

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, August 30, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
August 29, 2022 – September 5, 2022**

Monday, August 29

No Meetings

Tuesday, August 30

Redistricting Workgroup.....10:30 am
Conference Room – 5th Floor Government Center

Budget, Finance, and Economic Development Committee1:00 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, August 31

No Meetings

Thursday, September 1

No Meetings

Friday, September 2

Senior Services Commission.....8:30 am
Video Teleconference

Bicycle and Pedestrian Advisory Committee.....12:00 pm
Conference Room – 7th Floor, Phoenix Building

Monday, September 5

LFUCG Offices Closed – Labor Day Holiday

Lexington-Fayette Urban County Council
Work Session Agenda
August 30, 2022

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - Yes**
- III. Approval of Summary – Yes, p.1**
 - a** Table of Motions: Council Work Session, August 23, 2022
- IV. Budget Amendments – Yes, p. 2-4**
- V. New Business – Yes, p. 5-41**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds: August 30, 2022, p. 42
 - b** Summary: Budget, Finance & Economic Development Committee, February 8, 2022, p. 43-48
 - c** Summary: Planning & Public Safety Committee, June 21, 2022, p. 49-55
 - d** Proclamation: Recognition of Audit Team
- VII. Council Reports**
- VIII. Mayor's Report - Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0821-22** Authorization to execute a Lease Agreement for a residential park property with the following individual for the listed property in consideration of the sum stated in annual rent: Teresa Jill Farmer for 3401 Shamrock Lane, \$8,400.00. (L0821-22) (Conrad/Ford) p. 5
- b** **0828-22** Authorization for enter into an agreement with Strategic Funding Group, Inc. to assist in preparation of the FY2022 HUD Continuum of Care Supplemental grant application to address unsheltered and rural homelessness, at a cost of \$7,500.00. Funds are budgeted. (L0828-22) (Reynolds/Lanter) p. 6
- c** **0834-22** Authorization to execute an agreement with OVG Facilities, as the agent on behalf of the Lexington Center Corporation, for use of space at the Central Bank Center to host the 2023 State of the City Address. No budgetary impact. (L0834-22) (Straub/Scott) p. 7
- d** **0841-22** Authorization to execute a Memorandum of Understanding with Fayette County Public Schools and the Family Care Center, for student transportation services during the 2022-2023 academic school year at a cost of \$92,521.44, plus the cost of buses for field trips under the prevailing conditions and costs as is provided to Fayette County Public Schools. Funds are budgeted. (L0841-22) (Horton-Holt/Allen-Bryant) p. 8
- e** **0848-22** Authorization to execute a Professional Services Agreement with Stantec Consulting, Inc. for an update to the 2021 Existing Conditions and Growth Trends Report, a component of the Sustainable Growth Study, at a cost of \$50,000.00. Funds are budgeted. (L0848-22) (Atkins) p. 9-10
- f** **0850-22** Authorization to adopt the Solid Waste Management Plan for Lexington-Fayette County for 2023 - 2027, pursuant to KRS 224.43-340 and 224.43-345, as required by the Lexington-Fayette County Solid Waste Management five-year planning process. No budgetary impact. (L0850-22) (Thurman/Albright) p. 11
- g** **0852-22** Authorization to establish Cellebrite Inc. as a sole source vendor for the renewal of two (2) Cellebrite UFED Software Licenses utilized by the Division of Police, Computer Forensics Unit, to access files and create reports on cell phones and mobile devices for investigative purposes, at a cost of \$8,600.00. Funds are budgeted. (L0852-22) (Weathers/Armstrong) p. 12
- h** **0853-22** Authorization to execute a Memorandum of Agreement (MOA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for the reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training and equipment incurred by Lexington-Fayette Urban County Government in providing resources to assist ATF. (L0853-22) (Weathers/Armstrong) p. 13
- i** **0855-22** Authorization to execute a consultant services agreement with Johnson Early Architects, pursuant to RFP No. 43-2022, for professional design services of the new Black & Williams Community Center Gymnasium Building Improvements Project in the amount of \$76,000.00. Fund are budgeted as an approved LFUCG APRA project. (L0855-22) (Baradaran/Ford) p. 14

j	0856-22	Authorization to proceed with the annual Urban Service Changes Process for 2022 in accordance with the proposed schedule. The public hearing will be on November 1, 2022 at 3:00 p.m., during Council Work Session. No budgetary impact. (L0856-22) (Albright) p. 15-16
k	0857-22	Authorization to execute future subrecipient agreements for American Rescue Plan Act (ARPA) projects pursuant to RFP 24-2022, ARPA Non-Profit Capital Grants, with Arbor Youth Services (\$324,104), Hospice of the Bluegrass dba Bluegrass Care Navigators (\$681,470), Bluegrass Council of the Blind, Inc. (\$70,296), BIA Education Foundation, Inc. (\$343,101), Central Christian Church (DOC), Inc. (\$248,254), Children's Advocacy Center of the Bluegrass (\$37,295), Chrysalis House, Inc. (\$53,502), Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties (\$440,022), Kentucky Easter Seal Society, Inc. dba Easter Seals Cardinal Hill (\$250,000), God's Pantry Food Bank, Inc. (\$479,833), Greenhouse17, Inc. (\$275,648), Hope Center, Inc. (\$162,318), Legal Aid of the Bluegrass (\$693,134), Lexington Leadership Foundation (\$412,128), Moveable Feast of Lexington, Inc. (\$297,341), Natalie's Sisters, Inc. (\$336,655), New Beginnings, Bluegrass, Inc. (\$500,000), Open Door Church, Inc. (\$215,088), Sayre Christian Village (\$60,617), The Nest - Center for Women, Children and Families (\$54,603), The Refuge Clinic (\$78,000), United Way of the Bluegrass (\$248,106), and Urban League of Lexington-Fayette County (\$156,724) for a total cost not to exceed \$6,418,239. Partially budgeted. A budget amendment for \$418,239 is in process. (L0857-22) (Wuorenmaa/Hamilton) p. 17-18
l	0859-22	Authorization to execute a Purchase of Service Agreement with Roots and Heritage Festival, Inc. to take place from September 9 - 11, 2022 at a cost of \$35,500.00. Funds are budgeted. (L0859-22) (Lyons/Scott) p. 19
m	0861-22	Authorization to execute an agreement and accept federal funds in the amount of \$355,656.01 for the construction phase of the Rosemont Garden Sidewalk Project, as funded under the Kentucky Transportation Cabinet Transportation Alternatives Program (TAP, \$43,656.01) and under the Kentucky Transportation Cabinet Surface Transportation Program (SLX, \$312,000.00). Local match in the amount of \$88,914 is required. Budget amendment in process. (L0861-22) (Burton/Albright) p. 20
n	0862-22	Authorization to take over ownership and maintenance of a number of roadways located on Georgetown Rd., Leestown Rd., Newtown Pike, Citation Blvd., and Liberty - Todds Rd. upon KYTC's completion of the recommendations of maintenance prior to the transfer. (L0862-22) (Albright) p. 21-28
o	0863-22	Authorization to amend the grant agreement with the Bluegrass Area Development District to include the budget and breakdown of eligible reimbursable expenses for the operation of the Senior Citizens Center in FY 2023. Budget amendment in process, to reduce the federal funds by \$34,028.50 and increase state funding in the amount of \$33,507.30 for a net decrease of \$521.20. (L0863-22) (Stambaugh/Allen-Bryant) p. 29
p	0864-22	Authorization to accept Warrenton Woods Subdivision's private streets to public right-of-way, provided the contingencies are met. The Planning Commission unanimously recommended acceptance of the private streets on July 14, 2022. Costs to bring the streets to LFUCG standards will be the responsibility of residents. (L0864-22) (Duncan/Atkins) p. 30-32

q	0865-22	Authorization to execute Change Order No.4, with Pace Contracting for the Town Branch Commons Corridor Construction Project for work in all zones. Increasing the contract price by the sum of \$177,159.21 from \$21,920,359.57 to \$22,097,518.78 pending KYTC approval. Funds are budgeted. (L0865-22) (Peacher/Scott) p. 33-35
r	0867-22	Authorization to execute an agreement and accept federal funds in the amount of \$480,000.00 for the design phase of the North Limestone Improvements Project, as funded under the Kentucky Transportation Cabinet Surface Transportation Program (SLX) for capital improvements projects. Local match in the amount of \$120,000.00 is required. Budget amendment in process. (L0867-22) (Burton/Albright) p. 36
s	0868-22	Authorization to execute Change Order No.1 with Pace Contracting for the Splash! at Charles Young Park construction project, increasing the contract price by the sum of \$162,663.18 from \$1,249,200 to \$1,411,863.18. Funds are budgeted. (L0868-22) (Peacher/Scott) p. 37-40
t	0869-22	Authorization to accept an award and to execute agreement with the Kentucky Department of Military Affairs, Division of Emergency Management in the amount of \$1,077,860.00 under the Federal Fiscal Year 2022 Chemical Stockpile Emergency Preparedness Program (CSEPP). No match is required. (L0869-22) (Dugger/Armstrong) p. 41

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 23, 2022**

Mayor Gorton called the meeting order at 3:03pm. Council Members Kay, Moloney, Ellinger, J. Brown, McCurn, Lamb, Sheehan, Kloiber, Worley, F. Brown, Baxter, Bledsoe, Reynolds, and Plomin were present.

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

Motion by Ellinger to approve the August 16, 2022 work session summary. Seconded by Plomin. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

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

- VI. Continuing Business/Presentations

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

Motion by Kay to allocate an additional \$418,239.00 of federal funding awarded under the American Rescue Plan Act (ARPA) to the Nonprofit Capital Grants Program, bringing the total allocation for this project to \$6,418,239.00, and further move to place on the docket at the August 30, 2022 Council Meeting any necessary budget amendments reflecting this increase. Seconded by Lamb. Motion passed without dissent.

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

Motion by Sheehan to adjourn at 4:46pm. Seconded by Baxter. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	136127	DIVISION	Police	Fund Name	General Fund
				Fund Impact	.00
					36,619.81CR
					36,619.81CR

To budget payroll recovery for Police Administration FY 2022 grant.

JOURNAL	136330-31	DIVISION	Office Of The Mayor	Fund Name	Donation Fund
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide funds for One Lexington Scholarship Program by recognizing a donation.

JOURNAL	136239-40	DIVISION	Grants and Special Programs	Fund Name	US Dept of HUD
				Fund Impact	78,468.00
					78,468.00CR
					.00

To establish grant budget for FY21 Continuum of Care (CoC) Planning Grant award.

JOURNAL	136236-37	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	30,500.00
					30,500.00CR
					.00

To adjust grant budget to reflect actual grant award for Traffic Safety Occupant Protection Program FY 2023.

JOURNAL	136287-88	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	600,000.00
					600,000.00CR
					.00

To establish grant budget for design phase North Limestone FY 2023.

JOURNAL	136305-06	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	10,914.00
					10,914.00CR
					.00

To decrease budget for design phase on Rosemont Garden Sidewalks Project - FY 2017.

JOURNAL	136307-08	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	444,570.01
					444,570.01CR
					.00

To add supplemental funds to budget for construction phase on Rosemont Garden Sidewalks Project - FY 2017.

JOURNAL	136080-81	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 499,997.00 499,997.00CR .00
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To establish grant budget for Substance Abuse and Mental Health Services Administration FY 2023.

JOURNAL	136332-33	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 34,028.50 34,028.50CR .00
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To adjust grant budget to reflect actual grant award on Senior Citizen FY 2023.

JOURNAL	136289-90	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Homeland Sec 1,077,860.00 1,077,860.00CR .00
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To establish grant budget for Chemical Stockpile Emergency Preparedness Program (CSEPP) FY 2022.

JOURNAL	136166	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 418,239.00 418,239.00CR .00
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To reallocate American Rescue Plan Act (ARPA) State and Local Recovery Funds/contingency funds to Non-Profit Capital Grants project.

JOURNAL	136253	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 6,418,239.00 6,418,239.00CR .00
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To reallocate funds for American Rescue Plan Act (ARPA) State and Local Recovery Funds/Non-Profit Capital Grants to various agencies based on final agency listing.

JOURNAL	136251-52	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - Other 107,291.74 107,291.74CR .00
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To reallocate remaining balance from COACH FY 2018 to Cities United - FY 2022 to match grant agreements.

JOURNAL	136128-29	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 36,619.81 36,619.81CR .00
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To establish grant budget for Police Administration FY 2022.

JOURNAL	136267	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	323,640.00
					.00
					323,640.00

To provide funds for emergency pump rental at Lower Town Branch Pump Station and for cleaning accumulated grease from pumping station wet wells using contract services due to on-going staff shortages within the division.

JOURNAL	136283	DIVISION	Parks and Recreation	Fund Name	PFC - Parks Projects Fund
				Fund Impact	24,804.00
					.00
					24,804.00

To provide funds for fence repairs on franchise baseball sites by recognizing funds designated for that purpose through Resolution 579-2019.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	36,619.81CR
1103	Donation Fund	.00
3120	US Department of Housing & Urban Development	.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
3300	Grants - Other	.00
3400	Grants - State	.00
4002	Sanitary Sewer Revenue and Operating Fund	323,640.00
4024	PFC - Parks Projects Fund	24,804.00

MAYOR LINDA GORTON



LEXINGTON

MONICA CONRAD
DIRECTOR, PARKS & RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director, Parks and Recreation

DATE: 08/22/2022

SUBJECT: Lease Agreement

Request:

Request Council Authorization for the Mayor to execute a Lease Agreement for residential park property with the following individual for the listed property in consideration of the sum stated in annual rent: Teresa Jill Farmer for 3401 Shamrock Lane, \$8,424.00.

Purpose:

The agreements between Lexington Fayette Urban County Government and tenants are reviewed annually with the goal of achieving 75% of fair market value. All properties are currently rented at this rate.

Budgetary Implication:

The cost for Fiscal Year 2023 is \$0.

Are the funds budgeted?

Yes, revenue - 1101-707606-7672-42181

File Number: 0821-22

Director/Commissioner: Monica Conrad



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: AUGUST 12, 2022

**SUBJECT: Grant Consulting Services Contract for Preparation of the FY22 HUD
Continuum of Care Supplemental Application to Address Unsheltered and
Rural Homelessness**

Request: The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and Strategic Funding Group, Inc. to assist in preparation of the FY22 HUD Continuum of Care Supplemental grant application to address unsheltered and rural homelessness.

Purpose of Request: The purpose of this agreement is to secure technical support in preparation of the FY22 HUD Continuum of Care Supplemental grant application. This first-of-its-kind funding opportunity offers resources to communities for additional housing and supportive services programming; Lexington could secure as much as \$2,228,293 in federal funds.

Lexington currently lacks sufficient resources to quickly, permanently re-house those unsheltered. Additional federal funds could increase the community's available stock of permanent housing beds. Due to capacity of the Office of Homelessness Prevention and Intervention and this application running simultaneously with HUD's annual CoC Program competition, utilization of grant consulting services could significantly strengthen Lexington's application in this highly competitive funding opportunity.

What is the Cost in this budget year and future budget years? The cost for preparation of the grant application narrative is \$7,500. There would be no cost in future budget years.

Are the funds budgeted? Funds are budgeted in: 3230 155003 0001 71299 AR_OHPI_2023 FED_GRANT

File Number: 0828-22

Director/Commissioner: Reynolds/Lanter



MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

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

**FROM: SUSAN STRAUB
COMMUNICATIONS DIRECTOR**

DATE: AUGUST 16, 2022

SUBJECT: CENTRAL BANK CENTER CONTRACT FOR THE 2023 STATE OF THE CITY ADDRESS

REQUEST:

Authorization to execute an agreement with OVG Facilities, as agent on behalf of Lexington Center Corporation, for use of space at the Central Bank Center to host the 2023 State of the City Address.

REASON FOR REQUEST:

The Lexington-Fayette Urban County Government has a satisfactory arrangement to host this event at this facility.

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

Account number: N/A

DIRECTOR/COMMISSIONER: Susan Straub/Tyler Scott



MAYOR LINDA GORTON

**LEXINGTON**KACY ALLEN-BRYANT
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Kacy Allen-Bryant, Commissioner of Social Services

DATE: August 18, 2022

SUBJECT: Memorandum of Understanding for Student Transportation Services
Fayette County Public Schools and Family Care Center

Request:

Request Council Authorization for the Mayor to execute a Memorandum of Understanding with Fayette County Public Schools and Family Care Center, for student transportation services during the 2022-2023 academic school year.

Why are you requesting?

This Agreement provides transportation service for students and children enrolled in the Family Care Center's Parent Education Program. The Agreement covers the 2022-2023 academic school year, from August 10, 2022 through May 26, 2023. This service agreement entails a fleet of two school buses and crews consisting of a driver and monitor to transport enrolled students and their children to and from Family Care Center for the period from August 10, 2022 through May 26, 2023, a period of approximately 177 school days, and to provide buses for field trip purposes under the same conditions and pricing as is provided to schools within the FCPS.

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

The cost for FY23 is not to exceed \$522.72 daily, up to 177 days for a cost of \$92,521.44, plus the cost of field trip buses under the prevailing conditions and cost as is provided to schools within the FCPS.

Are the funds budgeted?

Yes, in Account 1101-606403-0001-71299

File Number: 0841-22**Director/Commissioner:** Shelia Horton-Holt / Kacy Allen-Bryant

MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Craig Bencz, Admin. Officer, Sr.

CC: Kevin Atkins, Chief Development Officer

DATE: August 18, 2022

SUBJECT: Professional Services Agreement – Update to 2021 *Existing Conditions and Growth Trends Report* (Sustainable Growth Study)

Request

Request Council authorization to execute a Professional Services Agreement with Stantec Consulting, Inc. for an update to the 2021 *Existing Conditions and Growth Trends Report*, a component of the Sustainable Growth Study.

Reason for Request

Request for Proposal (“RFP”) No. 40-2022 was advertised in July 2022 for the purpose of seeking proposals from qualified professional planning firms to complete an update to the 2021 *Existing Conditions and Growth Trends Report*, which provides foundational data intended to help guide long-term land use decisions in Lexington. The report is intended to be updated annually to serve as a current resource for decisions regarding the Urban Service Boundary as well as provide base data for other Planning and community studies.

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

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

The cost for this FY is: \$50,000

The cost for future FY is: N/A

Are the funds budgeted?



The funds are budgeted.

Account number: 1101-136101-0001-71299

File Number:

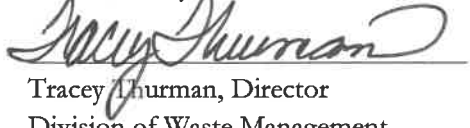
Director/Commissioner: Bencz/Atkins



MAYOR LINDA GORTON

**LEXINGTON**TRACEY THURMAN
DIRECTOR
WASTE MANAGEMENT**MEMORANDUM**

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Tracey Thurman, Director
Division of Waste Management

DATE: August 22, 2022

SUBJECT: Request Approval of the Solid Waste Management Plan for Lexington-Fayette County for 2023-2027, pursuant to KRS 224.43-340 and 224.43-345

Request: The purpose of this memorandum is to request approval of the Solid Waste Management Plan for 2023-2027, pursuant to KRS 224.43-340 and 224.43-345, as required by the Lexington-Fayette County Solid Waste Management five-year planning process.

Authorization to: Adopt the Solid Waste Management Plan for the next five years (2023-2027) for Lexington-Fayette County, and submit to the Kentucky Energy and Environment Cabinet by the October 1, 2022 deadline.

Why are you requesting? State law requires Lexington's Division of Waste Management to submit a five-year plan to manage waste for the next five-year period. The state requires a preparation process including: the plan be prepared in coordination with an Advisory Committee, which met on June 22, 2022 and included representatives from the community, industry and business sectors. The 2023-2027 plan was presented to the Environmental Quality and Public Works Committee on July 5, 2022. The plan was advertised and available for public review and comment during a 30-day period from July 6-August 4, 2022. No public hearing was requested during the public comment period. No public comments were received on the plan.

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

The cost for this FY is: None

The cost for future FY is: None

Are the funds budgeted? N/A

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

Account number(s): N/A

Cc: Nancy Albright, Commissioner





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: August 19, 2022

SUBJECT: Cellebrite Inc. - Software License & Sole Source Certification

Request

Authorization to establish Cellebrite Inc., as a sole source vendor and accept the attached quote for software license renewal.

Why are you requesting?

This is for the renewal of two (2) Cellebrite UFED Software Licenses utilized by our Computer Forensics Unit to access files and create reports on cell phones and mobile devices for investigative purposes. The annual cost of the software license is \$8,600.00. This is also to establish Cellebrite Inc., as a sole source vendor. The attached agreement requires Council and Mayor Gorton's approval and signature.

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

Funds are budgeted - \$8,600

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

File Number: 0852-22

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

LBW/rmh



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: August 21, 2022

SUBJECT: Memorandum of Agreement – Bureau of Alcohol, Tobacco, Firearms and Explosives

Request

Authorization to accept the attached Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Why are you requesting?

This agreement allows for the reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training and equipment incurred by Lexington Fayette Urban County Government in providing resources to assist ATF. This MOA will terminate at the close of business on September 30, 2027. The attached agreement requires the Mayor's signature. Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signature.

What is the cost in this budget year and future budget years? Overtime cost will be reimbursed.

Are the funds budgeted? Funds are budgeted to cover reimbursable overtime.

File Number: 0853-22

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

LBW/rmh

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: August 22, 2022

SUBJECT: Request Council Authorization for Consultant Services Agreement
Professional Design Services – Black & Williams Community Center Gymnasium Building
Improvements Project

Request:

Request Council authorization for the Mayor to execute a consultant services agreement with Johnson Early Architects, for professional design services of the new Black & Williams Community Center Gymnasium Building Improvements Project.

Purpose:

Professional design services are needed for renovation of the entire existing facility, located at 498 Georgetown Street adjacent to the main Black & Williams Neighborhood Center building. This agreement was competitively bid under RFP# 43-2022.

Budgetary Implication:

The cost for Fiscal Year 2022 is \$76,000.00.

Are the funds budgeted?

Yes. This will be paid from 3230-707201-0001-91012 (2022-AR_BNWGYM_2022-FED_GRANT)

File Number: 0855-22

Director/Commissioner: Jamshid Baradaran / Chris Ford



MAYOR LINDA GORTON



LEXINGTON

NANCY ALBRIGHT
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

TO: Mayor Linda Gorton
Urban County Council

FROM: Nathan Dickerson
Administrative Officer

DATE: August 22, 2022

SUBJECT: Schedule for 2022 Urban Services Changes

Request:

The Department of Environmental Quality & Public Works requests approval of the attached schedule for the 2022 Urban Services Legal Process.

Why are you requesting:

Before properties are developed within the Fayette County urban service boundary, they are generally taxed solely for Police and Fire protection (Tax District 02 - General Services). However, once a property is recorded, divided and platted for new development, the new properties are moved to the appropriate tax district for other provided services. For example, properties on public streets are placed in the full service (01) tax district that provides refuse collection, streetlights, and street sweeping. Private streets are placed within the 03 tax district, which only includes refuse collection given that property owners maintain their own streets and provide their own streetlights if desired.

Kentucky Law requires that the Urban County Government notify each property owner by certified mail of a proposed increase in property tax and hold a public hearing. Per the attached schedule, the public hearing will be held at 3:00 p.m. on Tuesday, November 1, 2022 during Council Work Session.

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

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted?

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

Account number: N/A

File Number: TBD

Director/Commissioner: Nancy Albright
Environmental Quality & Public Works



URBAN SERVICES CHANGES 2022 SCHEDULE

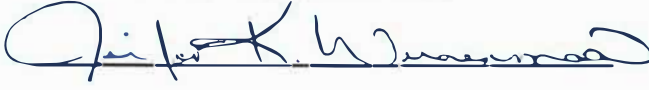
Petition Deadline	August 1, 2022
Administrative Review (Bluesheet)	August 22, 2022
Work Session Discussion	August 30, 2022
Notify Private Haulers of Voting Streets	Week of September 5, 2022
Certified Mail Voting Cards to USC Voters	Week of September 5, 2022
Resolution First Reading	September 8, 2022
Resolution Second Reading	September 22, 2022
Publish Week 1/3	September 26, 2022
Publish Week 2/3	October 3, 2022
Publish Week 3/3	October 10, 2022
Certified Mail New Development	Week of October 10, 2022
USC Voting Deadline	October 10, 2022
Notify Private Haulers of Voting Results	October 14, 2022
Pre-Work Session Meeting	November 1, 2022 1:00 PM to 3:00 PM
Work Session Public Hearing on Urban Service Changes	November 1, 2022 3:00 PM
Documents due to Law Department	November 14, 2022
Ordinance First Reading	December 1, 2022
Ordinance Second Reading	December 6, 2022
Documentation to Budgeting/PVA	December 22, 2022

MAYOR LINDA GORTON



SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Linda Gorton, Mayor
Urban County Councilmembers

FROM: 
Jenifer Wuorenmaa, ARPA Project Manager

CC: Sally Hamilton, CAO

DATE: August 23, 2022

SUBJECT: Authorization to Execute Subrecipient Agreements for American Rescue Plan Act (ARPA) Projects: Non-Profit Capital Grant Awards

Authorization to execute future Subrecipient Agreements for the following ARPA funded projects:

3230-DEPTID-0001-71101 2023 AR_NCAPSS_2023 FED_GRANT

• Arbor Youth Services	\$324,104	900313
• Hospice of the Bluegrass dba Bluegrass Care Navigators	\$681,470	900368
• Bluegrass Council of the Blind, Inc.	\$70,296	900357
• BIA Education Foundation, Inc.	\$343,101	900378
• Central Christian Church (DOC), Inc.	\$248,254	900379
• Children's Advocacy Center of the Bluegrass	\$37,295	900248
• Chrysalis House, Inc.	\$53,502	900209
• Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties	\$440,022	900307
• Kentucky Easter Seal Society dba Easter Seals Cardinal Hill	\$250,000	900380
• God's Pantry Food Bank, Inc.	\$479,833	900323
• Greenhouse17, Inc.	\$275,648	900304
• Hope Center, Inc.	\$162,318	900311
• Legal Aid of the Bluegrass	\$693,134	900383
• Lexington Leadership Foundation	\$412,128	900356
• Moveable Feast of Lexington, Inc.	\$297,341	900324
• Natalie's Sisters, Inc.	\$336,655	900336
• New Beginnings, Bluegrass, Inc.	\$500,000	900235
• Open Door Church, Inc.	\$215,088	900381
• Sayre Christian Village	\$60,617	900382



• The Nest-Center for Women, Children and Families	\$54,603	900306
• The Refuge Clinic	\$78,000	900337
• United Way of the Bluegrass	\$248,106	900359
• Urban League of Lexington-Fayette County	\$156,724	900206

As Subrecipient Agreements are executed, they 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 Subrecipient Agreements for the *Non-Profit Capital Projects Allocation* 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: \$6,418,239

The cost for future FY is: NA

Are the funds budgeted? Yes, budget amendments in progress

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

File Number: 0857-22

Director/Commissioner: Sally Hamilton, CAO





Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Linda Gorton
Mayor

August 19, 2022

TO: Mayor Linda Gorton
City Council

FROM: Heather Lyons *Heather Lyons*
Director of Arts & Cultural Affairs

RE: Authorization to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc.

Authorization of Lexington-Fayette City Council is requested to execute the Purchase of Service Agreement with Roots and Heritage Festival, Inc. The Festival will take place from September 9 – 11, 2022. Festival activities will include a street bazaar, parade, children's activities, concerts and other entertainment.

The amount to be paid to the Roots and Heritage Festival, Inc. is \$35,500. This amount does not include approximately \$62,000 of in-kind services provided by various Divisions of the Lexington-Fayette Urban County Government. The funds are budgeted in account 1101-134201-1430-71299.

Council authorization to execute the Agreement is requested.

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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: AUGUST 19, 2022

SUBJECT: KYTC Agreement for Rosemont Garden Sidewalk Project – Construction Phase

Request: Council authorization to execute agreement and accept federal funds in the amount of \$355,656.01 for the construction phase of the Rosemont Garden Sidewalk Project, as funded under the Kentucky Transportation Cabinet Transportation Alternatives Program (TAP, \$43,656.01) and under the Kentucky Transportation Cabinet Surface Transportation Program (SLX, \$312,000.00). The acceptance obligates the Urban County Government for the expenditure of \$88,914 as a local match.

Purpose of Request: The Kentucky Transportation Cabinet has approved for the Lexington-Fayette Urban County Government to use federal funds from the SLX Program for the construction of Rosemont Garden Sidewalk Project. The Kentucky Transportation Cabinet has offered the LFUCG funds for the construction phase in the amount of \$355,656.01. Local match in the amount of \$88,914.00 is required for a total construction phase cost of \$444,570.01.

This project will extend sidewalk to fill in gaps to provide continuous sidewalks on both side of Rosemont Garden from Southland Drive to Pin Oak Drive.

What is the cost in this budget year and future budget years? The cost for Fiscal Year 2023 is \$444,570.01 total: \$355,656.01 (\$43,656.01 TAP, \$312,000.00 SLX) and \$88,914 local match. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? BA 11839 and 11841 are in process.

File Number: 0861-22

Director/Commissioner: Burton/Albright



MAYOR LINDA GORTON



LEXINGTON

NANCY ALBRIGHT
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

TO: Linda Gorton, Mayor
Urban County Councilmembers

FROM: 
Nancy Albright, Commissioner
Environmental Quality & Public Works

DATE: August 4, 2022

RE: Roadway Transfers from Kentucky Transportation Cabinet (KYTC) to Lexington-Fayette Urban County Government (LFUCG)

Requesting authorization for LFUCG to take over ownership and maintenance of a number of roadways, as described in the attached request from KYTC, and further illustrated by the attached maps. Said roadways are currently maintained by KYTC. The Divisions of Engineering and Streets and Roads have made recommendations regarding assumptions of these roads for maintenance prior to the transfer to LFUCG and upon completion of these tasks as set forth in the attachment, LFUCG agrees to accept the maintenance and ownership of the roadways as described.

In order to formalize this request with KYTC, it is requested that Council pass a resolution to assume ownership and maintenance responsibility of the roadways. After receiving written authorization from LFUCG, KYTC will initiate an Official Order to transfer the subject roadways to LFUCG.

ATTACHMENTS

cc: W. Douglas Burton, Director of Engineering
Robert Allen, Director of Streets & Roads

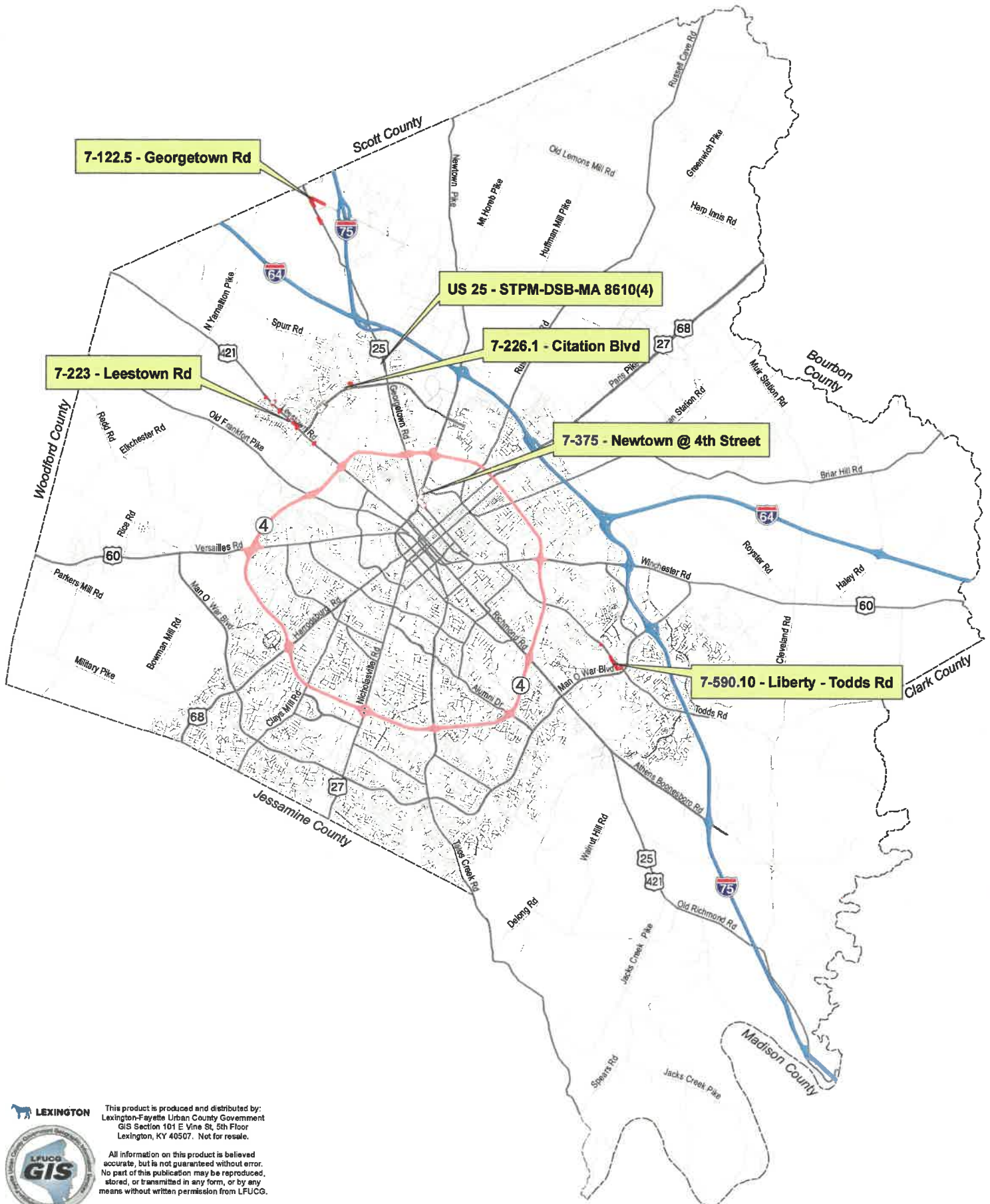


VARIOUS ROADWAY TRANSFERS FROM KYTC

7-122.5, 7-226.10, 7-233.00, 7-375, 7-590.10

WITH AGREED SPECIAL CONDITIONS

22
0862-22



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March 25, 2022



7-122.5 GEORGETOWN RD

WITH AGREED SPECIAL CONDITIONS

Scott County

Lisle Rd

Iron Works Rd

Last Chance Trl

Ironworks Road Bypassed Roadbeds
Eastern Section (Area #1)
Transfer Ownership of Right of Way

Ironworks Road Bypassed Roadbeds
Eastern Section (Area #2)
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Inspect the 12' x 4' box culvert and address any issues.

Connector Roads
Old Ironworks Road Connector
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Frontage Roads
Frontage Road 12
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Georgetown Rd

Old Iron Works Rd

Iron Works Pike

-  Existing Street
-  Right-of-way
-  Roadway to be maintained
-  Existing R/W to be transferred
-  New R/W to be transferred



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Frontage Roads
Frontage Road 11
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way



7-223 LEESTOWN RD

WITH AGREED SPECIAL CONDITIONS

Approach Roads
Bracktown Road
Transfer Maintenance Responsibility

Shared-Use Path
Section #1
Transfer Maintenance Responsibility

Approach Roads
Ruffian Way
Transfer Maintenance Responsibility

Approach Roads
McConnells Trace
Transfer Maintenance Responsibility

Approach Roads
Masterson Station Drive
Transfer Maintenance Responsibility

Approach Roads
West Leesway Drive
Transfer Maintenance Responsibility

Approach Roads
White Oak Trace
Transfer Maintenance Responsibility

Approach Roads
Rel. East Leesway Drive
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Rock walls will be repaired, and ownership transferred to LFUCG. The right of way to be transferred is adjusted to follow closer to East Leesway Drive to minimize crossing the utility easements along Leestown Road.

Approach Roads
Chestnut Ridge Drive
Transfer Maintenance Responsibility

Approach Roads
Venture Court
Transfer Maintenance Responsibility

Approach Roads
Robinson Way
Transfer Maintenance Responsibility

Approach Roads
Westhampton Drive
Transfer Maintenance Responsibility

Approach Roads
Trade Street
Transfer Maintenance Responsibility

-  Existing Path
-  Existing Street
-  Roadway to be maintained
-  New R/W to be transferred



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Existing Path
~ ~ ~

Existing Street
~ ~ ~

Roadway to be maintained
[Red Box]

New RW to be transferred
[Green Box]

7-375 NEWTOWN @ 4th STREET
WITH AGREED SPECIAL CONDITIONS

Shared-Use Path Section #3
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Shared-Use Path Section #1
Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Shared-Use Path Section #2
Transfer Maintenance Responsibility

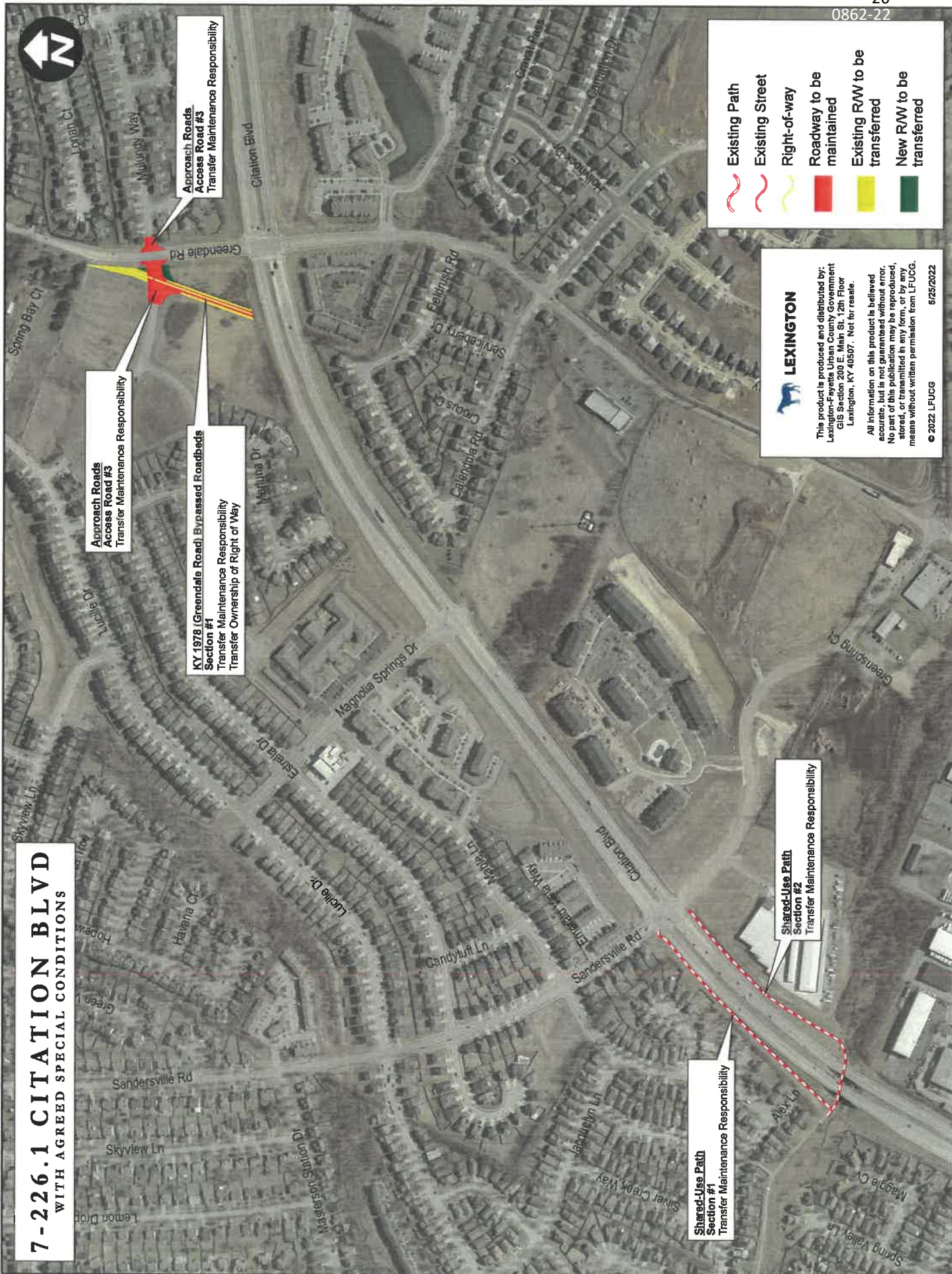
Approach Roads West Fourth Street
Transfer Maintenance Responsibility

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7-590.10 LIBERTY - TODDS RD

WITH AGREED SPECIAL CONDITIONS

Approach Roads
Rambling Creek Drive
 Transfer Maintenance Responsibility

Access Roads
Access Road
 Transfer Maintenance Responsibility

Bypassed Roadbeds
Liberty Road
 Transfer Maintenance Responsibility
 Transfer Ownership of Right of Way

Bypassed Roadbeds
Todds Road
 Transfer Ownership of Right of Way

Bypassed Roadbeds
Todds Road
 Transfer Maintenance Responsibility
 Transfer Ownership of Right of Way

Shoving approaching the intersection of
Liberty Road will be repaired.

-  Existing Street
-  Roadway to be maintained
-  Existing R/W to be transferred
-  New R/W to be transferred



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**US25-GEORGETOWN RD,
FSP 034 0025 016-019;
STPM-DSB-MA 8610 (4)
WITH AGREED SPECIAL CONDITIONS**



Document Path: T:\MXD Proj\PW COKYTC Transfer\US 25 Georgetown Rd, FSP 034 0025 016-019, STPM-DSB-MA 8610 (4) - Special Conditions.mxd

Bypassed Roadbeds

US 25

Transfer Maintenance Responsibility
Transfer Ownership of Right of Way

Add a guardrail barrier at the end of
Frontage Road located at LT US 25 station 98+75.



Roadway to be
maintained



Existing R/W to be
transferred



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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: AUGUST 19, 2022

SUBJECT: Amendment No. 1 to Senior Citizens Agreement for Fiscal Year 2023

Request:

Council Authorization to amend the grant agreement with the Bluegrass Area Development District to include the budget and breakdown of eligible reimbursable expenses for operation of the Senior Citizens Center in FY 2023.

Purpose of Request:

On February 17, 2022 (Resolution 072-2022), Council approved to submit grant application and acceptance of federal funds in the amount of \$175,160 from the Bluegrass Area Development District. Budget amendment 11837 is in process to reduce the federal funds by \$34,028.50 and increase state funding in the amount of \$33,507.30 for a net decrease of \$521.20. The original grant agreement did not specify the breakdown of eligible reimbursable expenses. An amendment has been requested by the Bluegrass Area Development District to incorporate the budget and breakdown of eligible costs into the agreement for FY23.

What is the cost in this budget year and future budget years? None.

Are the funds budgeted? BA 11837 is in process.

File Number: 0863-22

Director/Commissioner: Stambaugh/Allen-Bryant



MAYOR LINDA GORTON



LEXINGTON

JIM DUNCAN, DIRECTOR
DIVISION OF PLANNING

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

FROM: Jim Duncan, AICP, Director 
Division of Planning

DATE: August 22, 2022

SUBJECT: Warrenton Woods Subdivision – Request to Dedicate Private Streets
(CAO Policy 32)

Request

Request Council authorization to accept Warrenton Woods Subdivision's private streets to public right-of-way, provided the contingencies are met.

The Warrenton Woods Subdivision, through its established homeowners association, has requested to dedicate private streets to the LFUCG. In consideration of the request, the Urban County Planning Commission held a public meeting on July 14, 2022 to review four final record plats and the associated request for a waiver of current public street requirements (see attached agenda, minutes, and staff report from the afore mentioned meeting).

Purpose

Pursuant to CAO Policy 32, the Urban County Planning Commission approved the four plats unanimously on July 14, 2022. **The Planning Commission recommends acceptance of the private streets into the public right-of-way under the following conditions:**

1. The Urban County Council also accepts the private streets into public right-of-way.
2. The Warrenton Woods owners association shall:
 - a. Install 5-foot wide sidewalks along one side of the street system (Warrenwood Wynd, Warrenton Circle, Honeyhill Lane, Hobcaw Land and Meganwood Circle) prior to acceptance as public right-of-way.
 - b. Denote on the final record plats that the existing traffic islands shall be maintained by the Owner's Association in perpetuity.
 - c. Denote on the final record plats that the cost of any required future stormwater management features shall be the responsibility of the Warrenton Woods Owner Association.



3. The Warrenton Woods Owner Association shall submit signed final record plats to the Division of Planning for recordation no later than one calendar year from the Council's action.

In addition, the Division of Engineering has provided an updated cost estimate for sidewalks on one side of the streets (in accordance with the Planning Commission action on the requested waiver) and for the removal of an entrance apron from the current public street network to the existing private streets. Per the Division of Engineering, the apron should be replaced with asphalt driving surface to allow for continuation of a smooth surface into the subdivision. The Division of Traffic Engineering also recommends replacing non-standard street signs and traffic control devices.

Cost/Budget

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

The cost for this FY is: None

The cost for future FY is: None

The following estimated costs to the LFUCG, as described above, are the anticipated expenses associated with acceptance of the five private streets into the public right-of-way and in bringing the streets to an acceptable public street standard:

Required Improvement	2022 Estimated Cost to LFUCG
Sidewalks	\$333,000
Removal of Apron and Resurfacing	\$26,500
Signage	\$5,000
Total	\$364,500

These five streets provide frontage for 56 single-family residential lots. The estimated cost for accepting the streets into the public right-of-way is approximately \$6,500 per lot. At this time, it is expected that the requesting property owners would provide the funding.

Are the funds budgeted?

No budget impact

File Number: 0864-22

Duncan/Atkins





32
0864-22



Warrenton Woods Neighborhood Sidewalk Plan

August 12, 2022
Scale 1" = 100'

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: AUGUST 19, 2022

SUBJECT: Authorization to execute Change Order No.4, with Pace Contracting, for the Town Branch Commons Corridor Construction Project, for \$177,159.21 pending KYTC approval.

Request: Authorization to execute Change Order No.4, with Pace Contracting, for the Town Branch Commons Corridor Construction Project for work in all zones. Increasing the contract price by the sum of \$177,159.21 from \$21,920,359.57 to \$22,097,518.78 pending KYTC approval.

Purpose of Request: Pace Contracting, was awarded the Town Branch Commons construction on February 6, 2020 (Resolution No. 44-2020). Change Order #1 was approved on January 28, 2021 (Resolution No. 041-2021), Change Order #2 approved on May 29, 2021 (Resolution No. 282-2021), Change Order #3 approved on November 4, 2021 (Resolution No. 628-2021). Request for change order No.4 is for changes in all zones as outlined below:

This Change Order No. 4 includes work for traffic safety and signage for Old Vine Street and Hernando Alley; payment for unexpected work due to utility conflicts at Rose Street; traffic management improvements at Main and Vine Streets; additional stone veneer adjacent to vehicular wall on Midland Avenue; relocation of traffic cabinet and electric service enclosure near Central Bank Center; additional landscaping at Newtown and Main Streets; additional trail wayfinding signage; and changes to water features on Midland Avenue. This change order will increase the contract price by the sum of \$177,159.21 from \$21,920,359.57 to \$22,097,518.78 (a .80% increase this change order, resulting in 9.43% for all change orders from original contract amount).

What is the cost in this budget year and future budget years? The cost for Fiscal Year 2023 is \$177,159.21. No future cost anticipated.

Are the funds budgeted? Yes, funds are budgeted as following:

- 3160-303202-3225-90313-2016-TOWN_COM_2016-CONSTRUCT - \$47.35
- 3160-303202-3225-91715-2016-TOWN_LEX_2016-CONSTRUCT - \$39.32
- 3160-303202-3225-90313-2017-TOWN_TGER_2017-CONSTRUCT - \$177,072.54

File Number: 0865-22

Director/Commissioner: Peacher/Scott



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	August 19, 2022	
To (Contractor):		Project:	Town Branch Commons Corridor	
		Location:	Midland, Vine, Newtown	
		Contract No.	002-2020	
		Original Contract Amt.	\$20,193,934.98	
		Cumulative Amount of Previous Change Orders	\$1,726,424.59	
		Percent Change - Previous Change Orders		8.55%
		Total Contract Amount Prior to this Change Order	\$21,920,359.57	
		Change Order No.	4	
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	Zone 1	\$178,073.80	\$124,480.76	
2	Zone 2	\$52,797.20	\$52,836.52	
3	Zones 3 & 4	\$48,950.00	\$121,862.13	
4	Zone 7		\$104,160.41	
	Alts 1 & 2		\$53,640.39	
	Total decrease	\$279,821.00		
	Total increase		\$456,980.21	
	Net Amount of this Change Order	\$177,159.21		
	New Contract Amount Including this Change Order	\$22,097,518.78		
	Percent Change - This Change Order			0.80%
	Percent Change - All Change Orders			9.43%
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 _____ (Contractor) Date _____				
Approved by _____ (Director) Date _____				
Approved by _____ (Commissioner) Date _____				
Approved by _____ (Mayor or CAO) Date _____				

JUSTIFICATION FOR CHANGE

PROJECT: Town Branch Commons Construction

CONTRACT NO. 002-2020

CHANGE ORDER: 4

1. Necessity for change: Added and amended construction work needed in all zones of the Town Branch Commons construction project.
2. Is proposed change an alternate bid? ___Yes ___X___No
3. Will proposed change alter the physical size of the project? ___Yes ___X___No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes ___X___Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes ___X___No
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: None
8. Effect on contract completion date: None

Mayor

Date

MAYOR LINDA GORTON



THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: AUGUST 19, 2022

SUBJECT: KYTC Agreement for North Limestone Improvements Project – Design Phase

Request: Council authorization to execute agreement and accept federal funds in the amount of \$480,000 for the design phase of the North Limestone Improvements Project, as funded under the Kentucky Transportation Cabinet Surface Transportation Program (SLX) for capital improvements projects. The acceptance obligates the Urban County Government for the expenditure of \$120,000 as a local match.

Purpose of Request: The Kentucky Transportation Cabinet has approved for the Lexington-Fayette Urban County Government to use federal funds from the SLX Program for the design of the North Limestone Improvements Project. The Kentucky Transportation Cabinet has offered the LFUCG funds for the design phase in the amount of \$480,000. Local match in the amount of \$120,000 is required for a total design phase cost of \$600,000.

The North Limestone Improvements Project will involve roadway/sidewalk improvements to the existing 0.45 mile section of North Limestone from mid-block between Fairlawn Avenue and Withers Avenue to New Circle Road. The road will be upgraded from a mostly rural cross section to an urban cross section, with the addition of curb and gutter, storm sewers, and sidewalks.

What is the cost in this budget year and future budget years? The cost for Fiscal Year 2023 is \$600,000 total: \$480,000 federal funds and \$120,000 local match. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? BA 11838 is in process.

File Number: 0867-22

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: AUGUST 19, 2022

SUBJECT: Authorization to execute Change Order No.1, with Pace Contracting, for the Splash! at Charles Young Park construction project, for \$162,663.18.

Request: Authorization to execute Change Order No.1, with Pace Contracting, for the Splash! at Charles Young Park construction project. Increasing the contract price by the sum of \$162,663.18 from \$1,249,200 to \$1,411,863.18.

Purpose of Request: Pace Contracting, was awarded the Splash! at Charles Young Park construction project on May 5, 2022 (Resolution No. 237-2022). Change order No.1 increases contract #100-2022 amount to include additional electrical and plumbing work necessary to meet health code requirements in the restroom, and to include bid alternatives, item no. 6-11.

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

The cost for this FY is: \$162,663.18

The cost for future FY is: none

Are the funds budgeted? Yes, funds are budgeted as following:

- 1101-707602-7221-90319; 717
- 2604-707602-7221-90319; 719 LFUCG 2023
CYNG_PUMP_2014B/CONSTRUCT_CAP

File Number: 0868-2022

Director/Commissioner: Peacher/Scott



RESOLUTION NO. 237 - 2022

A RESOLUTION ACCEPTING THE BID OF PACE CONTRACTING, LLC (AWARDED PURSUANT TO RFP NO. 28-2022), IN THE AMOUNT OF \$1,249,200.00, FOR THE DESIGN AND CONSTRUCTION OF A WATER PLAY AREA IN CHARLES YOUNG PARK CALLED "SPLASH!", AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AGREEMENT WITH PACE CONTRACTING, LLC, RELATED TO THE BID.

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

Section 1 - That the bid of Pace Contracting, LLC (awarded pursuant to RFP No. 28-2022), in the amount of \$1,249,200.00, for the design and construction of a water play area in Charles Young Park called "Splash!", be and hereby is accepted and approved as to the specifications and amounts set forth in the terms of the bid and agreement, which are attached hereto and incorporated herein by reference, and the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the agreement with Pace Contracting, LLC, related to the bid.

Section 2 - That an amount, not to exceed the sum of \$1,249,200.00, be and hereby is approved for payment to Pace Contracting, LLC, from accounts # 3300-707602-7221-90319 (\$1,133,600.00); # 1101-707601-7211-76101 (\$75,000.00); # 2608-133001-001-91715 (\$40,600.00), pursuant to the terms of the bid and the agreement and contingent upon the approval of a pending budget amendment.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: May 5, 2022


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
0444-22:EPT:X:\Cases\COMDEV\22-LE0003\LEG\00756137.DOCX

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	7.20.2022
		Project:	Splash!
		Location:	Charles Young Park
To (Contractor):		Contract No.	100-2022
		Original Contract Amt.	\$1,249,200.00
		Cumulative Amount of Previous Change Orders	\$0.00
		Percent Change - Previous Change Orders	0.00%
		Total Contract Amount Prior to this Change Order	\$1,249,200.00
		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	Needed Plumbing Items Added		\$4,642.87
2	Needed Electrical Equipment Added		\$6,693.31
3	Inclusion of Bid Alts 5-10		\$151,327.00
	Total decrease	\$0.00	
	Total increase		\$162,663.18
	Net Amount of this Change Order	\$162,663.18	
	New Contract Amount Including this Change Order	\$1,411,863.18	
	Percent Change - This Change Order		11.52%
	Percent Change - All Change Orders		13.02%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.			
Recommended by <u>[Signature]</u> (Proj. Engr.) Date <u>7/21/22</u>			
Accepted by <u>[Signature]</u> (Contractor) Date <u>7/22/2022</u>			
Approved by <u>[Signature]</u> (Director) Date <u>7/22/2022</u>			
Approved by <u>[Signature]</u> (Commissioner) Date <u>7.25.22</u>			
Approved by _____ (Mayor or CAO) Date _____			

JUSTIFICATION FOR CHANGE

PROJECT: Splash at Charles Young Park

CONTRACT NO. 100-2022

CHANGE ORDER: 1

1. Necessity for change: field conditions warranted electrical and plumbing changes and with additional funds secured bid alts are being added
2. Is proposed change an alternate bid? ☒ Yes ☒ No
3. Will proposed change alter the physical size of the project? ☐ Yes ☒ No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ☐ Yes ☒ Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ☐ Yes ☒ No
If "Yes", will the policies be extended? ☐ Yes ☐ No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

Mayor_____
Date

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: AUGUST 22, 2022

**SUBJECT: Federal Fiscal Year 2022 Chemical Stockpile Emergency Preparedness
Program (CSEPP) Funds for Kentucky Department of Military Affairs,
Division of Emergency Management**

Request: Authorization to accept award and to execute agreement with the Kentucky Department of Military Affairs, Division of Emergency Management in the amount of \$1,077,860 under the Federal Fiscal Year 2022 Chemical Stockpile Emergency Preparedness Program (CSEPP). No match is required.

Purpose of Request: Since 1993, the US Army and FEMA developed 12 benchmarks to serve as core long term goals to meet the NATO Treaty conditions of destroying the chemical weapons stockpile stored at the Bluegrass Depot in Madison and Estill Counties. Every year, Congress appropriates funding to protect the two counties and eight surrounding counties in case of chemical accidents during destruction. The overall mission is to protect communities and enhance emergency response long after the program ends. Fayette County's role is to enhance and support the mission as a host county. Funding is provided through reimbursement of this pass-through grant from Kentucky Emergency Management. The 12 benchmarks are key in assessing capabilities and reporting on the Chemical Stockpile Emergency Preparedness Program (CSEPP) status. Each benchmark is allocated funds under CFDA 97.040, beginning October 1, 2021 – September 30, 2023. Award is \$1,077,860.

What is the cost in this budget year and future budget years? Available federal funding in Fiscal Year 2023 is \$1,077,860. No matching funds are required. Future years funding is dependent upon availability of federal funding.

Are the funds budgeted? Budget amendment 11840 is in process.

File Number: 869-22

Director/Commissioner: Dugger/Armstrong



**Neighborhood Development Funds
August 30, 2022
Work Session**

Amount	Recipient	Purpose
\$ 500.00	Palomar Hills Community Association 4025 Palmetto Drive Lexington, KY 40513 Bradley Kerkhoff	to assist with tree trimming and tree replacement in the neighborhood islands.
\$ 2,700.00	Lady Vets Connect, Inc. 11400 Irvine Road Winchester, KY 40391 Phyllis Abbott	to assist with the Veterans Festival in Masterson Station Park.
\$ 1,000.00	Exhilarating, Inc. 140 Deweese Street Lexington, KY 40507 Mattie Morton	to assist with the AGAPE Nurturing Fathers program.
\$ 700.00	Sisters & Supporters 501 W. Sixth Street Ste 250 Lexington, KY 40517 Tonya Lindsey	to assist with fall training.
\$ 550.00	Phoenix Rising Lex 4201 Versailles Road Lexington, KY 40510 Bruce Mundy	to assist with fall programming.
\$ 1,250.00	Kentucky Distinguished Young Women 1248 Wyndham Forest Circle Lexington, KY 40514 Ruth Hedges	to assist with the annual scholarship program.
\$ 1,850.00	Kentucky Humanities Council 206 E. Maxwell Lexington, KY 40508 Hap Houlihan	to assist with the annual Kentucky Book Festival.
\$ 1,750.00	Kentucky Theatre 214 E. Main Street Lexington, KY 40507 Anita Courtney	to assist with a celebration of the theatre's 100 year anniversary.



Budget, Finance & Economic Development Committee

February 8, 2022

Summary and Motions

Committee chair, Council Member Amanda Bledsoe, called the meeting to order at 1:03 p.m. Committee members Vice Mayor Steve Kay and Council Members Richard Moloney, Chuck Ellinger, Josh McCurn, Susan Lamb, Fred Brown, and Kathy Plomin were present. Council Members James Brown and Preston Worley were absent. Council Members Jennifer Reynolds, Whitney Baxter, and Liz Sheehan attended as non-voting members.

I. Approval of January 25, 2022 Committee Summary

Motion by Ellinger to approve the January 25, 2022, Budget, Finance, and Economic Development Committee summary; seconded by Lamb. The motion passed without dissent (Kay and McCurn were absent for this vote).

II. Economic Development Partnerships Update

Euphrates International Investment Co.

Chair Bledsoe welcomed Erran Persley, President and CEO of Euphrates International Investment Co., for the annual economic development partnership update. Mr. Persley stated that Euphrates International Investment Co.'s goal is to use economic tools to help people live healthier and more productive lives by focusing on companies that provide good-paying jobs and who hold corporate goals that align with the values of our community. Mr. Persley shared Euphrates' 17 sustainable development goals developed as a strategic plan for 2022-2025. This tool is utilized to narrow the focus as they identify potential partners.

Euphrates announced an international grant, the Carbon Neutral Policy Grant, in partnership with Shanghai Global (China). Grants will be initiated for companies producing carbon neutral policies and products, and this funding will be held and administered out of Lexington. Mr. Persley highlighted JDL Environmental, a foreign client, recruited to Lexington – the Coldstream campus is being evaluated for their new US operations, a \$100 Million manufacturing project with 30-40 jobs for the city. Euphrates partnered with JDL for the Kentucky Clean Water Project to provide wastewater treatment systems to Eastern Kentucky and Appalachia. For the second year in a row, Euphrates has been named one of Goldman Sachs 10,000 Small Businesses.

Euphrates currently has \$1.25 Billion in new business in their pipeline, has identified \$3 Million of funding for small and minority businesses, and assisted 239 businesses. Mr. Persley highlighted a return on investment of 331.9% based on the initial investment by LFUCG of \$133,719.20. Mr. Persley noted businesses that have thrived in the pandemic including Beautiful You Medical Spa and startups which have succeeded.

Mr. Persley spoke about the dollar match program, GrowInLEX. This initiative has achieved approximately \$2.17 Million in contracts. Euphrates and partners have invested \$2.95 for every dollar invested by LFUCG. He noted that some of the biggest connections have been matches among local companies to do business together. They have extended this platform to be used for training and

webinars for the LFUCG Minority Business Enterprise Office, an event with AT&T for small and minority businesses, and to increase the number of live events on the GrowInLEX platform. Mr. Persley shared information on the city-wide essay contest, in partnership with Partners for Youth, on how to improve racial equality in Lexington.

CM Moloney asked where Euphrates' clients are coming from. Persley said the bulk of companies are local, home-grown companies. CM Ellinger referred to the Return on Investment (ROI) and asked about the calculation. Persley said this is an annualized return based on the two years. Persley sent the Committee the ROI calculation.

Commerce Lexington

Next, Chair Bledsoe welcomed Gina Greathouse and Tyrone Tyra of Commerce Lexington. Greathouse highlighted the core functions of Commerce Lexington: Business & Education Network, Community & Minority Business Development, and Economic Development. Commerce Lexington focuses on business retention and expansion, business recruitment, and entrepreneurial support to increase per capita income, increase the amount of income entering the community, and create greater capital investment in our region. They also support minority business development and workforce development.

Mr. Tyra shared about the scope of the Community & Minority Business Development survey. This survey asked how many businesses currently use minority contractors. The survey revealed that finding these contractors was difficult. As a result of the survey, Commerce Lexington has partnered with the University of Kentucky and Turner Construction for a set of sessions to share what is needed from minority contractors. This event will be held in March 2022. Commerce Lexington has also expanded the Minority Business Accelerator. Six members added \$10.2 Million to bottom-line sales in 2021.

Next, Betsy Dexter gave an update on the Business & Education Network. Some of her highlights include: a partnership with the UK Economic Development Collaborative to promote micro-internships, a federal work study program with UK, the FCPS Strategic Plan and the new Technology Center, and the Accelerate Lexington program to provide free training and job placement for certified nursing assistants at BCTC. Then, Ms. Greathouse provided an update on the scope of work for the Business Retention and Expansion program, including current challenges and opportunities. She provided a list of recent locations, expansions, and ribbon cuttings adding approximately 900 jobs. At the same time, she reported four closures that will result in 2,300 displaced jobs by the end of 2023. Finally, she provided results from Commerce Lexington's investments to date.

CM Moloney asked for more information about the Business Accelerator. Mr. Tyra said the Minority Business Accelerator targets companies with revenues of at least \$250,000 per year. In 2021, they worked with several businesses to help generate more than \$10.4 million in new business. CM Lamb inquired why some businesses didn't participate in the Business Retention and Expansion program. Greathouse clarified that this is primarily for those who indicated having a current need. They regularly contact businesses, members and non-members, to assist with creating jobs and reducing barriers to expansion. CM Plomin asked about the progress for a directory of minority-owned businesses. Tyra said this was not the responsibility of Commerce Lexington, but he was sure that Ms. Higgins-Hord is exploring it. CM Plomin asked what kind of outreach is being provided to diversity employment for those businesses who would like to diversify. Tyra said networking events will provide connection opportunities. CM Plomin noted that a job fair for minorities and businesses that want to diversify could provide an opportunity for connection.

CM Bledsoe noted that lack of available land is a barrier to building and expansion. Outside of land, she asked what the other barriers are that can help with expansion and recruitment. Ms. Greathouse said some companies don't want to build. Others find that available I-1 space is missing. She noted that Commerce Lexington likes to keep business in the region even if they decide not to locate in Lexington. CM Moloney asked how Lexington might take advantage of individuals relocating after the pandemic, similar to other cities. He asked if the development of Coldstream and the development of property along the interstate could help their efforts. Greathouse said she thought infrastructure funding for Coldstream would be helpful to show business prospects that Lexington has available land for growth.

EHI Consultants

Next, Ed Holmes and Annissa Franklin of EHI Consultants presented. They provided an update on Lexington Opportunity Zones. Opportunity Zones were created by the Tax Cuts and Jobs Act of 2017. Each governor nominated census tracts for eligibility. Census tracts had to have at least a 20% poverty rate and a median family income of no more than 80% of the statewide median family income. Lexington identified seven zones that met the criteria. Each zone was broken down with a vacant zoning analysis and demographic summary. He provided an overview of each census tract.

Ms. Franklin shared about community benefits agreements, agreements between developers and community members to partner to provide what community members would like to see in opportunity zone areas. Affordable childcare, groceries, healthy food options, access to mental health providers, jobs with living wages, the ability to provide input on multi-use facilities, affordable housing, and support for Kindergarten preparedness were areas of need identified from community members. Developers and investors were concerned about how to access funding. Further reports will be shared with the Economic Development Investment Board.

Vice Mayor Kay inquired whether the City would know if someone purchased a property or had plans to do so. Mr. Holmes said this was one of his biggest concerns about the Opportunity Zone fund. Since it is a private investment with capital gains write-off, this is difficult to track. He noted engagement with the community has to be developer-initiated. VM Kay asked if there was a precedent for any locality to add regulations to require notification of the developer's intention. Mr. Holmes said he is not aware of any. CM Plomin asked about the total acreage of the seven zones; Holmes said he would get that information. CM Plomin asked about next steps. Holmes said marketing and communication about the availability of lands and zones is important. He also cautioned being careful in order not to displace anyone in the process. CM McCurn asked how we can get true community input moving forward? Mr. Holmes said they have to reach out to a variety of stakeholders impacted in each Opportunity Zone and the potential impact. CM McCurn reiterated the importance of facilitating community conversations to increase awareness and educate people. CM Moloney asked if there is a big difference in today's findings compared to a study from several years ago. Holmes said that some of these indicators have gotten worse – median income, unemployment. However, the Housing Authority and Urban League are positive developments. CM Moloney asked if anyone looked at other cities to see what kinds of programs they are utilizing to buy homes and sell them to non-profits. Mr. Holmes said this was not part of the scope of this work. Chair Bledsoe thanked Mr. Holmes and Ms. Franklin for their work in Lexington.

No action was taken on this item.

III. Division & Program Review – 2022 Evaluations Selection

On behalf of the committee, Chair Bledsoe selected an overview of the Arts for review. The committee will be looking at how the city has used and spent money on arts investment, holistically, not just in one area.

No action was taken on this item.

IV. Items Referred to Committee – Annual Status Report of Referrals.

A motion was made by Lamb to remove Item 7, relating to Legislation Impacting the Budget, Item 13, relating to one-time salary supplemental pay for non-ARPA qualified personnel and Item 18, Central Kentucky Job Club. The motion was seconded by Plomin. Motion passed without dissent.

CM Bledsoe noted that the January financials were not available in time for this meeting. They will be shared by the Finance Team once they are available mid-February. (Updated financials are included below.)

Motion by Kay to adjourn at 2:41 p.m. Seconded by Plomin. Motion passed without dissent.

January 2022 Financial Information Provided for Summary Only

January 2022 YTD Actual Compared to Adopted YTD Budget

<u>Revenue Category</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% Var</u>
OLT- Employee Withholding	129,797,007	122,260,000	7,477,007	6.1%
OLT - Net Profit	20,272,669	14,570,000	5,702,669	69.1%
Insurance	18,746,662	19,970,000	(1,223,338)	-6.1%
Franchise Fees	15,216,649	14,650,000	566,649	3.9%
TOTALS	183,972,987	171,450,000	12,522,987	7.3%

January 2022 YTD/January 2021 YTD Current Year Compared to Prior Year

<u>Revenue Category</u>	<u>Dec '21 YTD</u>	<u>Dec '20 YTD</u>	<u>Variance</u>	<u>% Var</u>
OLT- Employee Withholding	129,737,007	118,387,928	11,349,079	9.6%
OLT - Net Profit	20,272,669	19,345,497	927,172	4.8%
Insurance	18,746,662	18,961,832	(215,170)	-1.1%
Franchise Fees	15,216,649	14,396,229	820,420	5.7%
TOTALS	183,972,987	170,921,486	12,881,501	7.5%

FY2022 – Cash Flow Variance Revenue (Actual to Budget)

<u>For the seven months ended January 31, 2022</u>				
	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>% Var</u>
<u>Revenue</u>	-	-	-	-
Payroll Withholding	129,737,007	122,260,000	7,477,007	6.1%
Net Profit	20,272,669	14,570,000	5,702,669	39.1%
Insurance	18,746,662	19,970,000	(1,223,338)	-6.1%
Franchise Fees	15,216,649	14,650,000	566,649	3.9%
Other Licenses & Permits	4,661,555	4,569,410	92,145	2.0%
Property Tax Accounts	24,973,896	25,524,639	(550,743)	-2.2%
Services	15,933,259	16,662,011	(728,752)	-4.4%
Fines and Forfeitures	163,835	147,833	16,002	10.8%
Intergovernmental Revenue	218,255	310,511	(92,256)	-29.7%
Property Sales	139,933	58,333	81,600	139.9%
Investment Income	(84,359)	122,689	(207,048)	-168.8%
Other Financing Sources	40,000	40,000	0	-
Other Income	1,944,491	1,464,031	480,460	32.8%

Total Revenues	\$231,963,852	\$220,349,457	\$11,614,395	5.3%

FY2022 – Cash Flow Variance Expense (Actual to Budget)

<i>For the seven months ended January 31, 2022</i>				
	Actuals	Budget	Variance	% Var
<u>Expense</u>				
Personnel	134,390,941	140,640,143	6,249,202	4.4%
Operating	27,417,108	36,913,679	9,496,571	26.2%
Insurance Expense	1,265,324	1,236,923	(28,401)	-2.3%
Debt Service	31,755,962	33,399,718	1,643,756	4.9%
Partner Agencies	12,936,422	12,896,358	(40,064)	-0.3%
Capital	913,007	1,403,091	490,084	45.7%
Total Expenses	\$208,678,764	\$226,489,912	\$ 17,811,148	7.9%
Transfers	\$ 6,694,874	\$ 6,432,214	(\$262,660)	-2.8%
Change in Fund Balance	16,590,214	(\$12,572,669)	\$ 29,162,883	

Materials for the meeting:

<https://lexington.legistar.com/MeetingDetail.aspx?ID=909881&GUID=BED8F5B3-879D-4605-9CD5-23402EFAF04&Options=&Search=>

Video recording of the meeting: https://lfucg.granicus.com/player/clip/5516?view_id=4&redirect=true

SD 6/6/22



Planning and Public Safety Committee

June 21, 2022

Summary and Motions

Chair J. Brown called the meeting to order at 1:01 p.m. Committee Members Ellinger, Lamb, Kloiber, Baxter, Bledsoe, Reynolds, and Plomin were in attendance. Committee Members McCurn and Worley were absent. Council Members Moloney, Sheehan, and F. Brown, and Vice Mayor Kay were also present as non-voting members.

I. Approval of April 19, 2022 Committee Summary

Motion by Ellinger to approve the April 19, 2022 Committee Summary. Seconded by Baxter. Motion passed without dissent.

II. Sustainable Growth Study Update

Mark Butler, Project Manager with Stantec, began by providing a background of the Sustainable Growth Study. He reviewed the Urban Service Boundary (USB) which was established in 1958 and was the first in the nation. The goal is to create a data driven process and set goals and objectives, but does not identify land for preservation or expansion. He displayed a map to illustrate vacant land and he spoke about 2022 revisions to the vacant land database. The revisions address changes that have occurred and information will be updated as it becomes available. He spoke about how the revisions would impact meeting each of the scenarios for residential, office space, retail space, and industrial space. Moving forward, the Planning Commission is recommending that Council consider approving the Resolution to adopt the Sustainable Growth Study (framework and data). The study will be updated on an annual basis to serve as a resource for growth management decisions and to track vacant land and growth trends.

Moloney and Butler discussed meeting 75% of the full growth projected for the next 20 years based on population predictions which Butler confirmed to be true for residential. Moloney spoke about 2 hospitals under construction which will change the structure of the study because hospitals impact growth. He expressed concern with approving the resolution when there is more work to do. Butler mentioned that this is a perfect example for why data needs to be consistently updated so changes can be factored in. Framework is predicated on the notion that we update it consistently so the most up-to-date data is being considered in the discussion on future land use planning.

Kloiber asked if all of the vacant land in this framework is considered fundable and interchangeable or if it is distinguishable. Butler said each parcel has zoning that is allowed on it and there is a note about its development potential. In some cases where there are extenuating circumstances, this would be noted for its potential development. Kloiber feels there are inherent projections of development being used to present this data with assumptions about what is important. Butler noted that in scenario 1, they tried to skew as close to what the zoning will allow and he also explained presumptions that were made in scenarios 2 and 3. Kloiber asked if the only requirement being considered for future expansion is available land to which Butler clarified there is a set of metrics and scenarios that are also considered. Kloiber and Butler agreed that the affordability of housing is also considered. Butler explained that they want to be able to easily calculate scenarios based on the data. For this reason, the criteria for affordable housing was a higher number of potential units and a higher mix of development types. As a result, those with a

higher number of units and a higher mix of development would do better than a scenario that had fewer units and fewer types of housing. Kloiber feels the framework does not provide a solution or goal, but it basically says you can build more density on land if you want to. Butler noted that continuous updates will show that we are running out of land, even under the highest capacity scenario, and we need to make changes.

F. Brown and Butler discussed the breakdown of the acreage designated as infill. If it is developed now, Butler clarified that this is not measured with a defined or concrete number. They looked at the Existing Conditions Report and they used different development proposals for Lexington to build scenario 3. F. Brown asked how they handled the land within the USB such as Overbrook Farm to determine whether or not they would be developed. Butler said a directive in the scope of the study was that any agricultural land within the USB was assumed to have the potential for development. F. Brown asked how we get this information to the owners of large tracts of land within the USB because that would dictate how much land is needed for development. He also spoke about criteria for the land that is ready for development, such as land along the interstate that is outside the USB, but it is ready for development. Butler explained that this was included in the existing conditions survey, but they did not evaluate any land-use scenarios outside USB per the scope of the study.

Bledsoe spoke about the importance of data integrity and said the purpose for this framework was to present a policy for decision-making. She asked who decides the weights, when the weights are decided, and how often they are reviewed. She stressed that when making decisions on this, it is not the entire Comprehensive Plan being considered. She feels that updating data every 2 years rather than 5 years will keep Council informed of decisions being made in zone changes.

Kay mentioned the possibility that the decision this body makes today could have some caveats when this moves from committee to Council. He sees that part of today's issue is whether or not to forward to Council a recommendation that the basic framework and the basic dataset that have been offered is comprehensive and not perfect, but it is a starting point. He finds it difficult to understand the connection of the data and scenarios, but it is important to remember that the scenarios are a 20 year projection and a lot can happen in 20 years. We are not saying that today we are making a decision about that particular land use. We are saying that here is the data, this is what it tells us, and these are the policies we have in place that will either meet our projections or not. He mentioned that while there are questions that may not be able to be answered definitively, the *Goal 4 Work-group* will be working on a set of recommendations that address that set of questions (how the process will work, what we know about the land outside the boundary, and how the two intersect).

J. Brown feels the *Goal 4 Work-group* will help to enhance and add to the framework. An important thing to consider, which weighs heavily when making these decisions, is land that is identified for long-term preservation in addition to what is already out there. Referencing Moloney's comments, he mentioned that hospitals and new development will change the dynamic of our community and our needs on a case-by-case basis. We need to have a framework in place that is fluid and has the ability to adjust and address this community's needs as we go forward. He feels we need to make a decision today and move something forward to recognize the work and decisions made by the *Sustainable Growth Task Force* and this also sets a baseline for the *Goal 4 Work-group* to make long-term and lasting policy decisions. He feels a yearly update or every 2 years would be best for updating the data. He asked if the mechanism for weighing the priorities is included in the framework or if it needs to be included in the resolution. Duncan spoke about adjusting the weights and scenarios as priorities change. He noted that this could be included in the

Comprehensive Plan, the report from the *Goal 4 Work-group*, or included in the Resolution, but he is not prepared to make that decision today.

Lamb spoke about how far we have come from since 1996 when we expanded 5400 acres and what we have learned from the conversations we have had and continue to have about how, where, and when to make these decisions for our community. She suggested that the policies and issues be reviewed in the *Goal 4 Work-group*. As far as waiting one year, two years, or five years, it would be unique to understand what it looks like if the data was reviewed every year as opposed to every two or five years because it is a moving process.

Reynolds mentioned that this is more complex than what land is available to develop because we need residents' support for this to work.

Kloiber worries about using the dataset as the foundation for the framework because the data we have is mostly the wrong data. We are tying this entire process to available land, but not the effects and outcomes that our residents are experiencing. The data is great as a reference, but Kloiber is concerned about creating an entire narrative and framework that uses this as a basis for that discussion. He is concerned that by coming forward and saying we are using this data as a framework that we are saying available land is the factor on which we base everything else and not just a reference for the effects that happen to our residents.

Sheehan asked if we can update the data separately from the framework rather than continuing to delay that piece. Kay explained that the data can't be updated without having something to start with and the best way to do this is to move the Resolution forward which includes the dataset as a base, emphasizing this is only a dataset. He added that land is a finite resource and the boundary for Fayette County is a line that is absolute. We will reach a point in time when there is no rural land available for development because it will either be protected or put into use, but the demand will not change. At this point, we will need to consider how we want Fayette County to look in terms of the balance between rural and urban land. He is hopeful that the *Goal 4 Work-group* will provide guidance and direction about this and provide recommendations to the Planning Commission and Council about how to resolve this underlying fundamental issue.

Moloney asked if this uses new additional data or if there will be an update on the data from two years ago. Butler believes this to mean it will be an update of land records that have changed from being vacant or redevelopment and it does happen significantly enough in the span of a year to make sure we update on a consistent basis.

Lamb and Kay discussed having the *Goal 4 Work-group* take up the conversation on the waiting period between updates and providing a recommendation for when this should take place.

Motion by Bledsoe to approve the Sustainable Growth Study Resolution, including an amendment to remove "framework" as cited in the title section of the resolution and to remove "both the Evaluations Framework and" as cited in the 6th paragraph of the resolution. Seconded by Ellinger. Motion passed without dissent.

III. PDR and Public Benefits

David Kloiber, 6th District Council Member, provided a brief introduction of the item and why it was referred to committee. He began with an overview of the PDR program which is intended to preserve agricultural land and prevents development on that land in perpetuity. He reviewed a map to illustrate 30,000 acres of land that is currently protected by PDR. He spoke about the history of PDR which allowed rural zoning for one house per 10 acre lot. Farm owners lobbied to increase this to 40 acres to prevent aggressive subdivisions on farms and then they lobbied for compensation for the lost privileges of subdivisions. When the PDR program began in 2000, there was no federal matching and PDR dollars were not tied to a specific use. He reviewed the zoning process for PDR land which includes an application (review by the Planning Commission), a public hearing, and a zone change for development. He mentioned alternative ways for protecting land such as historic districting or the Environmental Conservancy Trust. He highlighted public access activities that could enhance the program and enhance green initiatives. He would like to keep the item in committee to further reach out to the community for ideas on sustainable enhancements to the program that would add benefit.

Motion by Bledsoe to direct the RLMB to review/consider the presentation and the concerns and have RLMB provide a presentation to committee where the Division of PDR and members of RLMB can address these concerns. Seconded by Ellinger. Motion passed without dissent.

Lamb referenced page 31 in the packet and pointed out that she would like the third bullet point: *Farm owners lobbied for compensation for the lost privileges of subdivision* to be removed for its improper context. On page 36, the first bullet point says the Planning Commission is appointed for four years and the presentation referenced that the Mayor puts forward the appointments. Lamb wants to be sure it is understood that while the Mayor puts forward the appointments, Council has the final vote and approves the appointments. She spoke about the slide on page 37 which compares PDR to Affordable Housing. She wants to ensure this number does not take into consideration the many other agencies in the community that contribute to affordable housing funding. Finally, she questions the PDR dollars because she has not had a chance to review those numbers. She feels these numbers need to be looked at before they are taken as factual. Kloiber addressed questions regarding the exact numbers and said he would send out the information provided to him which was verified by the Finance Department. Adding to Lamb's comments, Plomin pointed out that the total acreage for PDR in our community is 32,598 and there has been a \$62M investment since the inception.

IV. Items Referred to Committee

No comment or action was taken on this item.

Motion by Bledsoe to adjourn at 2:55 p.m. Seconded by Baxter. Motion passed without dissent.

A RESOLUTION RECOMMENDING ADOPTION OF THE LEXINGTON SUSTAINABLE GROWTH STUDY ("STUDY") IN FURTHERANCE OF THE GOALS AND OBJECTIVES OF IMAGINE LEXINGTON, THE 2018 COMPREHENSIVE PLAN, AND REQUESTING THAT THE DIVISION OF PLANNING UTILIZE THE STUDY DATA WHEN DEVELOPING RECOMMENDATIONS FOR THE GOALS AND OBJECTIVES FOR THE 2023 COMPREHENSIVE PLAN.

WHEREAS, KRS 100.193 and KRS 100.197 set forth the procedures for periodic review, update, amendment and adoption of the Comprehensive Plan Goals and Objectives, elements and their research basis; and

WHEREAS, the Comprehensive Plan Statement of Goals and Objectives was adopted by the Planning Commission on September 7, 2017, and subsequently adopted by the Urban County Council on November 16, 2017 as required by KRS 100.193; and

WHEREAS, the Statement of Goals and Objectives acts as a guide for the preparation of the elements to aid in implementing the Comprehensive Plan; and

WHEREAS, this Planning Commission and the Urban County Council having adopted the Statement of Goals and Objectives for the 2018 Comprehensive Plan, pursuant to KRS Chapter 100; and

WHEREAS, to achieve that end, the Mayor's Sustainable Growth Task Force and consultant team conducted considerable research upon which to base the "Lexington Sustainable Growth Study" ("Study"), have used the Statement of Goals and Objectives as a guide, and, in compliance with KRS Chapter 100, have conducted duly advertised public hearings and public meetings in order to receive input from all interested persons; and

WHEREAS, the Study as referenced herein includes the Existing Conditions Report documents; and

WHEREAS, the Study provides a useful evaluation tool for future land use decisions

and creates a foundation for additional components of the process identified in Theme E, Goal 4 of the Goals and Objectives of the 2018 Comprehensive Plan. The additional components of the process are identification of land for preservation and identification of land for potential future urban development.

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

Section 1 – That this Urban County Council hereby adopts of the Study, as permitted in KRS 100, in furtherance of the process identified in Theme E, Goal 4 of the Goals and Objectives of “Imagine Lexington” the 2018 Comprehensive Plan for Lexington-Fayette Urban County.

Section 2 – That this Urban County Council hereby requests that the Division of Planning utilize the Study data when developing the recommendations for the 2023 Comprehensive Plan Goals and Objectives.

Section 3 - It is the intent of this Urban County Council that all previously adopted elements of “Imagine Lexington” remain in full force and effect.

Section 4 – That the Zoning Ordinance, Land Subdivision Regulations, and the Zoning Map currently in effect on the date of passage of this Resolution shall remain in full force and effect unless and until duly amended by the Lexington-Fayette Urban County Council after receipt of a recommendation by the Planning Commission.

Section 5 – It is the intent of this Urban County Council that the Study should be part of the later completed process which includes identification of land for preservation and identification of land for potential future urban development, in Theme E, Goal 4, and to be

used in the preparation of future updates to the Comprehensive Plan. The Study should not be used alone for findings necessary for proposed map amendments as described in KRS 100.213.

Section 6 – The adoption of the Study in furtherance of the Goals and Objectives of “Imagine Lexington” creates a foundation for future completion of the process identified in the Statement of Goals and Objectives Theme E, Goal 4, Objective d., which includes identification of land for preservation and identification of land for potential future urban development, while not fully implementing the process at this time.

Section 7 – That this Resolution shall become effective on the date of its passage.

PASSED BY URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL