To establish grant budget for Justice Assistance FY 2023.

JOURNAL	135326-27	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 77,008.00 77,008.00CR .00
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To establish grant budget for Sexual Assault Nurse Examiners (SANE) - FY 2023.

JOURNAL	135329-30	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 15,000.00 15,000.00CR .00
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To establish grant budget for Sexual Assault Nurse Examiners (SANE) State Grant - FY 2023.

JOURNAL	135353-54	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 100,792.00 100,792.00CR .00
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To establish grant budget for State Criminal Alien Assistance Program (SCAAP) - FY 2022.

JOURNAL	135409-10	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 23,450.00 23,450.00CR .00
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To establish grant budget for Ticketing Aggressive Cars and Trucks grant program.

JOURNAL	135413-14	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 443,700.00 443,700.00CR .00
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To establish grant budget for Senior Citizens Center FY 2023.

JOURNAL	135349-50	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Homeland Sec 56,500.00 56,500.00CR .00
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To budget additional award for Hazard Mitigation Grant Program - Thompson Road Shelter - FY 2018

JOURNAL	135321	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 157,400.00 157,400.00CR .00
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To move funds from American Rescue Plan Act (ARPA) State and Local Recovery Funds/Administrative budget (contingency) to Parks Ecton Park concessions/restroom building project to match current estimates.

JOURNAL	135423-24	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 116,221.30 116,221.30CR .00
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To provide additional grant funds for Extended School Program from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services American Rescue Plan Act (ARPA) funding.

JOURNAL	135420-21	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 40,000.00 40,000.00CR .00
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To establish grant budget for Fire Administration FY 2023.

JOURNAL	135372	DIVISION	Engineering	Fund Name Fund Impact	Sewer Construction 600.72 600.72CR .00
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To provide funds for easement for Clays Mill-Wolf Run sewer alignment by decreasing funds for Meadows Northland Arlington project.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1103	Donation Fund	500.00
1115	Full Urban Services District Fund	7,345.00
3140	US Department of Justice	.00
3160	US Department of Transportation	.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
4003	Sanitary Sewer Construction Fund	.00

ARPA BUDGET AMENDMENT REQUEST LIST

JOURNAL	135379-80	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 2,000,000.00 2,000,000.00CR .00
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To provide funds for Hope Center from American Rescue Plan Act (ARPA) State and Local Recovery Funds, as approved by Council February 17, 2022.

BUDGET AMENDMENT REQUEST SUMMARY

3230	US Department of Treasury	.00
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MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton and Urban City Council
FROM: Director Lisa Farmer
CC: Commissioner Ken Armstrong
DATE: June 15, 2022
SUBJECT: Mental Health Compliance Monitor

Request

Authorization to: Request Council approval of Mental Health Compliance Monitor agreement with C Cesario Medical Consulting, LLC to monitor the offender mental health services at the Division of Community Corrections.

Why are you requesting?

Department needs this action completed because: The Division issued RFP for requesting submissions for a Mental Health Compliance Monitor. C Cesario Medical Consulting, LLC was the successful responder. Cost of the services are \$14,575.

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

The cost for this FY23 is: 14,575

The cost for future FY is: 14,575

Are the funds budgeted?

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

Account number: 1101-505401-5411-71299

File Number: 0628-22

Director/Commissioner: Farmer/ Armstrong



MAYOR LINDA GORTON



LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton
FROM: Jason G. Wells, Fire Chief
DATE: June 22, 2022
SUBJECT: Donation of smoke alarms from Home Depot Inc.

The Division of Fire and Emergency Services request authorization to accept the donation of 132 smoke alarms from The Home Depot Inc.

Why are you requesting? The Division of Fire is requesting to accept this donation to help with our inventory for our smoke alarm installation program.

Department needs this action completed because: It will help increase our inventory of smoke alarms that can be installed for the citizens of Lexington. The donation of the smoke alarms will fill a need within the program.

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: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton and Urban City Council
FROM: Director Lisa Farmer
CC: Commissioner Ken Armstrong
DATE: June 22, 2022
SUBJECT: Keefe/Trinity Commissary

Request

Authorization to: Request Council approval of commissary services agreement with KEEFE COMMISSARY NETWORK, LLC to provide commissary services at the Division of Community Corrections.

Why are you requesting?

Department needs this action completed because: The Division issued RFP for requesting submissions for a commissary services provider. KEEFE COMMISSARY NETWORK, LLC was the successful responder. The anticipated income generated from commissary sale commissions is \$463,018.

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

The projected commission for this FY is: \$463,018

The projected commission for future FY is: \$463,018

Are the funds budgeted?

The funds are budgeted.

Account number: 5062-505402-5421-41630

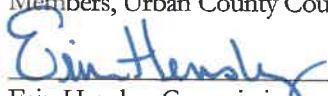
File Number: 0650-22



MAYOR LINDA GORTON

**LEXINGTON**ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: 
Erin Hensley, Commissioner of Finance

DATE: June 22, 2022

SUBJECT: Resolution to authorize advertisement for bids for the FY23 GO 2022B Various Purpose Project Bonds.

Request

Authorization to: approve advertisement of bids, as well as distribution of a Preliminary Official Statement, for the purchase of the principal amount of its Various Purpose General Obligation Bonds, Series 2022B in an aggregate principle amount not to exceed \$44,500,000 (which may be increased by 10%).

Why are you requesting?

Department needs this action completed because: advertisement of bids and distribution of a Preliminary Official Statement are required components of the Issuance of the FY 2023 GO 2022B CIP Bonds.

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

The cost for this FY is: Cost is included in the Issuance of the Bonds per the Ordinance authorizing the sale of the bonds.

The cost for future FY is: None

Are the funds budgeted?

The funds are budgeted as they are included in the Issuance of the Bonds per the Ordinance, authorizing the sale of the bonds.

Account number: N/A

File Number: 0652-22

Commissioner: Erin Hensley



MAYOR LINDA GORTON

**LEXINGTON**CHARLES MARTIN
DIRECTOR
WATER QUALITYTO: Mayor Linda Gorton
Urban County CouncilFROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: June 16, 2022

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #065-2021

Request

Requesting approval of a decreasing change order of \$261.52 to the Stormwater Quality Projects Incentive Grant with the Neighbors United for South Elkhorn Creek, Inc. (NUSEC), Contract #065-2021.

Purpose of Request

The original grant award to the Neighbors United for South Elkhorn Creek, Inc. (NUSEC), was for \$1,890.00; however, the grant-funded project came in under budget. The final grant award totaled \$1,628.48.

The \$261.52 from this decreasing change order request will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY23.

Project Cost in FY22 and in Future Budget Years

The decreasing change order savings of \$261.52 will be returned to fund 4052 for FY23 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:

4052 – 303204 – 3373 – 78112 – WQINCENTIVE_21 – 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_23 – WQ_GRANT

Albright/Martin

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE:	2-Jun-2022
		Contract Modification:	
		CONTRACT #:	C-065-2021
PROJECT: Neighbors United for South Elkhorn Creek, Inc., Stormwater Quality Project			
TO: Neighbors United for South Elkhorn Creek, Inc.			
Original Contract Amount		\$1,890.00	
Cumulative Amount of Previous Contract Modifications		\$0.00	
Percent Change of Previous Contract Modifications		0%	
Existing Contract Amount		\$1,890.00	
Net (increase/decrease) in Contract Amount - (From following pages)		-\$261.52	
Percent Change of This Contract Modification		-14%	
Original Contract Amount		\$1,890.00	
Cumulative Amount of all Contract Modifications		-\$261.52	
Percent Change of all Contract Modifications		-14%	
New Contract Amount Including this Change Order		\$1,628.48	
Recommended by <u>Frank H. McQuinn</u>		(Proj. Engr.)	Date <u>6/14/2022</u>
Accepted by _____		(Consultant)	Date _____
Accepted by <u>Ann Paulson</u>		(Contractor)	Date <u>6-8-22</u>
Approved by <u>Charles H. Starnes</u>		(Director)	Date <u>6/21/22</u>
Approved by _____		(Commissioner)	Date _____
Approved by _____		(Mayor or CAO)	Date _____

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION					DATE:	2-Jun-2022
					Contract Mod #:	1
					CONTRACT #:	#065-2021
Project: Neighbors United for South Elkhorn Creek, Inc., Stormwater Quality 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	Increase in contract price
1	DEL		LS	1	\$ 261.52	\$ 261.52
2						\$ -
3						\$ -
4						\$ -
5						\$ -
6						\$ -
7						\$ -
8						\$ -
9						\$ -
10						\$ -
11						\$ -
12						\$ -
13						\$ -
14						\$ -
Total decrease					\$ 261.52	
Total increase						\$ -
Net (increase) in contract price					\$	(261.52)

Page 3 of 3	
JUSTIFICATION FOR CHANGE	PROJECT: Neighbors United for South Elkhorn Creek, Inc.
	CONTRACT NO. #065-2021
	CHANGE ORDER: 1
1. Necessity for change: Stormwater Quality Projects Incentive Grant came in under budget 2. Is proposed change an alternate bid? ___Yes ___<u>X</u> No 3. Will proposed change alter the physical size of the project? ___Yes ___<u>X</u> No If "Yes", explain. 4. Effect of this change on other prime contractors: N/A 5. Has consent of surety been obtained? ___Yes ___<u>X</u> Not Necessary 6. Will this change affect expiration or extent of insurance coverage? ___Yes ___<u>X</u> 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



NEIGHBORS UNITED FOR SOUTH ELKHORN CREEK, INC.

MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 16, 2022

SUBJECT: Design Change Order #1; Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project

Request

The Division of Water Quality request approval of Design Change Order #1, to Strand Associates, Inc.; the design consultant for the Investigation/Design Services for Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project.

Purpose of Request

The increase in design cost is for project delays/coordination during COVID and additional items identified during the design. Another design increase, during construction, became necessary after finding soft soil. Additional structural design was necessary. An official letter from Strand is attached for back-up.

Project Cost in FY23 Budget and Future Budget Years

FY23 – Approval of this change order results in an increase of \$ 60,000.00 to the contract. The revised contract amount including this change order will be \$275,000.00 representing a 27.9% increase of the original contract amount.

Future Budget Impact –This change order will not have an impact on future budget years.

Are Funds Budgeted

Funds are Budgeted in: 4003 303401 3401 92711 TBWWTP_RMP/CONSENT_DE FY23

Martin/Albright



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	June 15, 2022
		Project:	Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project
		Location:	Town Branch WWTP
To (Consultant): Strand Associates, Inc. 1525 Bull Lea Road Lexington, KY 40511		Contract No.	248-2019
		Original Contract Amt.	\$215,000.00
		Cumulative Amount of Previous Change Orders	\$0.00
		Percent Change - Previous Change Orders	0.00%
		Total Contract Amount Prior to this Change Order	\$215,000.00
		Change Order No.	1
You are hereby requested to comply with the following changes from the contract plans and specification;			
Current Change Order			
Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price
1	Additional meetings to coordinate design. The project was caught in some delays during COVID.		\$5,000.00
2	The addition of a retaining wall was necessary and became evident during the beginning of the design.		\$2,000.00
3	During design it was found a small pump station needed to be designed instead of being able to drain to an existing structure.		\$8,000.00
4	One-year project delay for re-review and re-staffing of the project before bidding.		\$4,000.00
5	Increased design complexity for structural and site design. The design is for custom designed roof with removable sections the that equipment can be removed and serviced in the future.		\$30,000.00
6	During excavation the contractor uncovered soft soils not identified in the boring logs. Two options of remediation were priced with drilled shafts being the most economical. This increase is for additional structural design and reviews.		\$11,000.00
Total decrease		\$0.00	
Total increase			\$60,000.00
Net Amount of this Change Order		\$60,000.00	
New Contract Amount Including this Change Order		\$275,000.00	
Percent Change - This Change Order			27.91%
Percent Change - All Change Orders			27.91%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.			
Recommended by		(Proj. Engr.)	Date
Accepted by		(Consultant)	Date
Approved by		(Director)	Date 6-22-22
Approved by Nancy Albright		(Commissioner)	Date 6/22/22
Approved by		(Mayor or CAO)	Date

Page 2 of 2	
JUSTIFICATION FOR CHANGE	PROJECT: Investigation/Design Services Town Branch WWTP Primary Digester Complex Improvements
	CONTRACT NO. 58-2015
	CHANGE ORDER: 1
1. Necessity for change: Increase in design cost for project delays/coordination during COVID and additional items identified during the design. Another design increase became necessary after finding soft soil. Official letter from Strand is attached for back-up. 2. Is proposed change an alternate bid? ___ Yes <u> X </u> No 3. Will proposed change alter the physical size of the project? ___ Yes <u> X </u> No If "Yes", explain. 4. Effect of this change on other prime contractors: N/A 5. Has consent of surety been obtained? ___ Yes <u> X </u> Not Necessary 6. Will this change affect expiration or extent of insurance coverage? ___ Yes <u> X </u> 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: None	
_____ Mayor	_____ Date

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE: June 15, 2022 Contract Modification: 1 CONTRACT #: 248-2019
PROJECT: Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project		
TO: Strand Associates, Inc, 651 Perimeter Drive, Suite 220, Lexington, KY 40517		
Original Contract Amount	\$215,000.00	
Cumulative Amount of Previous Contract Modifications	\$0.00	
Percent Change of Previous Contract Modifications	0%	
Existing Contract Amount	\$215,000.00	
Net (increase/decrease) in Contract Amount - (From following pages)	\$60,000.00	
Percent Change of This Contract Modification	28%	
Original Contract Amount	\$215,000.00	
Cumulative Amount of all Contract Modifications	\$60,000.00	
Percent Change of all Contract Modifications	28%	
New Contract Amount Including this Change Order	\$275,000.00	
Recommended by <u>T. R. R.</u>	(Proj. Engr.)	Date <u>6/27/22</u>
Accepted by <u>E. J. D.</u>	(Consultant)	Date <u>6-21-22</u>
Accepted by _____	(Contractor)	Date _____
Approved by _____	(Director)	Date _____
Approved by _____	(Commissioner)	Date _____
Approved by _____	(Mayor or CAO)	Date _____

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT					DATE: June 15, 2022		
CONTRACT MODIFICATION					Contract Mod #: 1		
					CONTRACT #: 248-2019		
Project: Investigation/Design Services for Town Branch WWTP Scum Facilities Improvement Project							
TO: Strand Associates, Inc, 651 Perimeter Drive, Suite 220, Lexington, KY 40517							
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		\$ -	\$ -
1	ADD	Additional meetings to coordinate design. The project was caught in some delays during COVID.	LS	1		\$ -	\$ 5,000.00
2	ADD	The addition of a retaining wall was necessary and became evident during the beginning of the design.	LS	1		\$ -	\$ 2,000.00
3	ADD	During design it was found a small pump station needed to be designed instead of being able to drain to an existing structure and then being pumped.	LS	1		\$ -	\$ 8,000.00
4	ADD	One-year project delay for re-review and re-staffing of the project before bidding.	LS	1		\$ -	\$ 4,000.00
5	ADD	Increased design complexity for structural and site design. The design is for custom designed roof with removable sections the that equipment can be removed and serviced in the future.	LS	1		\$ -	\$ 30,000.00
6	ADD	During excavation the contractor uncovered soft soils not identified in the boring logs. Two options of remediation were priced with drilled shafts being the most economical. This increase os for additional structural design and reviews.	LS	1		\$ -	\$ 11,000.00
7						\$ -	\$ -
8						\$ -	\$ -
9						\$ -	\$ -
Total decrease						\$ -	
Total increase							\$ 60,000.00
Net (increase) in contract price							\$ 60,000.00

JUSTIFICATION FOR CHANGEInvestigation/Design Services for Town
Branch WWTP Scum Facilities
Improvement Project

PROJECT:

CONTRACT NO.

248-2019

CHANGE ORDER:

1

1. Necessity for change: Increase in design cost for project delays/coordination during COVID and additional items identified during the design. Another design increase became necessary after finding soft soil. Official letter from Strand is attached for back-up.
2. Is proposed change an alternate bid? ___Yes XNo
3. Will proposed change alter the physical size of the project? ___Yes XNo
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes XNot Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes XNo
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**

THERESA REYNOLDS

DIRECTOR

GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2023

SUBJECT: Accept 2020 BJA FY 2020 State Criminal Alien Assistance Program

Request: Council authorization to accept award and execute agreement from the U.S. Department of Justice in the amount of \$100,792 under the under the 2020 Bureau of Justice Assistance FY 2020 State Criminal Alien Assistance Program (SCAAP). No matching funds are required.

Purpose of the Request: On April 30, 2021, the Division of Corrections submitted a grant application to the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security, requesting federal funds under the FY 2020 State Criminal Alien Assistance Program (SCAAP). The U.S. Department of Justice has offered the LFUCG an award in the amount of \$100,792.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens who have been incarcerated for at least four consecutive days during the reporting period (July 1, 2018 to June 30, 2019), and incarcerated on conviction of at least one felony or two (2) misdemeanors. The Division of Community Corrections proposes to use the funding for professional service and operating supplies for inmate reentry.

The cost in this budget year and future budget years: \$100,792 has been awarded for Fiscal Year 2023. Future funding is dependent upon availability of grant funding.

Are the funds budgeted? FY2023 budget amendment is in process.

File Number: 0655-22

Director/Commissioner: Farmer/Armstrong



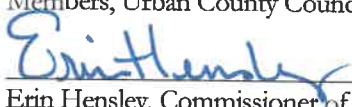
MAYOR LINDA GORTON



LEXINGTON

ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: 
Erin Hensley, Commissioner of Finance

DATE: June 22, 2022

SUBJECT: Authorization for Sale and Issuance of the FY23 GO 2022B Various Purpose Project Bonds.

Request

Authorization to: Approve the Sale and Issuance of the Lexington-Fayette Urban County Government Various Purpose General Obligation, Series 2022B in an aggregate principle amount not to exceed \$44,500,000 (which may be increased by 10%).

Why are you requesting?

Department needs this action completed because: This Ordinance will permit the sale of the 2022B Various Purpose Bonds of which the bond proceeds will provide funding for (i) roof repair and replacement at the detention center, new firetrucks and other fire safety related projects, new police cars, road construction and improvements, road resurfacing, road maintenance, road upgrades, streetscapes and sidewalk improvements, public art and beautification projects, pedestrian safety improvements, renovations, repairs and upgrades related to public buildings, vehicle acquisitions, park playground equipment and various other improvements within departments of the Lexington-Fayette Urban County Government, (ii) providing funding for a program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights, (collectively, the "Series 2022B Project").

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

The cost for this FY is: \$4,600,000

The cost for future FY is: \$4,600,000 annually for 10 years.

Are the funds budgeted?

The funds are budgeted.

Account number: 1101-141401-1680-78402



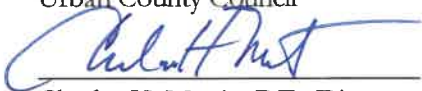
MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 16, 2022

SUBJECT Change Order No.1
Annual Sanitary Sewer System Rehabilitation and Maintenance - Contract # 290-2018

Request

The Division of Water Quality requests authorization to execute Change Order No. 1 to the agreement with Leak Eliminators, LLC for the annual Sanitary Sewer System Rehabilitation and Maintenance contract, increasing the unit prices on various pay items between 5% to 10% above the original contract value. Based on the estimated quantities quoted in Contract #290-2018, the total contract value increases by \$665,858.00 from \$11,857,370.00 to \$12,523,228.00.

Why are you requesting?

The requested change is to adjust some of the contract's unit prices due to the increased cost in materials (pipe, concrete, fuel, etc.). This five year contract is entering its final year and will expire June 30, 2023. The contract will be rebid in FY23 to better reflect market factors in place during the bid phase.

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

Because this is a unit price contract and the FY23 budget allocation is already approved, there is no budgetary increase for FY23, just less work being completed using the \$5.83M allocated for FY23.

Are the funds budgeted?

FY22 funds are budgeted in: 4003-303410-3472-92811 2022 LFUCG SSREHAB CONSTRUCT
FY23 funds will be budgeted in: 4003-303410-3472-92811 2023 LFUCG SSREHAB CONSTRUCT

Martin / Albright

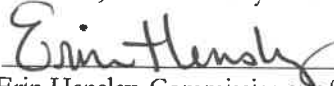


MAYOR LINDA GORTON



ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: 
Erin Hensley, Commissioner of Finance

DATE: June 22, 2022

SUBJECT: Reimbursement Resolution for FY 23 CIP Bond Projects

Request

Authorization to approve the Reimbursement Resolution to allow approved spending on the attached list of Capital Improvement bond projects which supplements the previous resolution approved for fleet only. These expenditures were budgeted and approved in the FY 2023 Budget.

Why are you requesting?

Department needs this action completed because this resolution provides a mechanism for the projects to move forward prior to the sale of the bonds. Expenses incurred by the Bond Projects will be paid from the Funding Account. Upon the sale of the bonds this fiscal year, the Funding Account will be reimbursed. The practice of approval of a reimbursement resolution is consistent with prior practice and is a generally accepted mechanism in the accounting community.

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

The cost for this FY is: \$4,600,000 in Debt Service

The cost for future FY is: \$4,600,000 yearly Debt Service for 10 years

Are the funds budgeted?

The funds are budgeted
Account number: 1101-141401-1680-78401

File Number: 0661-22

Commissioner: Erin Hensley



MAYOR LINDA GORTON

**LEXINGTON**Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton
FROM: Jason G. Wells, Fire Chief
DATE: June 23, 2022
SUBJECT: Agreement with MedAware/Anthem

The Division of Fire and Emergency Services request authorization to enter in an agreement with MedAware/Anthem to begin a pilot program with the Community Paramedicine program.

Why are you requesting? To begin a pilot program with MedAware/Anthem that will enable us to share information between the entities and see how Community Paramedicine can impact overall patient health, improve patient outcomes, and potentially identify reimbursement opportunities.

Department needs this action completed because: to outline expectations moving forward in this pilot project.

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: Wells/Armstrong



MAYOR LINDA GORTON

**LEXINGTON**SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

TO: Linda Gorton, Mayor
Members, Urban County Council

FROM: David Barberie
Department of Law

DATE: June 23, 2022

RE: Collective Bargaining Negotiations

Request:

Authorization to enter into an agreement with the law firm of Frost Brown Todd (attorney Joe Scholler) for negotiating services on the Corrections' collective bargaining agreements (FY2023).

Why are you requesting?

This action is requested in order to assist the administration with negotiating these two collective bargaining agreements for the Division of Community Corrections using a professional negotiator and law firm with previous experience on related LFUCG agreements.

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

The contract amount will be paid beginning in FY2023 – cost estimated not to exceed \$110,000 in total.

Are the funds budgeted?

All funds are budgeted

File Number: 663-22

Director/Commissioner: Susan Speckert, Commissioner of Law



MAYOR LINDA GORTON



LEXINGTON

TO: Mayor Linda Gorton

Urban County Council

FROM: Craig Cammack, Community Outreach Liaison

CC: Tyler Scott, Chief of Staff

DATE: June 23, 2022

SUBJECT: Purchase of Service Agreement with Frontrunners Lexington

Request

Authorization to execute Purchase of Service Agreement with Frontrunners Lexington.

Why are you requesting?

Frontrunners Lexington organizes the annual Pride Run 5k, where proceeds support LGBTQ+ students, families, and allies affiliated with Fayette County Public Schools' GSA organizations.

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

The cost for this FY is: \$1,000

The cost for future FY is: \$0

Are the funds budgeted?

The funds are budgeted.

Account number: 1101-133001-0001-71299

File Number: 0666-22

Director/Commissioner: Tyler Scott



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

**SUBJECT: Approval of Agreement with Gilbert-Hurt International, LLC for Family
Care Center**

Request: Council authorization to execute agreement with Gilbert-Hurt International, LLC for the Family Care Center at a cost not to exceed \$14,300.

Purpose of the Request: The Family Care Center is requesting this contract is to provide training and consultation to staff in the early child care program with the goal of increasing competencies related to researched-based interventions with children. The training will focus on positive behavior management, especially for children with special needs. The information taught will both create a stronger foundation for the program's interventions with children and assist program leadership in developing a robust training/orientation program for new employees.

What is the cost in this budget year and future budget years? Estimated cost is \$14,300. No future cost are anticipated.

Are the funds budgeted? Yes, 3230-606404-0001-71299

File Number: 0667-22

Director/Commissioner: Horton-Holt/Allen-Bryant



MAYOR LINDA GORTON

**LEXINGTON**CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 22, 2022

SUBJECT: Town Branch 5 Sub Drainage Area (RFP #27-2022)

Request

The Division of Water Quality recommends award of a contract to Stantec Consulting Services Inc. for evaluation of the Town Branch 5 Sub Drainage Area in accordance with the scope of work contained in RFP #27-2022.

Purpose of Request

The Town Branch 5 sub-drainage area includes the sanitary sewer service area for Consent Decree Remedial Measures Project TB-14. The RFP #27-2022 scope of work requires the selected consultant to coordinate condition assessments of storm and sanitary sewer infrastructure within the defined project area, measure flows and rainfall events using that data to model future rainfall event outcomes and to develop a final report containing the findings along with options for next steps in addressing recurring flooding and basement backup events within the project area.

Project Cost in FY23 and in Future Budget Years

The contract amount is \$241,268.00 and contains no projected cost for future budget years.

Are Funds Budgeted

Funds are budgeted in: 4003-303408-3466-92811 Bud Ref 2023 CATALPA CONST_DE

Director/Commissioner

Martin/Albright

Cc: Gregory S. Lubeck, P.E., Deputy Director Division of Water Quality
Christopher Dent, P.E., Engineering Section Manager Sanitary Sewers





TOWN BRANCH 5 SUB DRAINAGE AREA
RFP #27-2022

MAYOR LINDA GORTON



LEXINGTON

MONICA CONRAD
DIRECTOR
PARKS AND RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks and Recreation

DATE: June 23, 2022

SUBJECT: Bench Craft Scorecard and Tee Sign Agreement

Request:

To execute Agreement between the LFUCG and Bench Craft Company to supply LFUCG golf courses with custom scorecards and tee signs.

Purpose:

Bench Craft Company agrees to furnish custom scorecards at all five LFUCG golf courses and custom tee signs at Tates Creek Golf Course and Lakeside Golf Course at no cost to LFUCG for a four (4) year period. Score cards will supplied annually. Score cards and tee signs shall contain sponsor's messages of reasonable amounts to satisfy the needs of Bench Craft Company. LFUCG has final approval of proof and sponsors. Initial agreement is for four (4) years, unless written notice of termination is given by either party more than one (1) year prior to expiration of any term. This agreement shall automatically renew for an additional four (4) year period at the completion of initial agreement. Bench Craft Company will also pay LFUCG Golf Courses \$2,000 per year for the life of the agreement.

Budgetary Implication:

Potential budget savings of \$15,000-\$20,000 on scorecards and \$20,000-\$30,000 on tee signs over the four year agreement.

All scorecards and tee signs are installed at no cost to LFUCG.

File Number: 0670-22

Director/Commissioner: Monica Conrad/Chris Ford



MAYOR LINDA GORTON

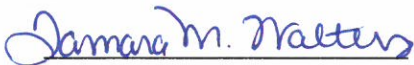


LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: 
Tamara Walters, Director
Division of Human Resources

DATE: June 23, 2022

SUBJECT: Create Position – Division of Family Services

Request:

The attached action is requesting authorization to create one (1) unclassified part-time position of Licensed Clinical Social Worker (LCSW) Grade 519E for a term of two (2) years, in the Division of Family Services, expiring July 31, 2024.

Why are you requesting:

Upon the request of the division, the Division of Human Resources conducted a study on the requested position of the LCSW within the division of Family Services. This position will bring enhanced expertise in delivering abuse/neglect prevention to young mothers that are enrolled in the program. Additionally, this position will allow for future opportunities for expanded individual work if and when funding becomes available with the Parent Education clients. The study was conducted according to standard procedures using the Job Analysis Questionnaire (JAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the requested position as described in this action.

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

This has a 12-month future impact of a cost of \$52,705.48 and is grant funded.



Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Licensed Clinical Social Worker P/T	(\$0)	\$0	\$34,841.30
Total Annual Impact/ Salary and Benefits \$52,705.48			

File Number:

0671-22

Director/Commissioner: Tamara Walters/Sally Hamilton

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



MAYOR JIM GRAY



LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: 
Tamara Walters, Director
Division of Human Resources

DATE: June 23, 2022

SUBJECT: Create positions – Department of Information Technology

Request:

The attached action is requesting authorization to create two (2) unclassified positions of Information Security Engineer Sr. (Grade 532E) for a term of three (3) years, in the Department of Information Technology, expiring July 31, 2025.

Why are you requesting:

Upon the request of the division, the Division of Human Resources conducted a classification study on the requested positions. These positions will provide information security (cybersecurity) staffing for the protection of all IT assets, systems and data. It will also replace the need for the contracted cybersecurity professional services budgeted amount of \$520,000.00 in the upcoming fiscal year. The study was conducted according to standard procedures using Job Analysis Questionnaires (JAQs) and a position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the requested positions are described in this action.

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

Based on the budgeted amount of \$520,000 for professional services and the overall cost of \$361,319.35 for these two positions, there is an anticipated overall cost savings for FY2023.



Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Information Security Engineer Sr. (x2)	\$0	\$130,000.00/each	\$260,000.00/both
Total Annual Impact/ Salary and Benefits (\$361,319.35)			

File Number:

0672-22

Director/Commissioner: Tamara Walters/Sally Hamilton

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





Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: June 24, 2022

SUBJECT: **Agreement(s) – MillerMendel, Inc. / Experian Information Solutions, Inc.**

Request

Authorization to accept the attached Agreement(s) with MillerMendel, Inc. and Experian Information Solutions, Inc. and establish MillerMendel, Inc. as a Sole Source Vendor for the eSOPH Background Software System.

Why are you requesting?

eSOPH will be used by the Background and Polygraph Units as a cloud based system which will streamline much of the background hiring process. This platform will allow investigators to have sole source to access their candidate's information, and forms, while allowing candidates to upload and complete necessary forms for investigator access. eSOPH will also make tracking candidates much easier than manually entering information into Excel. In doing so, the time it takes to conduct a thorough background investigations should be shortened significantly with the use of live forms and a platform that can be accessed via tablet, smart phone, laptop, or desktop. The Lexington Police Department is requesting approval from the Urban County Council to authorize Mayor Gorton to sign the attached documents. Upon signing, please return a completed signed copy of the attached documents to the Chief's Office.

What is the cost in this budget year and future budget years? \$14,000

Are the funds budgeted? Yes – 1101-505506-5561-76102

File Number: 0674-22

Director/Commissioner: Lawrence B. Weathers, Chief
Lexington Police Department

LBW/rmh

MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Linda Gorton, Mayor
Urban County Councilmembers

FROM: Jenifer Wuorenmaa, ARPA Project Manager

CC: Sally Hamilton, CAO

DATE: June 24, 2022

SUBJECT: Authorization to Execute Subrecipient Agreement for American Rescue Plan Act (ARPA)
Project – HOPE Center

Authorization to execute future Subrecipient Agreement for the following ARPA funded project:

- Hope Center - \$2,000,000

When the Subrecipient Agreement is executed, it will be uploaded into the public-facing Legistar site for transparency.

The ARPA Project Manager needs this action completed because this will expedite the execution of this Subrecipient Agreement for the HOPE Center project funded by ARPA, as approved by the Council on February 17, 2022.

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

The cost for this FY is: \$2,000,000

The cost for future FY is: NA

Are the funds budgeted? Yes

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

Account number: 3230-900311-0001-71101

File Number: 0675-22

Director/Commissioner: Sally Hamilton, CAO



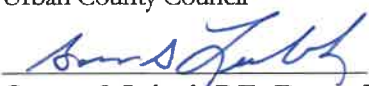
MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: June 24, 2022

SUBJECT: Easement Acquisition for the Clays Mill Rd. Sanitary Realignment Project

Request

The purpose of this memorandum is to request a Resolution authorizing the acceptance of Deeds of Easement from the owners of record on properties needed for the construction of the Clays Mill Rd. Sanitary Realignment project, at a cost of \$7,000.00.

Purpose of Request

The requested resolution will provide funds for the purchase of a permanent sanitary sewer and storm sewer easement on one (1) affected parcel.

Project Cost in FY23 and Future Budget Years

The cost to acquire the necessary easement is \$7,000.00.

Are Funds Budgeted

The majority of the funds are budgeted in the following account and a budget amendment is in process to provide the \$600.28 difference:

<u>FUND</u>	<u>DEPT ID</u>	<u>SECT</u>	<u>ACCT</u>	<u>PROJECT</u>	<u>ACTIVITY</u>	<u>BUD REF</u>
4003	303202	3223	91715	NEIGHSEW_2013	CONSTRUCT	2013

Director / Commissioner

Martin / Albright



Clays Mill-Wolf Run Sanitary Realignment

Project Location Map



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

**SUBJECT: Authorization to execute Change Order No. 4 with ATS Construction for the
Town Branch Trail Phase 6**

Request: Authorization to execute Change Order No. 4 with ATS Construction for the Town Branch Trail Phase 6, increasing the contract price by the sum of \$194,604.26 from \$4,438,505.01 to 4,633,109.27.

Purpose of the Request: On February 6, 2020 (Ordinance 045-2020), Council approved awarding L-M Asphalt Partners Ltd. d/b/a ATS Construction the contract for construction of the Town Branch Trail Phase 6. On July 6, 2021 (Resolution 365-2021), Council approved Change Order No. 1 to increase contract \$54,311.29 to increase the size of the trailhead parking lot. On October 14, 2021 (Resolution 570-2021), Council approved Change Order No. 2 to increase the contract in the amount of \$239,388.75 for safety improvements along the property line with RJ Corman Railroad from Forbes Road to Thompson Road. On April 28, 2022 (Resolution 199-2022), Council approved Change Order No. 3 to increase the contract \$290,318.01 for remediation of an underground storage tank, fencing, bollards and trail amenities.

The LFUCG Division of Engineering needs this action to construct additional parking along the trail at 1265 Manchester Street. 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 FY22 is \$194,604.26. No costs are anticipated in future budget years.

Are the funds budgeted? Yes, 3160-303202-3225-90313 TOWN_TGER_2017 CONST

File Number: 0677-22

Director/Commissioner: Burton/Albright



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

**SUBJECT: Hazard Mitigation Grant Extension for Fayette County Flood Markers
Project**

Request: Council authorization to execute an amendment to the agreement with the Kentucky Emergency Management Agency extending the period of performance through June 30, 2024 for the Flood Markers Project.

Purpose of the Request: On April 28, 2022, (Resolution 193-2022) Council approved the acceptance of an award of \$16,500 in federal and \$2,640 in state funds from the Kentucky Emergency Management Agency under the Hazard Mitigation Grant Program to purchase and install 12 flood warning markers and signs in Fayette County. The total project cost is \$22,000.

The Kentucky Emergency Management Agency has offered LFUCG an extension through June 30, 2024.

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

Are the funds budgeted? There is no budgetary impact.

File Number: 0 6 7 8 - 2 2

Director/Commissioner: Dugger/Armstrong



MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

**TO: Linda Gorton, Mayor
Urban County Council**

**FROM: Kevin Atkins
Chief Development Officer**

DATE: June 24, 2022

SUBJECT: FY2023 Economic Development Partner PSAs

Request:

Authorization to execute Purchase of Services Agreements (PSAs) with economic development partner agencies: Commerce Lexington and Urban League of Lexington-Fayette County

Why are you requesting:

The Lexington-Fayette Urban County Government annually contracts with economic development partner agencies to provide economic development services for the government. The Lexington Economic Development Investment Board at their meeting on June 22, 2022 approved the recommendation of the Request for Proposal (RFP) scoring committee for RFP 26-2022 "Economic Development Partnership Services."

The economic development partner agencies for FY2023 are:

Commerce Lexington for Business Development Services (\$300,000.00)
Urban League of Lexington-Fayette County for WORK-Lexington (\$150,000.00)

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

The cost for FY2023 is : \$450,000.00

Commerce Lexington: (\$300,000.00)1101-900101-0001-71101
Urban League of Lexington-Fayette County: (\$150,000.00) 1101-900206-0001-71101

The cost for future FYs is: N/A

Are the funds budgeted?

The funds are budgeted and a budget amendment is in process.

Director/Commissioner

Kevin Atkins



MAYOR LINDA GORTON



LEXINGTON

DOUG BURTON, P.E.
DIRECTOR
ENGINEERING

TO: Mayor Linda Gorton
Urban County Council

FROM: W. Douglas Burton, Director
Division of Engineering

DATE: June 23, 2022

SUBJECT: FY-2023 Fiscal Court Agreement

Request

Authorization for the Mayor to enter into an agreement with the Fayette Fiscal Court accepting and establishing funding for Fiscal Year 2023 County Road Aid projects in the Rural Service Area. The estimated amount of the funds is \$831,000.

Why are you requesting?

The LFUCG Department of Environmental Quality & Public Works needs this action to accept and spend the funds for resurfacing, maintaining and emergency projects on county roads in the Rural Service Area of Fayette County.

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: \$831,000 – this agreement established the receipt of the funds.

Are the funds budgeted? Yes the funds have been budgeted.

Account Number: 1137-303301-0001-9XXXXX

File Number: 0680-22

Director/Commissioner: Burton/Albright



MAYOR LINDA GORTON



LEXINGTON

JENNIFER M. CAREY, P.E.
DIRECTOR
ENVIRONMENTAL SERVICES

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Jennifer M. Carey, P.E., Director
Division of Environmental Services

DATE: June 24, 2022

SUBJECT: Agreement with the Kentucky Transportation Cabinet Regarding Mowing Services

Request

The purpose of this memorandum is to request Council 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?

The current MOA with KYTC for mowing services expires on June 30, 2022. The new MOA begins July 1, 2022, and is effective for two years, expiring on June 30, 2024. Turf mowing is performed under existing contracts managed by the division and includes litter removal, mowing, and trimming services for prescribed locations shown on the attached map, and on a schedule, to be specified by KYTC. For performing these services, LFUCG will be paid the following rates: \$36/acre for Citation Boulevard and \$66.88/acre for all other roads.

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

Expenses and equally offsetting revenues are budgeted for \$183,500 per fiscal year. Amounts will vary depending on the number of mows authorized by KYTC, but will not exceed this amount.

Are the funds budgeted?

Yes, funds are budgeted and available in 1101-313201-3091-71212

File Number: 0681-2022

Director / Commissioner: Carey / Albright



MAYOR LINDA GORTON

**LEXINGTON**

THERESA REYNOLDS

DIRECTOR

GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

SUBJECT: Grant for Ticketing Aggressive Cars and Trucks

Request: Council authorization to execute a Memorandum of Agreement, accepting federal funds in the amount of \$20,000 from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks grant program – FY 2023. Match in the amount of \$3,450 is budgeted.

Why are you requesting? The Kentucky State Police has received high priority Motor Carrier Safety Assistance Program funds from the United States Department of Transportation, Federal Motor Carrier Safety Administration for continuation of the TACT (“Ticketing Aggressive Cars and Trucks”) Grant Program in Kentucky. The Kentucky Justice and Public Safety Cabinet has offered the Lexington-Fayette Urban County Government’s Division of Police \$20,000 in federal funds to conduct TACT activities.

What is the cost in this budget year and future budget years? Federal funding in the amount of \$20,000 will be provided by Kentucky Justice and Public Safety Cabinet to LFUCG for officer overtime in the performance of TACT activities. Match of \$3,450 is required and will come from existing budgeted staff salaries in the Division of Police. Total cost of the project is \$23,450. There is no anticipated cost for future budget years.

Are the funds budgeted? FY23 budget amendment is in process.

File Number: 0682-22

Director/Commissioner: Weathers/Armstrong



MAYOR LINDA GORTON

**LEXINGTON**

HEATHER LYONS

DIRECTOR

ARTS & CULTURAL AFFAIRS

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

**FROM: HEATHER LYONS, DIRECTOR
OFFICE OF THE MAYOR**

DATE: JUNE 27, 2022

**SUBJECT: Donation of Funds – John Henry Piece Installation at Central Bank
Center**

Request:

Request Council authorization to donate \$25,000 in Percent for Art funds to Central Bank Center to assist in the installation of John Henry's *Publisher* at Central Bank Center. The piece is currently located at Ashland – The Henry Clay Estate.

Why are you requesting?

Neighbors near Ashland have expressed concern about the piece's current location, and Central Bank Center has expressed serious interest in purchasing the piece and installing it on the north plaza of Central Bank Center. These funds would go directly toward installation of the piece. The Public Arts Commission voted unanimously to recommend \$25,000 of Percent for Art funds be used for this project.

The overall cost of the project will exceed \$450,000. Central Bank Center, Visit Lex, the Downtown Lexington Management District, and private donors will fund the remainder of the project.

Publisher was created by Lexington-born sculptor, John Henry. Henry is an artist of international significance whose work and 55-year career stretches across five continents. He studied at the University of Kentucky and later received a BFA from the Art Institute of Chicago. He received a Doctor of Arts Degree from the University of Kentucky in 1996. Henry has produced many monumental and large-scaled works of art for museums, cities and public institutions across the United States, Europe and Asia.



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

LFUCG's contribution to the project will be \$25,000 from the Percent for Art fund.

Are the funds budgeted? Yes.

File Number: 0683-22

Director/Commissioner: Heather Lyons/Tyler Scott

Account String: 2612-134201-1421-71299

Project: PUBLIC_ART_2022

Activity: ARTS

Budget Reference: 2022



MAYOR LINDA GORTON

**LEXINGTON**

THERESA REYNOLDS

DIRECTOR

GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

SUBJECT: Amendment to Agreement with Fayette County Local Development Corporation

Request: Council authorization to execute an amendment to the agreement with Fayette County Local Development Corporation under the HOME Investment Partnerships Program to extend the period of performance through March 31, 2023, and authorizing the mayor to execute any other agreements or amendment with Fayette County Local Development Corporation related to the use of these funds.

Purpose of the Request: On June 6, 2019 (Resolution No. 295-2019) Council authorized execution of an agreement with Fayette County Local Development Corporation awarding \$211,494 of HOME Investment Partnerships Program funds provided by the 2016, 2017, 2018 and 2019 Consolidated Plan for Rental Housing Production Activities for use by the CHDO for eligible HOME projects. This project has experienced delays due to coronavirus.

The amendment would extend the period of performance through March 31, 2023.

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

Are the funds budgeted? There is no budgetary impact.

File Number: 0 6 8 4 - 2 2

Director/Commissioner: Reynolds/Lanter



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS

DIRECTOR

GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 23, 2022

SUBJECT: Amendment No. 2 to Agreement with Fayette County Local Development Corporation

Request: Council authorization to execute an amendment to the agreement with Fayette County Local Development Corporation under the HOME Investment Partnerships Program to extend the period of performance through July 31, 2022, and authorizing the mayor to execute any other agreements or amendment with Fayette County Local Development Corporation related to the use of these funds.

Purpose of the Request: On June 21, 2018 (Resolution No. 377-2018) Council authorized execution of an agreement with Fayette County Local Development Corporation awarding \$145,227 of HOME Investment Partnerships Program funds provided by the 2018 and 2019 Consolidated Plan for Rental Housing Production Activities for use by the CHDO for eligible HOME projects. This project has experienced delays due to coronavirus. On January 28, 2021 (Resolution 040-2021), Council approved extending period of performance through December 31, 2021.

The amendment would extend the period of performance through July 31, 2022.

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

Are the funds budgeted? There is no budgetary impact.

File Number: 0685-22

Director/Commissioner: Reynolds/Lanter



MAYOR LINDA GORTON

**LEXINGTON**CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 17, 2022

SUBJECT: Change Order No. 2 –Wolf Run Trunk D & E, Contract No. 036-2021

Request

The Division of Water Quality requests authorization to execute Change Order No. 2 to the agreement with Tribute Contracting & Consultants, LLC for the Wolf Run Trunks D & E project, increasing the contract price by the sum of \$706,800.06 from \$3,250,119.96 to \$3,956,920.02, and extending the contract term 68 calendar days from September 5, 2022 to November 12, 2022.

Why are you requesting?

The requested change is to extend the Wolf Run Trunks D & E project 600 linear feet, into the next segment which is Trunk F. This additional work is to establish a better transition point between Wolf Run Trunk E and Trunk F. This is not additional work, just moving project endpoint.

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

The cost for this FY is: \$706,800.06
The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted in: 4003-303408-3466-92811 2020 LFUCG WRMAINTRKD_2020 CONSENT_DE
4003-303408-3466-92811 2020 LFUCG WRMAINTRKE_2020 CONSENT_DE

Martin / Albright

MAYOR LINDA GORTON



LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: 
Tamara Walters, Director
Division of Human Resources

DATE: June 27, 2022

SUBJECT: Abolish/Create Position – Division of Emergency Management

Request:

The attached action is requesting authorization to abolish one (1) vacant classified position of Administrative Specialist Sr. (Grade 516N) and create one (1) classified position of Administrative Specialist Principal (Grade 518N) in the Division of Emergency Management, effective upon passage of Council.

Why are you requesting:

Upon the request of the division, and in accordance with the Code of Ordinances, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using Job Analysis Questionnaires (JAQs) and position audits. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the requested position is described in this action.

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

This has a 12-month future impact of a cost of \$6,636.93.



Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Administrative Specialist Sr.	(\$48,158.24)	\$0	(\$48,158.24)
Administrative Specialist Principal	\$0	\$53,094.08	\$53,094.08
Total Annual Impact/ Salary and Benefits \$6,636.93			

File Number:

0687-22

Director/Commissioner: Tamara Walters/Sally Hamilton

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



**MEMORANDUM**

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

FROM: 
Tamara Walters, Director
Division of Human Resources

DATE: June 27, 2022

RE: Abolish and Create Positions - FY 2023 Budget

The attached action amends the unclassified civil service authorized strength, abolishing and creating positions as approved in the FY 2023 budget process, to become effective July 1, 2022.

- In 22-5 of the Code of Ordinances:
 - Abolish one (1) unclassified civil service position of Citizen's Advocate P/T (Grade 518E) and create one (1) unclassified civil service position of Citizen's Advocate (Grade 518E) in the Office of Citizen's Advocate and transfer the incumbent;
 - Create one (1) unclassified civil service position of Family Court Services Specialist (Grade 516N) in Office of Circuit Judges;
 - Abolish one (1) unclassified civil service position of Administrative Officer (Grade 523E) in the Division of Grants and Special Programs.

The fiscal impact for FY 2023 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2023 approved budget.

File Number: **688-22**

Director/Commissioner: Tamara Walters/Sally Hamilton

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



MAYOR LINDA GORTON



LEXINGTON

CHRIS FORD
COMMISSIONER
GENERAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Chris Ford, Commissioner of General Services

DATE: June 24, 2022

SUBJECT: Authorization to Purchase Property for Fire & Emergency Services
East Third Street and East Noble Street

Request:

Request Council authorization for the Mayor to execute an Agreement of Sale, and any other necessary documents, and to accept deed for the property located at 206 – 208 – 214 – 218 East Third Street, and 213 –215 East Noble Street.

Purpose:

LFUCG proposes to purchase 5 adjoining land parcels located in close proximity to Fire Station No. 1. Lexington Fire & Emergency Services is interested in expanding operational facilities in this area. These 5 parcels combine for approximately one-half acre, which includes 2 vacant structures (206 and 218 East Third Street).

Budgetary Implication:

The agreed purchase price is \$929,500.
Funds are budgeted at 1101 – 505704 – 5742 – 90111.

File Number: 0689-22

Director/Commissioner: Jamshid Baradaran / Chris Ford



**Neighborhood Development Funds
July 5, 2022
Work Session**

Amount	Recipient	Purpose
\$ 500.00	Wyndham Meadows HOA Kevin Bailey 3805 Aria Lane Lexington, KY 40514	To assist with repairs to the neighborhood entrance sign.



Environmental Quality & Public Works Committee

June 7, 2022

Summary and Motions

Chair F. Brown called the meeting to order at 1:02 p.m. Committee Members Ellinger, Moloney, McCurn, Sheehan, Kloiber, and Bledsoe were present. Committee Members Kay, LeGris, and Worley was absent. Council Members Lamb, Baxter, Reynolds, and Plomin were also present as non-voting members.

I. Approval of May 3, 2022 Committee Summary

Motion by Ellinger to approve the May 3, 2022 Environmental Quality & Public Works Committee Summary. Seconded by Bledsoe. Motion passed without dissent.

II. Annual Energy Improvement Plan

James Bush, Program Manager with Division of Environmental Services Energy Initiatives, began with a review of FY21 utility expenses which total \$19.2M and trending toward \$20.6M for FY22. He highlighted the FY21 and FY22 lighting projects which have a total investment of \$101,098. Solar projects include several solar stations and have a total investment of \$132,711. He reviewed additional details on solar station #7 which is located in the Tates Creek area, illustrating cost and energy savings from that project. Other activities include building automation, Town Branch aeration blowers, and utility management. He noted that the FY23 outlook includes requested LED lighting, Solar PV Station #21, Solar PV+40kW in multiple locations, building automation, and a water quality energy audit. In closing, Bush stated that a comprehensive approach would be needed to flatten the curve or reduce trends.

Moloney spoke about companies who have partnered with other cities (Amarillo, St. Paul, etc.) to save on energy and fuel costs by producing electric vehicles. With rising fuel costs, he suggested reaching out to these companies to discuss ways they can take our vehicles and make them electric.

McCurn and Bush discussed estimated cost avoidance and if that includes increases in energy costs. Bush explained that this is typically done on a first year basis and would not include energy costs. He said some projects would include life cycle costing outward which would factor in fuel escalation, but those estimates are conservative.

Sheehan spoke about the comprehensive approach and asked what might be the easiest way to proceed. Bush explained that this is a group discussion because there would be an increase in upfront costs, but there is a beneficial trade off.

Ellinger and Bush discussed upfront costs that come with mapping out cost savings and evaluating the solar program. Bush said they look at which one will have a more favorable return. Ellinger spoke about \$2,100 in savings from solar station #7 and he asked if there is a break-even point where we are making money. Bush said within a 20-year timeframe, the system should pay for itself. Ellinger asked why a certain amount of energy would need to be exported. Bush explained that there are times when the facility generates more solar energy than it uses and the excess energy has no place to go.

No further comment or action was taken on this item.

III. Greenspace Commission / Greenspace Trust Merge

Jennifer Carey, Director of Division of Environmental Services (DES), presented an ordinance update that would eliminate the Greenspace Commission and transfer all of its members and duties to the Greenspace Trust. She highlighted major powers of the Greenspace Trust which include developing a Greenspace Management Plan, educating citizens, monitoring land, and recommending enforcement. Some of the key changes proposed by this update include membership expanded to those who live or work in Fayette County, broadened qualifications, reduced membership term, and removal by cause or operation of law. Carey requested that this committee review and consider the draft ordinance for approval.

Bledsoe asked how they will ensure a variety of perspectives with this change. Kristan Curry, Greenspace Commission Coordinator, said they have seen attrition in membership and they carry 2-4 vacancies at most times. By providing a broad membership category, they would be able to fill vacancies more regularly. She pointed out that they invite potential candidates to a meeting prior to their appointment as a way to determine interest level, expertise, and professional background. Throughout the process, they evaluate these criteria, but having the flexibility in the ordinance would ensure having personnel to do hands-on projects. Bledsoe expressed concern that when setting policy, the membership may not have the education and expertise to make decisions. She asked about the thought process behind removing Fayette County resident as a requirement. Curry explained that both the membership body and the executive committee have supported this and thought it was necessary to expand membership in conjunction with shortening the term to encourage turnover and provide a variety of membership.

Ellinger said there are always vacancies on the Greenspace Commission and Greenspace Trust and both entities were supportive of merging the two. He asked if there is a limit on the number of two-year terms. Curry confirmed there can be two consecutive terms, but she pointed out that filling a partial 2-year term would not count toward the two consecutive terms.

Lamb asked who staffs the board currently. Curry explained that she and Demetria Mehlhorn work together to coordinate both entities. Lamb spoke about language in the ordinance that says “LFUCG shall provide an executive director and staff as needed” and she asked if there is opportunity down the road to create another workforce to help with this or if this. Mike Sanner, Attorney with the Law Department, explained that they will provide staff as well as an Executive Director as needed. Since staff is currently being provided, it fulfills that *shall* requirement. He said the Executive Director position is more flexible so if it ever needs to be a full-time position, it would be allowed.

Plomin spoke about classifications being a frequent problem for boards and commissions when trying to find people to serve. Plomin spoke about language in the ordinance regarding “three (3) unexcused absences in any two (2) year period or in the event of absence from 25% of the meetings in any two (2) year period.” She asked if the decision to remove a member is at the board's discretion or if it is the mayor's decision. Curry said this would be a recommendation by the executive committee and notification would be forwarded to the mayor's office.

Moloney expressed concern with the word “shall” included in the language related to staffing. He asked why we would not go ahead and do this now because it seems like it would be something that is mandatory. Carey explained that currently it is not at a level where it would require a full-time position, but it is nice to have that provision in the draft ordinance.

Motion by Ellinger to repeal sections 2-326; 2-327; 2-328; 2-329; 2-330; 3-331; 2-332; 2-333; and 2-334 of the code of ordinances related to the Greenspace Commission. Seconded by Sheehan. Motion passed without dissent.

Motion by Ellinger to accept the amendments to the Greenspace Trust [included in the packet]. Seconded by Sheehan. Motion passed without dissent.

Motion by Kloiber to remove “or work” from the amendments in the packet (section 2-337 of the code of ordinances related to membership requirements). Seconded by Bledsoe. Motion failed 3-4 (yes: Bledsoe, Kloiber, and McCurn; no: Ellinger, F. Brown, Moloney, and Sheehan).

Moloney asked why the committee wanted to have this language included. Carey explained that it was included with the hope that it would expand the pool of applicants by allowing members to either live or work in Fayette County. The committee feels that there is a significant number of people who travel here for work that might have an interest in serving on the Trust. Curry added that they have tried to fill the slate of membership and have actively tried to increase diversity. By expanding it to “live or work in Fayette County” would help accomplish both of those things.

Lamb asked if there are people involved in this process now that this would negatively impact if this language was removed. Curry does not believe so considering the number of vacancies they have been unable to fill in the last three years.

F. Brown asked what the membership is on each board currently. Curry said there are 15 voting members and 3 non-voting members on each. Carey pointed out that if you serve on the Greenspace Commission, you also serve on the Greenspace Trust.

IV. Enforcement of Land Subdivision Regulations

Director Carey provided a background on Article 18 of the Zoning Ordinance which pertains to the Landscape and Land Use Buffers. She reviewed proposed updates to the ordinance which would provide enforcement of land subdivision regulations regarding surety renewals. She explained that the Division of Environmental Services staff have been overseeing efforts related to minimum compliance with Article 18 and having a Commercial Landscape Examiner on staff will achieve full oversight over the landscape requirements in Article 18. She added that, until citation authority extends to Article 18, staff will be impeded in enforcement of the commercial landscaping requirements. Procedures related to sureties are included in Section 4-8 of Article 4. In addition, expanding the assignment of citation authority over the surety renewal regulation to Environmental Services maintains the existing framework and aids the Division of Engineering as they work with developers to compel timely completion of public infrastructure. Carey concluded by requesting that this committee review and consider the draft ordinance for approval.

F. Brown asked if this is an amendment to an ordinance or a new ordinance. Michael Cravens, Attorney with Law Department, explained that this is an amendment to section 14-10 of the code of ordinances.

Motion by Moloney to amend section 14-10(f)(5) of the code of ordinances related to citation officers to add enforcement of article 18 of the zoning ordinance and section 4-8(d) of the land subdivision regulations. Seconded by Kloiber. Motion passed without dissent.

V. Traffic Engineering: N. Limestone Road Diet

This item was postponed to the July 5, 2022 Environmental Quality & Public Works Committee meeting.

VI. Items Referred to Committee

No comment or action was taken on this item.

Motion by Bledsoe to adjourn at 2:15 p.m. Seconded by McCurn. Motion passed without dissent.

ORDINANCE _____-2022

AN ORDINANCE REPEALING SECTIONS 2-326, 2-327, 2-328, 2-329, 2-330, 3-331, 2-332, 2-333 AND 2-334 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE COMMISSION.

WHEREAS, it is the desire of Council to abolish the Greenspace Commission and transfer all members and duties to the Greenspace Trust.

Section 1- That Section 2-326 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~For the reasons stated above [in the preliminary paragraphs of Ordinance No. 238-90], and herein incorporated by reference, it is hereby declared as a matter of policy that it is essential that the county's unique and special character be preserved, maintained and enhanced for the economic, educational and general health, safety and welfare of the citizens of the county and of the general public. The purpose of this article is to establish a greenspace commission, hereinafter referred to as the "commission," whose charge shall be (1) to develop a comprehensive open space plan and (2) to preserve, protect and enhance open space in the county, and which is enabled to:~~

~~(1) Identify the following resources and seek to protect and preserve them and, where appropriate, to enhance them:~~

~~(a) Those open spaces within the county which possess the characteristics which give the Bluegrass Region its unique identity.~~

~~(b) Those visual elements (scenic areas, scenic vistas, and scenic corridors) which contribute to the unique scenic beauty of the Bluegrass Region.~~

~~(c) Those elements of our historic and cultural heritage as they exist in relation to open space.~~

~~(d) Natural areas.~~

~~(e) Environmentally sensitive areas.~~

~~(f) Geologically hazardous areas.~~

~~(g) Open space for passive and active recreational use, including, parks, parkways, and greenways.~~

~~(h) Water resources.~~

~~(i) Farmlands.~~

~~(2) Utilize and manage open space in a comprehensive and systematic manner which shall:~~

- ~~(a) Shape and reinforce the urban service area concept.~~
- ~~(b) Encourage more efficient and sensitive use of the land, improving the quality of life and landscape, by providing patterns for development, hence, making development and conservation of open space mutually beneficial.~~
- ~~(c) Help achieve an ecologically sustainable relationship between humans and their uses and the environment.~~
- ~~(d) Stimulate economic growth by channeling and encouraging development in a manner conducive to the preservation of the character of this region.~~
- ~~(e) Strengthen tourism and related business and attract new businesses through the preservation of our unique character.~~
- ~~(f) Provide an accessible system of open spaces which offer significant educational value and opportunities.~~
- ~~(3) Encourage cooperation and communication with surrounding counties as regards the promotion of greenspace, protection of the environment, and land conservation.~~

Section 2- That Section 2-327 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~The commission shall consist of sixteen (16) voting members. Of these members, one (1) member shall be a farmer; one (1) member shall be from the horse industry; one (1) member shall be from the business community; one (1) member shall be a geologist, hydrologist or biologist; one (1) member shall be a land use planner; one (1) member shall be a landscape architect; one (1) member shall be a builder or developer; one (1) member shall be a realtor; two (2) members shall be representatives of the conservation or environmental community; one (1) member shall be representative of the historic preservation community; one (1) member shall be a member of the urban county council; three (3) members shall be from the community at large; and one (1) member shall be a representative of the Greater Lexington Convention and Visitors Bureau. The Historic Preservation Commission, the Urban County Division of Parks and Recreation, and the Planning Commission may each designate one (1) of their members to serve as representatives to the commission in a nonvoting capacity. All members must be residents of the urban county with a demonstrated interest in the purposes and goals of the commission and shall be appointed by the mayor and approved by majority vote of~~

~~the urban county council. The members of the commission shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.~~

Section 3- That Section 2-328 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~All commission members shall serve four (4) years from the date of appointment, provided that the terms shall be staggered in the manner required by section 7.02 of the Urban County Charter. Vacancies shall be filled for the unexpired term in the manner prescribed for the original appointment. Any commission member may be reappointed for additional terms.~~

Section 4- That Section 2-329 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~The officers of the commission shall consist of a chairman and a vice chairman to be designated by vote of the commission~~

Section 5- That Section 2-330 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~A majority of the appointed members of the commission shall constitute a quorum for the transaction of business at any meeting of the board.~~

Section 6- That Section 2-331 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~Regular meetings shall be held at least once quarterly, and special meetings may be held as specified in the bylaws. All meetings shall be open to the public in a manner consistent with KRS 61.805—61.810. Full and complete minutes of all meetings and records of all proceedings, including the number of votes for and against each motion and the record of the vote of each member, shall be kept and made available for public inspection.~~

Section 7- That Section 2-332 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~The commission shall be determined its own bylaws, rules and order of business and shall provide for keeping a record of its proceedings.~~

Section 8- That Section 2-333 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~The urban county government shall provide an executive director and staff as needed.~~

Section 9- That Section 2-334 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is repealed:

~~The powers and duties of the commission include the following:~~

~~(1) Develop a greenspace conservancy plan for the urban county within twenty-four~~

~~(24) months after the first official meeting of the commission. This plan should be developed for review and adoption by the planning commission as an amendment to the comprehensive plan.~~

~~(2) Make specific recommendations to the mayor and council on actions, including but not limited to the following:~~

- ~~• Purchase of land in fee simple.~~
- ~~• The sale of land or any interest therein held by the urban county government.~~
- ~~• The acquisition of conservation easements, scenic easements and nature preserve land.~~
- ~~• The acceptance of property interests acquired by gift.~~
- ~~• The facilitation of agricultural districting.~~
- ~~• The creation of a public, nonprofit organization to accept property interests under the greenspace program.~~
- ~~• Transfer of development rights.~~
- ~~• Purchase of development rights.~~
- ~~• Historic districts/landmarks.~~
- ~~• Deed restriction.~~

~~(3) Educate citizens about greenspace preservation and maintenance.~~

~~(4) Negotiate the conveyance of property interests.~~

~~(5) Conduct a comprehensive survey of the urban county which will include an inventory of nonconforming uses in the rural services area, as appropriate.~~

~~(6) Monitor land contained in the greenspace program and conduct annual on-site inspections. Recommend enforcement of greenspace agreements.~~

~~(7) Encourage economic development and tourism consistent with the goals of this article.~~

~~(8) Promote and cooperate development and tourism consistent with the goals of this article.~~

~~(9) Prepare and present to the mayor and council an annual, written report which summarizes the previous year's activities.~~

~~(10) Apply for and receive funds from any state, federal or public entity appropriate to the goals of the commission.~~

~~(11) Solicit and receive contributions and donations from individuals and groups for the purpose of carrying out its duties as set forth herein.~~

~~(12) Adopt bylaws, rules and regulations as are necessary to carry out its duties and purposes as set forth in this article.~~

~~(13) Establish committees, which may include interested members of the public, as may be necessary for carrying out the duties as set forth herein.~~

~~(14) Perform any other act necessary and appropriate to carry out the purposes of this article.~~

Section 10- That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL
PUBLISHED:

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ORDINANCE NO. ____-2022

AN ORDINANCE AMENDING SECTION 2-335 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH DEFINITIONS OF APPLICATION, COMPREHENSIVE PLAN, CONSERVATION EASEMENT, GREENSPACE, GREENSPACE MANAGEMENT PLAN, AND GREENSPACE TRUST STAFF; AMENDING SECTION 2-336 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH THE CREATION OF THE ORGANIZATION AND LIST THE PURPOSES OF THE TRUST; AMENDING SECTION 2-337 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH BOARD MEMBERSHIP STRUCTURE AND QUALIFICATIONS; AMENDING SECTION 2-338 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH TERM LENGTH, VACANT POSITIONS AND REMOVAL OF BOARD MEMBERS; AMENDING SECTION 2-339 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH OFFICER, QUORUM AND STAFF REQUIREMENTS FOR THE BOARD; AMENDING SECTION 2-340 OF THE CODE OF ORDINANCES RELATED TO THE GREENSPACE TRUST TO DELETE THE EXISTING SECTION AND REPLACE IT WITH LISTING OF BOARD POWERS AND DUTIES.

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

WHEREAS, it is the desire of Council to abolish the Greenspace Commission and transfer all members and duties to the Greenspace Trust.

Section 1- That Section 2-335 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- ~~(a) The chair and vice chair of the Greenspace Commission are hereby authorized to serve as incorporators for and to organize a non-profit, non-stock Kentucky corporation under the provisions of Chapter 273 of the Kentucky Revised Statutes, to be named the "Lexington-Fayette Urban County Greenspace Trust, Inc." and hereinafter referred to as the "Greenspace Trust."~~
- ~~(b) The Greenspace Trust shall be an agency and instrumentality of the urban county government. It is organized for the purpose of applying for and receiving funds, contributions and donations, to further the purposes of the Greenspace Commission, including the acquisition and donation of real property.~~

Greenspace Trust Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- (1) *Application* shall mean the documentation and information submitted to the greenspace trust staff by a landowner on the approved application form offering to

transfer to the greenspace trust or the Lexington-Fayette Urban County Government a conservation easement in eligible land.

- (2) *Comprehensive plan* shall mean the land use plan, and amendments thereto, adopted by the Lexington-Fayette Urban County Government pursuant to KRS 100.197.
- (3) *Conservation easement* shall mean a non-possessory interest in real property, which is acquired in perpetuity for the purpose of retaining and enhancing greenspace within the urban service boundary or expansion areas; preserving natural, scenic, open space or greenspace values of real property; preserving areas or structures of architectural or historical interest; or other like or similar purposes.
- (4) *Greenspace* shall mean open-space areas reserved for parks and other “green spaces”, including plant life, water features - also referred to as blue spaces – and other kinds of natural environment.
- (5) *Greenspace management plan* shall mean the element of the comprehensive plan adopted by the planning commission of the Lexington-Fayette Urban County Government and shall include any future portions of the comprehensive plan, and amendments thereto, pertaining to the urban service and expansion areas.
- (6) *Greenspace Trust staff* shall mean the personnel within the Lexington-Fayette Urban County Government charged by the council with the duty to administer this trust.
- (7) *Reserved.*

Section 2- That Section 2-336 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

~~The Greenspace Trust shall consist of one (1) member, which shall be the Greenspace Commission established at section 2-325 et seq. of the Code.~~

Greenspace Trust—Organization; purpose.

- (1) Horst Schach and Fred Duerson, both being residents of Fayette County, are hereby authorized and requested to serve as incorporators for and to organize a non-profit, nonstock Kentucky corporation under the provisions of Chapter 273 of the Kentucky Revised Statutes to be named "Lexington-Fayette Urban County Greenspace Trust, Inc." and hereinafter referred to as the "Greenspace Trust."

(2) The purpose of the Greenspace Trust is to (1) preserve, maintain and enhance the county's unique and special character for the economic, education and general health, safety and welfare of the citizens; (2) apply for and receive funds, contributions and donations, to further the purposes of the Greenspace Trust, including donation of real property and easements; (3) to develop a comprehensive greenspace management plan; and (4) to preserve, protect and enhance open space in the urban service and expansion area(s).

(3) The Greenspace Trust is enabled to:

- (a) Identify the following resources and seek to protect and preserve them and, where appropriate, to enhance them:
 - I. Those greenspaces within the county which possess the characteristics which give the Bluegrass Region its unique identity:
 - II. Those visual elements (scenic areas, scenic vistas, and scenic corridors) which contribute to the unique scenic beauty of the Bluegrass Region:
 - III. Those elements of our historic and cultural heritage as they exist in relation to greenspace:
 - IV. Natural areas:
 - V. Environmentally sensitive areas:
 - VI. Geologically hazardous areas:
 - VII. Greenspace for passive recreational use, including, parkways, and greenways:
 - VIII. Water resources.
- (b) Utilize and manage greenspace in a comprehensive and systematic manner which shall:
 - I. Shape and reinforce the urban service area concept:
 - II. Encourage more efficient and sensitive use of the land, improving the quality of life and landscape, by providing patterns for development, hence, making development and conservation of open space mutually beneficial:
 - III. Help achieve an ecologically sustainable relationship between humans and their uses and the environment:

- IV. Stimulate economic growth by channeling and encouraging development in a manner conducive to the preservation of the character of this region:
 - V. Strengthen tourism and related business and attract new businesses through the preservation of our unique character: and
 - VI. Provide an accessible system of open spaces which offer significant educational value and opportunities.
- (c) Encourage cooperation and communication with surrounding counties as regards the promotion of greenspace, protection of the environment, and land conservation.

Section 3- That Section 2-337 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

~~The term of the member of the Greenspace Trust shall be perpetual.~~

Board; membership.

- (1) The greenspace trust shall consist of eighteen (18) members. Fifteen (15) members shall be voting members and three (3) shall be ex-officio non-voting members.
- (2) The fifteen (15) voting members shall work or live in Fayette County and shall have demonstrated an interest in greenspace; conservation of natural areas and; protecting and preserving the Bluegrass Region unique characteristics.
- (3) Three (3) non-voting members shall be ex-officio, members of the greenspace trust and shall consist of the following positions:
 - (a) one (1) designee from the Urban County Division of Parks and Recreation
 - (b) one (1) designee from the Urban County Division of Planning
 - (c) one (1) designee from Urban County Department of Environmental Quality and Public Works
- (4) All voting members shall work or live in Fayette County with a demonstrated interest in the purposes and goals of the greenspace trust and shall be appointed by the mayor and approved by majority vote of the urban county council. The members of the greenspace trust shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

Section 4- That Section 2-338 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

- ~~(a) The officers of the Greenspace Trust shall consist of a chair, a vice chair, and other officers elected from the membership as set forth in the bylaws. They shall take office at the first meeting of the Greenspace Trust after their election. The duties of the officers shall be as specified in the bylaws. The Greenspace Trust shall determine its own rules and order of business and so provide for keeping a record of its proceedings.~~
- ~~(b) A majority of the members of the Greenspace Commission, nine (9) members, shall constitute a quorum for transaction of business at any meeting of the Greenspace Trust. The acts of a majority of those members present at any regular or special meeting of the Greenspace Trust shall be the acts of the Greenspace Trust. It shall take a vote of a majority to adopt bylaws or regulations.~~
- ~~(c) The Greenspace Trust shall meet at a minimum on a quarterly basis at a date, place and time to be determined by the Greenspace Trust.~~
- ~~(d) The Greenspace Commission staff or other staff as designated by the urban county government shall serve as staff to the Greenspace Trust and shall be responsible for coordinating agendas, preparing minutes and handling logistical matters in order to expedite the Greenspace Trust's function. Within the limits of the funds appropriated by the council in the annual budget, the other offices and agencies of the urban county government shall provide the Greenspace Trust either directly or by contract or agreement, with the facilities, materials, supplies, and staff needed for the conduct of its business.~~

Terms of board members.

- (1) All board members shall serve two (2) years from the date of appointment, provided that the terms shall be staggered in the manner required by section 7.02 of the Urban County Charter. Any greenspace trust member may be reappointed for additional terms.
- (2) Vacancies in the voting membership shall be filled for an unexpired term in the manner prescribed for the original appointment. The membership of the ex officio non-voting members shall be terminated upon leaving the specified offices.

(3) A voting member of the greenspace trust shall be removed only by a majority vote of the council, and only for cause, except that a member of the board shall automatically be removed by operation of law in the event of three (3) unexcused absences, whether consecutive or non-consecutive, in any two (2) year period or in the event of absence from twenty-five (25) percent of the meetings in any two (2) year period. An unexcused absence is any absence in which the chair of the board or the greenspace trust staff is not notified of the intended absence at least twenty-four (24) hours in advance of a regularly scheduled meeting. In the event of three (3) unexcused absences or the absence from twenty-five (25) percent of the meetings over any two (2) year period, within the meaning of this section, the greenspace trust staff shall notify the mayor and council administrator that a vacancy exists on the greenspace trust.

Section 5- That Section 2-339 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

~~The Greenspace Trust shall, as permitted by law:~~

- ~~(1) Adopt bylaws and regulations which are not inconsistent with sections 2-335 through 2-340 of the Code.~~
- ~~(2) Appoint standing and ad hoc committees, which may be comprised of Greenspace Trust members, employees of the urban county government, the public, or any combination of the foregoing.~~
- ~~(3) Hold public forums for the purpose of gauging the will of the public on protection, preservation and acquisition of open spaces within Fayette County; utilizing and managing open spaces within Fayette County, and engage in fundraising to accomplish said goals.~~
- ~~(4) Solicit financial and other contributions to the urban county government or to the Greenspace Trust, including but not limited to donations of money, services and real property.~~
- ~~(5) Prepare and present to the council and planning commission written reports on an annual basis each calendar year. The report shall contain, but not be limited to, a report on the previous year's activities, expenditures, donations and acquisitions.~~

~~(6) Hold title to and convey interests in real property.~~

~~(7) Possess all the powers conferred upon a corporation organized under Chapter 273 of the Kentucky Revised Statutes dealing with non-profit non-stock corporations and have all powers necessary, proper, convenient or desirable in order to fulfill and further the purposes of sections 2-335 through 2-340.~~

Board; officers; quorum; staff.

- (1) The officers of the greenspace trust shall consist of a chair, a vice-chair, and other officers elected from the membership as set forth in the bylaws. They shall take office at the first meeting of the greenspace trust after their election. The duties of the officers shall be as specified in the bylaws. The greenspace trust shall determine its own rules and order of business and so provide for keeping a record of its proceedings.
- (2) A majority of the voting members of the greenspace trust, shall constitute a quorum for transaction of business at any meeting of the greenspace trust. The acts of a majority of those voting members present at any regular or special meeting of the greenspace trust shall be the acts of the greenspace trust.
- (3) Regular meetings shall be held at least once quarterly, and special meetings may be held as specified in the bylaws. All meetings shall be open to the public in a manner consistent with KRS 61.805—61.810. Full and complete minutes of all meetings and records of all proceedings, including the number of votes for and against each motion and the record of the vote of each member, shall be kept and made available for public inspection.
- (4) The urban county government shall provide an executive director and staff as needed. The greenspace trust staff shall serve as staff to the greenspace trust and shall be responsible for coordinating agendas, preparing minutes and handling logistical matters in order to expedite the board's function. Within the limits of the funds appropriated by the council in the annual budget, the other offices and agencies of the government shall provide the greenspace trust, either directly or by contract or agreement, with the facilities, materials, supplies, and staff needed for the conduct of its business.

- (5) All members of the greenspace trust shall be subject to the code of ethics contained in article 16 of the Urban County Charter.

Section 6- That Section 2-340 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

~~All members of the Greenspace Trust shall be subject to the code of ethics contained in article 16 of the Urban County Charter.~~

Board power and duties.

The powers and duties of the greenspace trust include the following:

- (1) Develop a greenspace management plan for the entire urban county, concentrating on urban service and expansion areas, within twenty-four (24) months after the first official meeting of the greenspace trust. This plan should be developed for review and adoption by the planning commission as an amendment to the comprehensive plan. This plan should subsequently be reviewed and updated every 5 years concurrent with the comprehensive plan.
- (2) Make specific recommendations to the mayor and council on actions, including but not limited to the following:
 - (a) The sale of land or any interest therein held by the urban county government.
 - (b) The acquisition of conservation easements, scenic easements and nature preserve land.
 - (c) The acceptance of property interests acquired by gift.
- (3) Educate citizens about greenspace preservation and maintenance.
- (4) Negotiate the conveyance of property interests.
- (5) Monitor land contained in the greenspace program and conduct annual on-site inspections. Recommend enforcement of greenspace agreements.
- (6) Hold title to and convey interests in real property.
- (7) Hold title to and convey interest in conservation easements
- (8) Encourage economic development and tourism consistent with the goals of this article.
- (9) Promote and cooperate development and tourism consistent with the goals of this article.

- (10) Prepare and present to the mayor and council an annual, written report which summarizes the previous year's activities.
- (11) Apply for and receive funds from any state, federal or public entity appropriate to the goals of the trust.
- (12) Solicit and receive contributions and donations from individuals and groups for the purpose of carrying out its duties as set forth herein.
- (13) Solicit financial and other contributions to the urban county government or to the Greenspace Trust, including but not limited to donations of money, services and real property.
- (14) Adopt bylaws, rules and regulations as are necessary to carry out its duties and purposes as set forth in this article.

Section 7- That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL
PUBLISHED:

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ORDINANCE NO. _____ - 2022

AN ORDINANCE AMENDING SECTION 14-10(F)(5) OF THE CODE OF ORDINANCES RELATED TO CITATION OFFICERS TO ADD ENFORCEMENT OF ARTICLE 18 OF THE ZONING ORDINANCE AND SECTION 4-8(D) OF THE LAND SUBDIVISION REGULATIONS.

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

Section 1 — That Section 14-10(f)(5) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

Director of environmental services, and enforcement and compliance program manager and environmental enforcement specialist in the division of environmental services.	Code of Ordinances chapter 16; subsections 5-4(b)(1), 16-2(g), and 19-7(g) of the zoning ordinance; <u>zoning ordinance article 18</u> ; sections 4-8(d), 6-7 and 6-11 of the land subdivision regulations; and LFUCG engineering manuals.
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Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK, URBAN COUNTY COUNCIL
PUBLISHED: