

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, November 15, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
November 14 – November 21, 2022**

Monday, November 14

No Meetings

Tuesday, November 15

General Government and Social Services Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, November 16

Parks Advisory Board.....4:00 pm
McConnell Springs – 416 Rebmman Lane

Thursday, November 17

Confirmation Hearing.....3:30 pm
Conference Room – 5th Floor Government Center

Quarterly COW.....4:30 pm
Caucus Room – 2nd Floor Government Center

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

Friday, November 18

No Meetings

Monday, November 21

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
November 15, 2022**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1-2**
 - a** Table of Motions: Council Work Session, October 1, 2022
- IV. Budget Amendments – Yes, p. 3-6**
- V. Budget Adjustments - For Information Only – Yes, p. 7**
- VI. New Business – Yes, p. 8-49**
- VII. Continuing Business/ Presentations**
 - a** Summary: General Government and Social Services Committee, October 27, 2022, p. 50-52
 - b** Proclamation: Michelle Kosieniak
 - c** Presentation: Lexington-Fayette Urban County Government, 2022 Disparity Study, p. 53-72
- VIII. Council Reports**
- IX. Mayor's Report – Yes**
- X. Mayor's Report - Price Contract Bid Recommendations – Yes, p. 73**
- XI. Public Comment - Issues Not on Agenda**
- XII. Adjournment**

Administrative Synopsis - New Business Items

- a** **1118-22** Authorization to accept Deeds of Easement from the owner of record on properties needed for the construction of the Sutherland Trunk Sanitary Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$500.00. Funds are budgeted. (L1118-22) (Martin/Albright) p. 8-9
- b** **1126-22** Authorization to execute a Purchase of Service Agreement with the Lyric Theatre for the operation of the Lyric Theatre beginning July 1, 2022, for a 12-month period, at a cost not to exceed \$127,500. Funds are budgeted. (L1126-22) (Lyons/Scott) p. 10
- c** **1127-22** Authorization to execute a Memorandum of Agreement with the Kentucky Solar Energy Society (KYES) to assist with various professional services throughout the duration of the Solarize Lexington Program, a proposed initiative to promote and encourage the use of photovoltaic (PV) on residential and non-residential properties. No budgetary impact. (L1127-22) (Carey/Albright) p. 11
- d** **1132-22** Authorizing to establish Routeware, Inc. as a sole source provider for the purchase of hardware and database maintenance required as part of the government-wide GPS program for LFUCG's fleet. Annual database maintenance cost is \$46,064.64. Funds are budgeted. (L1132-22) (Martin/Albright) p. 12
- e** **1134-22** Authorization to execute the 2023 General Term Orders for the Fayette County Clerk and the Fayette County Sheriff, establishing the number of deputies and assistants allowed to each and their respective compensations, subject to the limits for each category as specified in the General Term Orders and the requirements established by law. (L1134-22) (Hensley) p. 13
- f** **1135-22** Authorization to execute a Purchase of Service Agreement, pursuant to RFP No. 42-2022, with Tetra Tech, Inc., to perform a Leachate Management Alternatives Analysis and Engineering Study at Haley Pike Landfill at a cost of \$77,700.00. (L1135-22) (Carey/Albright) p. 14-15
- g** **1136-22** Authorization to establish 45Drives as a sole source vendor for a replacement storage solution for the computer network within the Division of Police and increase storage requirements of investigations, at a cost of \$70,950. Funds are budgeted. (L1136-22) (Weathers/Armstrong) p. 16
- h** **1140-22** Authorization to create a new section of the Code of Ordinances to authorize up to four weeks of paid parental leave to eligible employees and up to two weeks of paid parental leave for foster or kinship care, effective upon passage at a cost not to exceed \$100,000 for FY 2023. Funds are budgeted. (L1140-22) (Wuorenmaa/Hamilton) p. 17

- i **1143-22** Authorization to amend the classified civil service authorized strength by creating positions as approved in the FY 2023 budget process, to become effective July 1, 2022. The fiscal impact for FY 2023 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2023 approved budget. (L1143-22) (Walters/Hamilton) p. 18
- j **1144-22** Authorization to change street names and/or individual numbers of addresses within the 1st, 3rd, 5th, 10th and 11th Council Districts to ensure proper operation of the Enhanced 9-1-1 system. Properties include 970 W. New Circle Rd. to 1196 Finney Dr., 980 W. New Circle Rd. to 1192 Finney Dr., 990-992 New Circle Rd. to 1188 Finney Dr., 996 W. New Circle Rd. to 1184 Finney Dr., 1000 W. New Circle Rd. to 1180 Finney Dr., 1004 New Circle Rd., to 1172 Finney Dr., 1008 New Circle Rd. to 1156 Finney Dr., 1010 New Circle Rd. to 1160 Finney Dr., 1040 New Circle Rd. to 1164 Finney Dr., 519-531 Laketower Dr. to 531 Laketower Dr., 142-144 N. Broadway to 144 N. Broadway, 347-349 Southland Dr. Unit 1 to 347 Southland Dr., 347-349 Southland Dr. Unit 2 to 349 Southland Dr., 1954 Stanton Way to 1950 Stanton Way. No budgetary impact. (L1144-22) (Patton/Armstrong) p. 19-24
- k **1145-22** Authorization to execute a Purchase of Service Agreement, pursuant to RFP No. 50-2022, with New Life Day Center, Inc., to perform Litter Pickup Service with Panhandler Participation at a cost of \$150,000.00 per year. Funds are budgeted. (L1145-22) (Carey/Albright) p. 25
- l **1147-22** Authorization to execute an agreement with the Lexington Center Corporation for Lexington Parks & Recreation to hold its annual Kiddie Kapers Spring Recital at the Lexington Opera House. No budgetary impact. (L1147-22) (Conrad/Ford) p. 26
- m **1148-22** Authorization to accept an additional award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$15,000 from the Hazard Mitigation Grant Program and \$2,400 from the state due to an increase in construction cost and necessary engineering assessment for the Lexington-Fayette Animal Care and Control Facility. An additional match in the amount of \$2,600 is required. Budget amendments are in process. (L1148-22) (Dugger/Armstrong) p. 27
- n **1149-22** Authorization to execute an agreement and accept award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$215,304 from the Hazard Mitigation Grant Program, and accept \$34,448 from the state, to overhaul electrical infrastructure at the Division of Streets and Roads maintenance and dispatch facilities. Match in the amount of \$37,320 is required. Budget amendment in process. (L1149-22) (Dugger/Armstrong) p. 28
- o **1150-22** Authorization to execute first renewal agreement with Kentucky Association for Environmental Education (KAEE) effective July 1, 2022 through June 30, 2023 for Environmental Education Coordination Services. Cost not to exceed \$276,855.76. Funds are budgeted. (L1150-22) (Carey Albright) p. 29

p	1151-22	Authorization to approve a Memorandum of Agreement with Kentucky River Watershed Watch (KRWV) to coordinate volunteers to provide water quality monitoring in the Wolf Run Watershed at a cost of \$5,000. Funds are budgeted. (L1151-22) (Martin/Albright) p. 30-31
q	1152-22	Authorization to execute Change Order No. 6 with ATS Construction for work on Town Branch Trail Phase 6, increasing the contract by \$111,417.50 for a total contract cost of \$4,985,464.75. This change order is being submitted concurrently to KYTC. The approval of Change Order No. 6 by LFUCG is contingent on approval by KYTC. Funds are budgeted. (L1152-22) (Burton/Albright) p. 32-38
r	1153-22	Authorization to accept additional award of federal funds from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services in the amount of \$139,687.74 under the American Rescue Plan Act (ARPA) to support child care expenses for the Extended School Program in the Division of Parks & Recreation. No matching funds required. (L1153-22) (Conrad/Ford) p. 39
s	1154-22	Authorization to submit application and accept award if offered, to the Federal Emergency Management Agency (FEMA) requesting federal funding in the amount of \$825,000 from the Building Resilient Infrastructure and Communities (BRIC) Grant Program for the Joyland Area Stormwater Improvements Project - Phase 2. Match in the amount of \$275,000 is required. (L1154-22) (Martin/Albright) p. 40-42
t	1155-22	Authorization to accept award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$107,184.03 from the Kentucky Emergency Management for reimbursement of expenses incurred from the Western Kentucky Tornado. No match is required. (L1155-22) (Dugger and Wells/Armstrong) p. 43
u	1156-22	Authorization to accept award and execute agreement from the U.S. Department of Justice in the amount of \$6,363 under the 2021 Bureau of Justice Assistance FY 2021 State Criminal Alien Assistance Program (SCAAP). No matching funds are required. (L1156-22) (Ballard/Armstrong) p. 44
v	1157-22	Authorization to execute Change Order No. 5 to the agreement with ALL4, LLC for the Pump Stations Maintenance and Wastewater Treatment Plants Safety Program Audit and Post Audit Implementation Services at a cost of \$337,000.00, increasing the total contract from \$1,318,750.25 to \$1,655,750.25. Funds are budgeted. (L1157-22) (Martin/Albright) p. 45-48

Authorization to amend section 2-172 of the Code of Ordinances (related to the transient room tax) to 1) apply the transient room tax to every type of accommodation and platform; accommodations subject to the transient room tax; 2) require online platforms (like Airbnb and VRBO) to collect and remit transient room taxes on rent charged by the platform; 3) establish that rentals of a continuous period of thirty (30) days to a person are not subject to the transient room tax; and 4) to define certain terms relevant to the above changes, effect January 1, 2023. These changes will model the LFUCG ordinance after state law. Any additional revenue would be distributed to VisitLex and the Convention Center. No budgetary impact. (L1162-22) (Holbrook/Hensley) p. 49

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
November 1, 2022**

Mayor Gorton called the meeting to order at 3:01pm. All Councilmembers were present.

I. Public Comment – Issues on Agenda

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

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

Gorton opened the public hearing for the urban service changes at 3:14pm. No one was present to speak. The hearing was closed at 3:14pm.

II. Requested Rezonings/Docket Approval

Motion by Ellinger to approve the November 3, 2022 Council meeting docket. Seconded by Plomin. Motion passed without dissent as amended.

Motion by Kay to place on the docket for the November 3, 2022 council meeting a resolution authorizing the Department of Law to institute condemnation proceedings in Fayette Circuit Court to obtain a fee simple and temporary easements upon portions of the property located at 1376 Silver Springs Drive for the Citation Boulevard Phase 3a Project. Seconded by Lamb. Motion passed without dissent.

III. Approval of Summary

Motion by Kay to approve the October 25, 2022 work session summary. Seconded by Lamb. Motion passed without dissent.

IV. Budget Amendments

Motion by McCurn to approve budget amendments. Seconded by Reynolds. Motion passed without dissent.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Ellinger to approve new business. Seconded by Reynolds. Motion passed without dissent as amended.

Motion by Sheehan to schedule a public hearing related to the approval of a resolution of the Lexington-Fayette Urban County Government approving the execution and delivery

by Clark County Fiscal Court of its healthcare revenue bonds (Kentucky Easter Seal Society, Inc. Project) in an amount not to exceed \$10 million and to take related actions, at the regularly scheduled Council meeting on Thursday, November 17, 2022 at 6pm. This hearing is required because the property at 1900 Richmond Road, Lexington, is located in Fayette County. Seconded by Lamb. Motion passed without dissent.

VII. Continuing Business/Presentations

Councilmember Lamb provided a summary of the September 6, 2022 General Government & Social Services Committee meeting. There were no motions to report from the meeting.

Councilmember Lamb provided a partial summary of the October 27, 2022 Special General Government & Social Services Committee meeting.

Motion by Lamb to allocate \$200,000 from ARPA to hire a consultant to guide the self-evaluation process and develop a transition plan (as approved at the October 27, 2022 Special General Government and Social Services Committee meeting). Seconded by Sheehan. Motion passed without dissent.

There were no additional motions to report at this time.

VIII. Council Reports

Motion by Sheehan to refer a comprehensive review of the charter to the General Government and Social Services Committee. Seconded by Baxter. Motion passed without dissent.

IX. Mayor's Report

X. Mayor's Report – Price Contract Bid Recommendations

XI. Public Comment – Issues Not on Agenda

XII. Adjournment

Motion by Plomin to adjourn at 3:48pm. Seconded by Baxter. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	137630	DIVISION	Grants and Special Programs/ Streets and Roads	Fund Name Fund Impact	General Fund 12,440.00 12,440.00CR .00
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To provide funds for grant match for Streets and Roads Generator project in the General Fund.

JOURNAL	137633-34	DIVISION	Office Of The Mayor	Fund Name Fund Impact	General Fund 125.00 125.00CR .00
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To provide funds for operating expense by recognizing a refund.

JOURNAL	137584	DIVISION	Environmental Services	Fund Name Fund Impact	Urban Fund 167,000.00 .00CR 167,000.00
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To provide funds for programs and contracts related to Public Information and Engagement. These funds were accidentally not requested in the Division of Waste Management's or the Division of Environmental Services' FY 2023 budget.

This BA is will fund programs and contracts managed by the Public Information and Engagement team within Environmental Services but previously budgeted by Waste Management. Miscommunication between the divisions resulted in these funds not being requested in the FY 2023 budget requests.

JOURNAL	137585	DIVISION	Environmental Services	Fund Name Fund Impact	Urban Fund 15,000.00 .00CR 15,000.00
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To provide funds for professional services related to the Environmental Quality and Public Works Civic Artist In Residence.

This BA is will provide funds from the Urban Services District Fund for the Environmental Quality Public Works Civic Artist in Residence program. This was an unexpected department-wide expense which was not included in the FY 2023 budget requests.

JOURNAL	137400	DIVISION	Police	Fund Name Fund Impact	Police Confiscated Federal 16,000.00 16,000.00CR .00
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To provide funds to purchase a drone for investigations from Photographic Equipment account by decreasing funds for Equipment Under \$5000.

JOURNAL	137450	DIVISION	Police	Fund Name	Police Confiscated Federal
				Fund Impact	225,000.00
					.00CR
					225,000.00

To provide funds to purchase rifle rates ballistic shields by utilizing undesignated Federal Forfeiture funds from prior fiscal years.

The funds being used are federal forfeitures. Federal Asset Forfeiture follows the Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies which states that law enforcement equipment purchases are acceptable uses of forfeited funds.

JOURNAL	137602-03	DIVISION	Chief Development Officer	Fund Name	Lexington Economic Dev
				Fund Impact	6,891.89
					6,891.89CR
					.00

To provide funds for the Workforce Development Program by recognizing a reimbursement.

JOURNAL	137604-05	DIVISION	Chief Development Officer	Fund Name	Lexington Economic Dev
				Fund Impact	2,928.79
					2,928.79CR
					.00

To provide funds for the Jobs Fund by recognizing a reimbursement.

JOURNAL	137676-77	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice
				Fund Impact	6,363.00
					6,363.00CR
					.00

To establish grant budget for 2021 State Criminal Alien Assistance Program award.

JOURNAL	137566-67	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	20,000.00
					20,000.00CR
					.00

To budget additional grant award for Hazard Mitigation Grant Program for Lexington-Fayette Animal Care and Control Facility FY 2022.

JOURNAL	137631-32	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	287,072.00
					287,072.00CR
					.00

To establish grant budget for Hazard Mitigation Grant Program Streets and Road Generator project.

JOURNAL	137663-64	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	107,184.01
					107,184.01CR
					.00

To establish grant budget for Western Kentucky Tornado Reimbursement from the Federal Emergency Management Agency/Kentucky Emergency Management.

JOURNAL	137622-23	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	139,687.74
					139,687.74CR
					.00

To provide additional grant funds for Extended School Program from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services American Rescue Plan Act (ARPA) funding.

JOURNAL	137662	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	2,521.67
					2,521.67CR
					.00

To move funds from American Rescue Plan Act (ARPA) State and Local Recovery Funds/Masterson Station Playground project to ARPA Administrative Budget/Contingency. Masterson Station Playground project is complete.

JOURNAL	137628	DIVISION	Grants and Special Programs/ Streets and Roads	Fund Name	Sanitary Sewer Fund
				Fund Impact	12,440.00
					12,440.00CR
					.00

To provide funds for grant match for Streets and Roads Generator project in the Sanitary Sewer Fund.

JOURNAL	137606	DIVISION	Parks and Recreation	Fund Name	PFC - Parks Projects Fund
				Fund Impact	1,141.26
					.00CR
					1,141.26

To provide funds for property taxes on Kelley Landing Property by recognizing funds placed on reserve for park land acquisition.

JOURNAL	137629	DIVISION	Grants and Special Programs/ Streets and Roads	Fund Name	Water Quality Mgmt Fund
				Fund Impact	12,440.00
					12,440.00CR
					.00

To provide funds for grant match for Streets and Roads Generator project in the Water Quality Fund.

JOURNAL	137583	DIVISION	Environmental Services	Fund Name	Landfill Fund
				Fund Impact	200,000.00
					.00CR
					200,000.00

To provide funds for the corrective actions at the Haley Pike Landfill required by the Agreed Order entered February 9, 2022.

This BA is being requested to cover updated cost estimates related to the Corrective Action Plan/Agreed Order for the Haley Pike Landfill. These funds will go toward the engineer's fee to conduct the Leachate Management Alternatives Analysis and Engineering Study.

JOURNAL	137624	DIVISION	Parks and Recreation	Fund Name	Extended School Fund
				Fund Impact	.00
					42,613.67CR
					42,613.67CR

To provide additional payroll recovery for Extended School Program from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services American Rescue Plan Act (ARPA) grant.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1115	Full Urban Services District Fund	182,000.00
1131	Police Confiscated Federal Fund	225,000.00
1144	Lexington Economic Development Fund	.00
3140	US Department of Justice	.00
3200	US Department of Homeland Security	.00
3230	US Department of Treasury	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4024	PFC - Parks Projects Fund	1,141.26
4051	Water Quality Management Fund	.00
4121	Landfill Fund	200,000.00
4202	Extended School Program Fund	42,613.67CR

BUDGET ADJUSTMENT LIST
APPROVED THE WEEK OF OCTOBER 31, 2022

JOURNAL	137483	DIVISION	Social Services Administration	Fund Name	General Fund	
				Fund Impact		1,500.00
						1,500.00CR
						.00

To provide funds for Mayor's Substance Use Advisory Council Food and Household Items by reducing funds in Professional Services.

JOURNAL	137465	DIVISION	Environmental Services	Fund Name	Urban Fund	
				Fund Impact		2,100.00
						2,100.00CR
						.00

To provide funds for copier lease by decreasing funds for operating supplies, all in the Urban Services District Fund.

JOURNAL	137466	DIVISION	Environmental Services	Fund Name	Water Quality Fund	
				Fund Impact		2,100.00
						2,100.00CR
						.00

To provide funds for copier lease by decreasing funds for operating supplies, all in the Water Quality Fund.

BUDGET ADJUSTMENT SUMMARY

1101	General Services District Fund	.00
1115	Urban Services District Fund	.00
4051	Water Quality Fund	.00

MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 24, 2022

SUBJECT: Easement Acquisition for the Sutherland Trunk Sanitary Sewer Project (WH-12)
Consent Decree (RMP)

Request

The purpose of this memorandum is to request a resolution authorizing the acceptance of Deeds of Easement from the owner of record on properties needed for the construction of the Sutherland Trunk Sanitary Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$500.00.

Purpose of Request

The requested resolution will provide funds for the purchase of easements needed to construct this Consent Decree Remedial Measures (RMP) project.

Project Cost in FY23 and Future Budget Years

The cost to acquire the necessary easement will not exceed \$500.00.

Are Funds Budgeted

The funds are budgeted in the following account:

<u>FUND</u>	<u>DEPT ID</u>	<u>SECT</u>	<u>ACCT</u>	<u>PROJECT</u>	<u>ACTIVITY</u>	<u>BUD REF</u>
4003	303408	3466	92811	WHEMERRICK_RMP	CONSENT_DE	2022

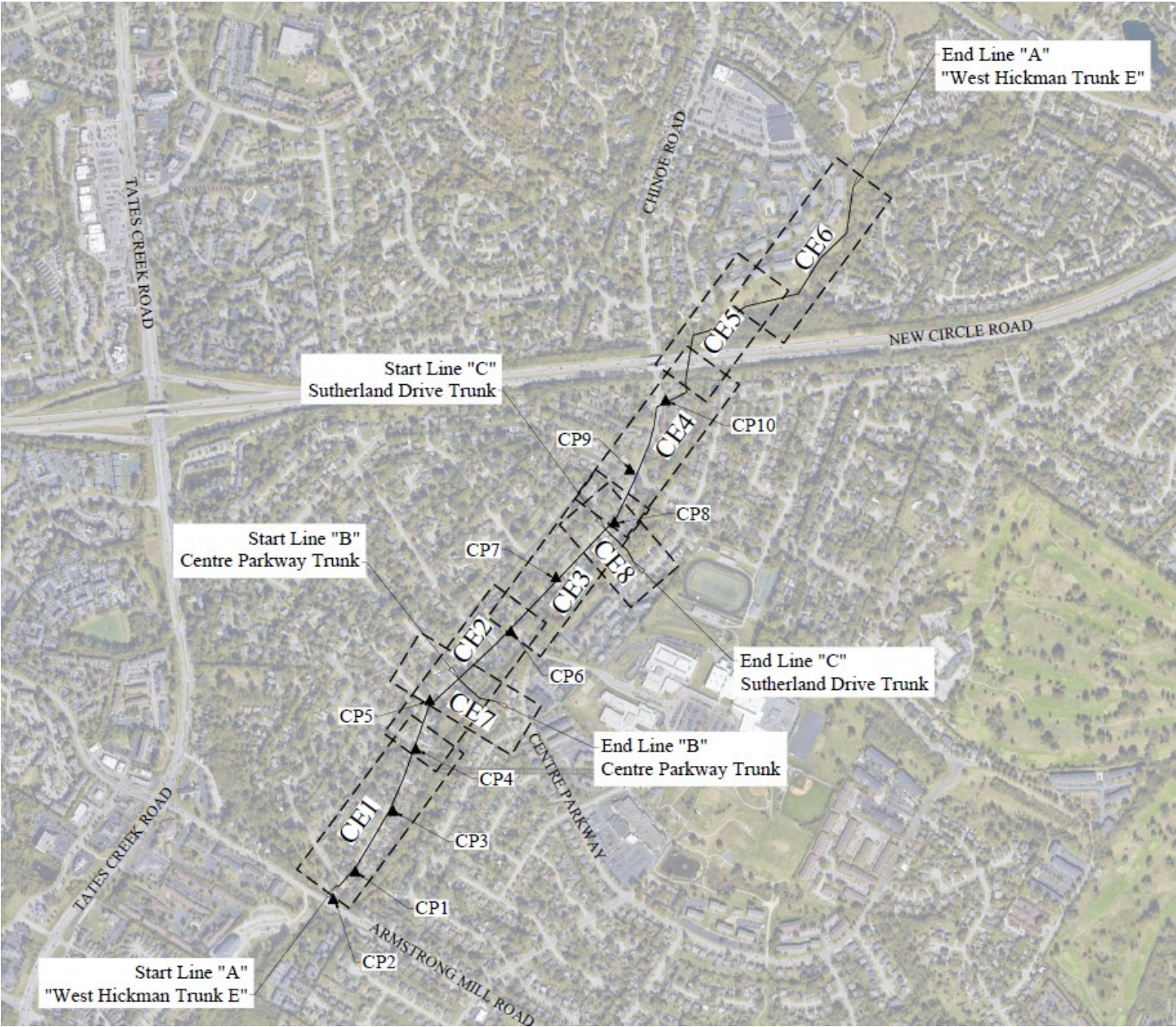
Director / Commissioner

Martin / Albright



West Hickman Main Trunk E (RMP Project No. WH-10)

Project Location Map



MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Council Members

FROM: Heather Lyons, Mayor's Office

CC: Tyler Scott, Chief of Staff

DATE: October 26, 2022

SUBJECT: PSA for Lyric Theatre

Authorization to: Move forward with funding support to Lyric Theatre

Why are you requesting? So that Lyric Theatre can submit their quarterly reports and receive the LFUCG funding.

Department needs this action completed because: the Lyric Theatre Quarterly Reports will be submitted to Heather Lyons, Mayor's Office.

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

The cost for this FY is: \$127,500.00

Are the funds budgeted? YES

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

Account number: 1101-900107-0001-71101

File Number:

Director/Commissioner: Heather Lyons



MAYOR LINDA GORTON



LEXINGTON

JENNIFER CAREY
DIRECTOR
ENVIRONMENTAL SERVICES

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 27, 2022

SUBJECT: MOA with KYSES for the Solarize Lexington Program

Request

The purpose of this memorandum is to request authorization of a Memorandum of Agreement between LFUCG and the Kentucky Solar Energy Society (KYSES) for the Solarize Lexington Program.

Why are you requesting?

The Solarize Lexington Program is a proposed initiative to promote and encourage the use of photovoltaic arrays (PV) on residential and non-residential properties. The Solarize Lexington Program will serve as a group buying program designed to deliver cost-competitive solar installations for residences and certain non-residential properties. The Division of Environmental Services desires to partner with the Kentucky Solar Energy Society, who are experts in the field of solar energy, in order to assist with various professional services throughout the duration of this Program.

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

There is no budgetary impact.

Are funds budgeted?

N/A

File Number: 1127-2022

Director / Commissioner: Carey / Albright



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 26, 2022

SUBJECT: Request Council Authorization to Execute a Sole Source Agreement with Routeware, Inc. for the Purchase of Hardware and Database Maintenance Required as Part of the Government-wide GPS Program for its Fleet.

Request

The purpose of this memorandum is to request approval of a sole source agreement with Routeware, Inc. for the purchase of hardware and database maintenance required as part of the government-wide GPS program for its fleet.

Purpose of Request

As part of the Urban County Government's program to equip its fleet with GPS, the division wishes to enter into a sole source agreement with Routeware, Inc. as the vendor being used by other divisions for this purpose.

Project Cost in FY22 and in Future Budget Years

Annual database maintenance cost is \$46,064.64. The funds are budgeted in 4002-303401-3401-71299.

Director/Commissioner
Martin/Albright



MAYOR LINDA GORTON

**LEXINGTON**ERIN HENSLEY
COMMISSIONER
FINANCETO: Mayor Linda Gorton
Members, Urban County CouncilFROM: Erin Hensley, Commissioner
Department of Finance 

DATE: October 28, 2022

Subject: General Term Orders - 2023 Fayette County Sheriff and Fayette County Clerk

Every year the Urban County Council approves a calendar year General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. The GTO is basically an authorization form that summarizes maximum annual expenditures for personnel, operating and capital and is used by the Department of Local Government as a guideline for approval of reimbursement of expenditures. The 2023 GTO's need to be approved in order for the expenditures of these offices to be processed by the Department of Local Government. The following table summarizes the revised budget outlined in the GTO's.

	2023 GTO – Sheriff	2023 GTO – County Clerk
Receipts	\$13,500,500.00	\$7,900,000.00
Surplus	\$ 0	\$ 0
Total Funds Available	\$13,500,500.00	\$7,900,000.00
Personnel	\$11,000,000.00	\$6,500,000.00
Operating	\$ 1,950,000.00	\$795,000.00
Equipment	\$ 550,500.00	\$600,000.00
Discretionary Funds	\$ - 0 -	\$ 5,000.00
Total Expenditures	\$13,500,500.00	\$7,900,000.00

File Number: 1134-22



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 27, 2022

SUBJECT: Request authorization to execute an agreement with Tetra Tech, Inc., for professional services to perform a leachate management alternatives analysis and engineering study at Haley Pike Landfill

Request

The purpose of this memorandum is to request Council authorization for the Mayor to execute a Purchase of Service Agreement, awarded pursuant to RFP No. 42-2022, with Tetra Tech, Inc., to perform a Leachate Management Alternatives Analysis and Engineering Study at Haley Pike Landfill at a cost of \$77,700.00.

Why are you requesting?

The evaluation services procured by this RFP are required pursuant to an Agreed Order with the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Enforcement to remedy Kentucky Pollutant Discharge Elimination System (KPDES) exceedances associated with the current Leachate Management System. Tetra Tech, Inc., was the only respondent to RFP No. 42-2022 Leachate Management Alternatives Analysis and Engineering Study. Tetra Tech designed the original leachate management system, which was an appropriate leachate management system based on the permit limits in place at that time. Since the original design, permit limits have changed requiring this present day evaluation.

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

The cost for FY23 is \$77,700.00.

Are the funds budgeted?

A Budget Amendment is in process to move funds to 4121-313201-3092-90316.

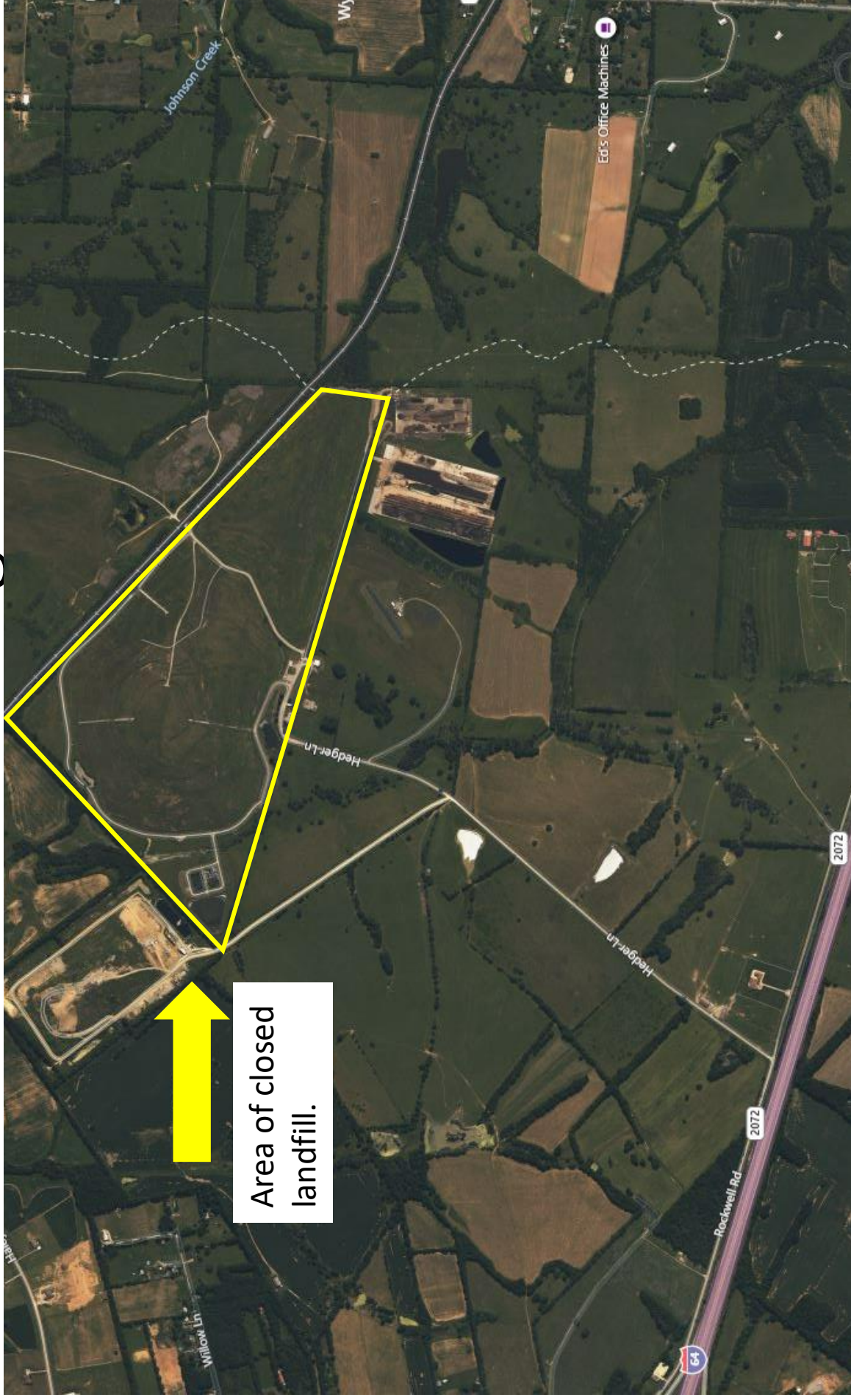
File Number: 1135-2022

Director / Commissioner: Carey / Albright

pc: Tracey Thurman, Director, Division of Waste Management



Site Location: 4216 Hedger Lane





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: October 28, 2022

SUBJECT: 45Drives - Sole Source Certification & Quote #1002445357

Request

Authorization to establish 45Drives as a sole source vendor and accept the attached quote.

Why are you requesting?

This is for a replacement storage solution for our computer network. The storage system will replace a unit that is near end of life, and will increase our storage capacity. The increased capacity is necessary due to the increased storage requirements of complex investigations conducted by the agency. This is also to establish 45Drives as a sole source vendor. The attached quote requires Council and Mayor Gorton's approval.

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

Funds are budgeted - \$70,950.02

Are the funds budgeted? Yes – 1131-505501-5511-96209

File Number: 1136-22

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

LBW/rmh

MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Councilmembers

FROM:

Jenifer Wuorenmaa

CC: CAO Sally Hamilton

DATE: November 4, 2022

SUBJECT: Paid Parental Leave Ordinance

Request

Authorization to create a new section of the Code of Ordinances to authorize up to four weeks of paid parental leave to eligible employees and up to two weeks of paid parental leave for foster or kinship care, effective upon passage.

Why are you requesting?

Department needs this action completed because the Urban County Council, at the October Budget and Finance and Economic Development (BFED) meeting, requested the Administration bring forward an Ordinance authorizing Paid Parental Leave for eligible employees.

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

The cost for this FY is: \$100,000 (Estimated)

The cost for future FY is: \$200,000 (Estimated)

Are the funds budgeted?

Yes – Personnel Contingency: 1101-141402-0001-63811

File Number

L1140-22

Director/Commissioner

Wuorenmaa/Hamilton



MAYOR LINDA GORTON



LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

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

FROM:

Tamara Walters, Director
Division of Human Resources

DATE: November 1, 2022

RE: Create Positions - FY 2023 Budget

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

These approved positions include the following:

- Create two (2) classified civil service positions of Language Access Specialist (Grade 523E) in the Office of the Mayor

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

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

File Number:

1143-22

Director/Commissioner: Tamara Walters/Sally Hamilton



Linda Gorton
MAYOR



LEXINGTON

Jonelle Patton
DIRECTOR
ENHANCED 911

TO: Mayor Linda Gorton
Council Members

FROM: Jonelle Patton, Director
Lexington Enhanced 911

DATE: November 4, 2022

SUBJECT: E911 3rd Quarterly Address Changes

Request:

The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to change street names and/or individual numbers of addresses within the 1st, 3rd, 5th, 10th and 12th Council Districts.

Why are you requesting?

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

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

N/A

Are the funds budgeted?

N/A

File Number: 1144-22



..Title

Authorization to change street names and/or individual numbers of addresses within the 1st, 3rd, 5th, 10th and 11th Council Districts to ensure proper operation of the Enhanced 9-1-1 system. Properties include 970 W. New Circle Rd. to 1196 Finney Dr., 980 W. New Circle Rd. to 1192 Finney Dr., 990-992 New Circle Rd. to 1188 Finney Dr., 996 W. New Circle Rd. to 1184 Finney Dr., 1000 W. New Circle Rd. to 1180 Finney Dr., 1004 New Circle Rd., to 1172 Finney Dr., 1008 New Circle Rd. to 1156 Finney Dr., 1010 New Circle Rd. to 1160 Finney Dr., 1040 New Circle Rd. to 1164 Finney Dr., 519-531 Laketower Dr. to 531 Laketower Dr., 142-144 N. Broadway to 144 N. Broadway, 347-349 Southland Dr. Unit 1 to 347 Southland Dr., 347-349 Southland Dr. Unit 2 to 349 Southland Dr., 1954 Stanton Way to 1950 Stanton Way. No budgetary impact. (L1144-22) (Patton/Armstrong)

..Summary

Authorization to change street names and/or individual numbers of addresses within the 1st, 3rd, 5th, 10th and 11th Council Districts to ensure proper operation of the Enhanced 9-1-1 system. Properties include 970 W. New Circle Rd. to 1196 Finney Dr., 980 W. New Circle Rd. to 1192 Finney Dr., 990-992 New Circle Rd. to 1188 Finney Dr., 996 W. New Circle Rd. to 1184 Finney Dr., 1000 W. New Circle Rd. to 1180 Finney Dr., 1004 New Circle Rd., to 1172 Finney Dr., 1008 New Circle Rd. to 1156 Finney Dr., 1010 New Circle Rd. to 1160 Finney Dr., 1040 New Circle Rd. to 1164 Finney Dr., 519-531 Laketower Dr. to 531 Laketower Dr., 142-144 N. Broadway to 144 N. Broadway, 347-349 Southland Dr. Unit 1 to 347 Southland Dr., 347-349 Southland Dr. Unit 2 to 349 Southland Dr., 1954 Stanton Way to 1950 Stanton Way. No budgetary impact. (L1144-22) (Patton/Armstrong)

Budgetary Implications: No

Advance Document Review:

Law: {Yes, Completed by [Michael Sanner]}

Risk Management: {Select No, Completed by [Official, Date]}

Fully Budgeted: N/A

Account Number: N/A

This Fiscal Year Impact: **\$0.00**

Annual Impact: **\$0.00**

Project:

Activity:

Budget Reference:

Current Balance:

..Body

{Body of resolution or ordinance}

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

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

RESOLUTION NO. _____ - 2022

A RESOLUTION CHANGING THE PROPERTY STREET NAME OF 519-531 LAKETOWER DRIVE TO 531 LAKETOWER DRIVE, 142-144 NORTH BROADWAY TO 144 NORTH BROADWAY, 347-349 SOUTHLAND DRIVE UNIT 1 TO 347 SOUTHLAND DRIVE, 347-349 SOUTHLAND DRIVE UNIT 2 TO 349 SOUTHLAND DRIVE, 1954 STANTON WAY TO 1950 STANTON WAY AND CHANGING THE STREET NAME AND PROPERTY ADDRESS NUMBER OF 970 WEST NEW CIRCLE ROAD TO 1196 FINNEY DRIVE, 980 WEST NEW CIRCLE ROAD TO 1192 FINNEY DRIVE, 990-992 WEST NEW CIRCLE ROAD TO 1188 FINNEY DRIVE, 996 WEST NEW CIRCLE ROAD TO 1184 FINNEY DRIVE, 1000 WEST NEW CIRCLE ROAD TO 1180 FINNEY DRIVE, 1004 WEST NEW CIRCLE ROAD TO 1172 FINNEY DRIVE, 1008 WEST NEW CIRCLE ROAD TO 1156 FINNEY DRIVE, 1010 WEST NEW CIRCLE ROAD TO 1160 FINNEY DRIVE, 1040 WEST NEW CIRCLE ROAD TO 1164 FINNEY DRIVE, ALL EFFECTIVE THIRTY (30) DAYS FROM PASSAGE.

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

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

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

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

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

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

- | | | |
|-----|-------------------------|---------------------|
| (a) | <u>Laketower Drive</u> | |
| | <u>Current</u> | <u>New</u> |
| | 519-531 Laketower Drive | 531 Laketower Drive |
| (b) | <u>North Broadway</u> | |
| | <u>Current</u> | <u>New</u> |
| | 142-144 North Broadway | 144 North Broadway |

(c) Southland Drive

<u>Current</u>	<u>New</u>
347-349 Southland Drive Unit 1	347 Southland Drive

(d) Southland Drive

<u>Current</u>	<u>New</u>
347-349 Southland Drive Unit 2	349 Southland Drive

(e) Stanton Way

<u>Current</u>	<u>New</u>
1954 Stanton Way	1950 Stanton Way

Section 2 – That the street name and property address number of the following property be and hereby is changed as follows:

- (a) West New Circle Road: That the name of West New Circle Road located at 970 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
970 West New Circle Road	1196 Finney Drive

- (b) West New Circle Road: That the name of West New Circle Road located at 980 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
980 West New Circle Road	1192 Finney Drive

- (c) West New Circle Road: That the name of West New Circle Road located at 990-992 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
990-992 West New Circle Road	1188 Finney Drive

- (d) West New Circle Road: That the name of West New Circle Road located at 996 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
996 West New Circle Road	1184 Finney Drive

- (e) West New Circle Road: That the name of West New Circle Road located at 1000 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1000 West New Circle Road	1180 Finney Drive

- (f) West New Circle Road: That the name of West New Circle Road located at 1004 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1004 West New Circle Road	1172 Finney Drive

- (g) West New Circle Road: That the name of West New Circle Road located at 1008 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1008 West New Circle Road	1156 Finney Drive

- (h) West New Circle Road: That the name of West New Circle Road located at 1010 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1010 West New Circle Road	1160 Finney Drive

- (i) West New Circle Road: That the name of West New Circle Road located at 1040 is changed to Finney Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1040 West New Circle Road	1164 Finney Drive

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

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
0612-22:MRS:X:\Cases\911\22-LE0003\LEG\00759512.DOCX

MAYOR LINDA GORTON

**LEXINGTON**JENNIFER M. CAREY, P.E.
DIRECTOR
ENVIRONMENTAL SERVICES**TO:** Mayor Linda Gorton
Urban County Council**FROM:** 
Jennifer M. Carey, P.E., Director
Division of Environmental Services**DATE:** November 3, 2022**SUBJECT:** Request authorization to execute an agreement with New Life Day Center, Inc., for litter pickup service with panhandler participation

Request

The purpose of this memorandum is to request Council authorization for the Mayor to execute a Purchase of Service Agreement, awarded pursuant to RFP No. 50-2022, with New Life Day Center, Inc., to perform Litter Pickup Service with Panhandler Participation at a cost of \$150,000.00 per year.

Why are you requesting?

The initial contract with New Life Day Center to provide litter pickup service with panhandler participation expired this fall. Based on the success of this program the past four years in terms of the reduction in number of panhandlers at busy intersections, as well as, the tonnage of litter removed along Lexington's streets, the division desires to continue this program. New Life Day Center, Inc., was the only respondent to RFP No. 50-2022 Litter Pickup Service with Panhandler Participation, and they will provide a continuity of service to this program.

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

The cost for FY23 is \$150,000.00, and this amount will be requested for FY24.

Are the funds budgeted?

Yes, funds are budgeted in 4051-313201-3091-76101.

File Number: 1145-2022**Director / Commissioner:** Carey / Albright

MAYOR LINDA GORTON



LEXINGTON

MONICA CONRAD
DIRECTOR
PARKS AND RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks and Recreation

DATE: November 7, 2022

SUBJECT: Kiddie Kapers Annual Spring Recital at the Opera House

Request:

This is a request for Council to enter into a license of Agreement with the Lexington Center Corporation for Lexington Parks & Recreation to hold its annual Kiddie Kapers Spring Recital at the Lexington Opera House.

Purpose:

Lexington Parks & Recreation has held their end of year program recital for Kiddie Kapers dance since 1999. The recital is the culmination of 22 weeks of classes from September through April with up to 800 students performing.

Budgetary Implication:

No budgetary impact.

Lexington Parks & Recreation receives a subsidy from the Opera House fund covering 50% of the bill. Ticket revenue is collected by the Opera House's ticket system Ticket Master and covers the balance of the rental costs. Remaining ticket revenue is paid out to Parks.

File Number: 1147-22

Director/Commissioner: Monica Conrad/Chris Ford



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: NOVEMBER 4, 2022

**SUBJECT: Accept Additional Award from FEMA for the Lexington-Fayette Animal
Care and Control Facility Generator**

Request: Council authorization to accept additional award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$15,000 from the Hazard Mitigation Grant Program and \$2,400 from the state due to increase in construction cost and necessary engineering assessment for the Lexington-Fayette Animal Care and Control Facility. Match in the amount of \$2,600 is required.

Purpose of Request: On February 10, 2022 (Resolution 062-2022) Council approved acceptance of award in the amount of \$88,229.25 from the Hazard Mitigation Grant Program and \$14,116.68 from the state and local match of \$15,293.07 to purchase a generator for the Lexington-Fayette Animal Care and Control Facility.

The Division of Emergency Management has been awarded an additional amount of \$15,000 in federal funds from FEMA and \$2,400 non-federal share from the state, local match of \$2,600 due to an increase in construction costs and necessary engineering for the Lexington-Fayette Animal Care and Control Facility for a total project cost of \$137,639.

What is the cost in this budget year and future budget years? Federal amount (75%) is \$15,000. State agency's share (12%) is \$2,400. Local match of \$2,600 (13%) is required and funds are budgeted. Total project cost is \$137,639. Funds for future budget years are dependent upon availability of grant funds.

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

File Number: 1148-22

Director/Commissioner: Dugger/Armstrong



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: NOVEMBER 4, 2022

SUBJECT: Accept Award from FEMA for the Mitigation Grant Emergency Generator

Request: Council authorization for the Mayor to execute an agreement and accept award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$215,304 from the Hazard Mitigation Grant Program and \$34,448 from the state to overhaul electrical infrastructure at the Division of Streets and Roads maintenance and dispatch facilities. Match in the amount of \$37,320 is required.

Purpose of Request: On September 30, 2021 (Resolution 544-2021), Council approved to submit application to Kentucky Emergency Management for Federal funding under the Hazard Mitigation Grant program to overhaul the electrical infrastructure at the Division of Streets and Roads maintenance and dispatch facilities.

The Division of Emergency Management has been awarded \$215,304 in federal funds from FEMA and \$34,448 non-federal share from the state with a local match of \$37,320 for overhaul of the electrical infrastructure at the Division of Streets and Roads maintenance and dispatch facilities and install new electrical panels to back up generator systems. Total cost of the project is \$287,072.

What is the cost in this budget year and future budget years? Federal award in amount (75%) is \$215,304. State agency's share (12%) is \$34,448. Local match of \$37,320 (13%). Total cost of the project is \$287,072. Future cost of \$3,000 to \$5,000 for fuel and maintenance is anticipated.

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

File Number: 1149-22

Director/Commissioner: Dugger/Armstrong



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: NOVEMBER 4, 2022

SUBJECT: Authorization to Execute First Renewal to Agreement with Kentucky Association for Environmental Education (KAEE) for Environmental Education Coordination Services

Request: Council authorization to execute first renewal agreement with Kentucky Association for Environmental Education (KAEE) effective July 1, 2022 through June 30, 2023 for Environmental Education Coordination Services. Cost not to exceed \$276,855.76.

Why are you requesting? On May 6, 2021(Resolution 232-2021), Council authorized execution with Kentucky Association for Environmental Education Coordination Services. The renewal option with the Kentucky Association for Environmental Education is for continued environmental education coordination services. The RFP provides for up to two (2) additional 365-day renewal periods upon mutual agreement by all parties, following the conclusion of the original fourteen-month contract term.

What is the cost in this budget year and future budget years?The cost for FY23 is \$276,855.76. There is an additional renewal available for FY24.

Are the funds budgeted? FY23 funds are budgeted as follows:

1115-303501-0001-71299	\$110,742.22
4051-313201-3095-71299	\$110,742.22
4002-313201-3095-71299	\$ 41,528.33
3160-160705-0001-71299 2023 SLX_UPWP 5.0	\$ 13,842.78

File Number: 1150-22

Director / Commissioner: Carey/Albright



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: November 7, 2022

SUBJECT: Request Approval of Memorandum of Agreement with Kentucky River Watershed Watch to Coordinate Volunteers to Provide Water Quality Monitoring in the Wolf Run Watershed

Request

The approval of a Memorandum of Agreement with Kentucky River Watershed Watch (KRWW) to engage and coordinate volunteers who will conduct water quality monitoring in the fall of 2022 and summer of 2023 in the Wolf Run watershed. The monitoring fulfills a component of LFUCG's Watershed-Focused Monitoring Program (WFMP) which is a requirement of the city's Kentucky Pollutant Discharge Elimination System (KDPES) Municipal Separate Storm Sewer System (MS4) Permit.

Purpose of Request

Numerous citizens are keenly interested in the quality of Lexington's headwater creeks and have expressed their desire to participate in collecting the data that is necessary to complete the WFMP. KRWW holds the contact list of volunteers who participate in their monitoring activities and documents the training of the volunteers. The Division of Water Quality desires to engage the volunteers in the WFMP and can save time and resources by partnering with KRWW to execute the volunteer engagement.

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

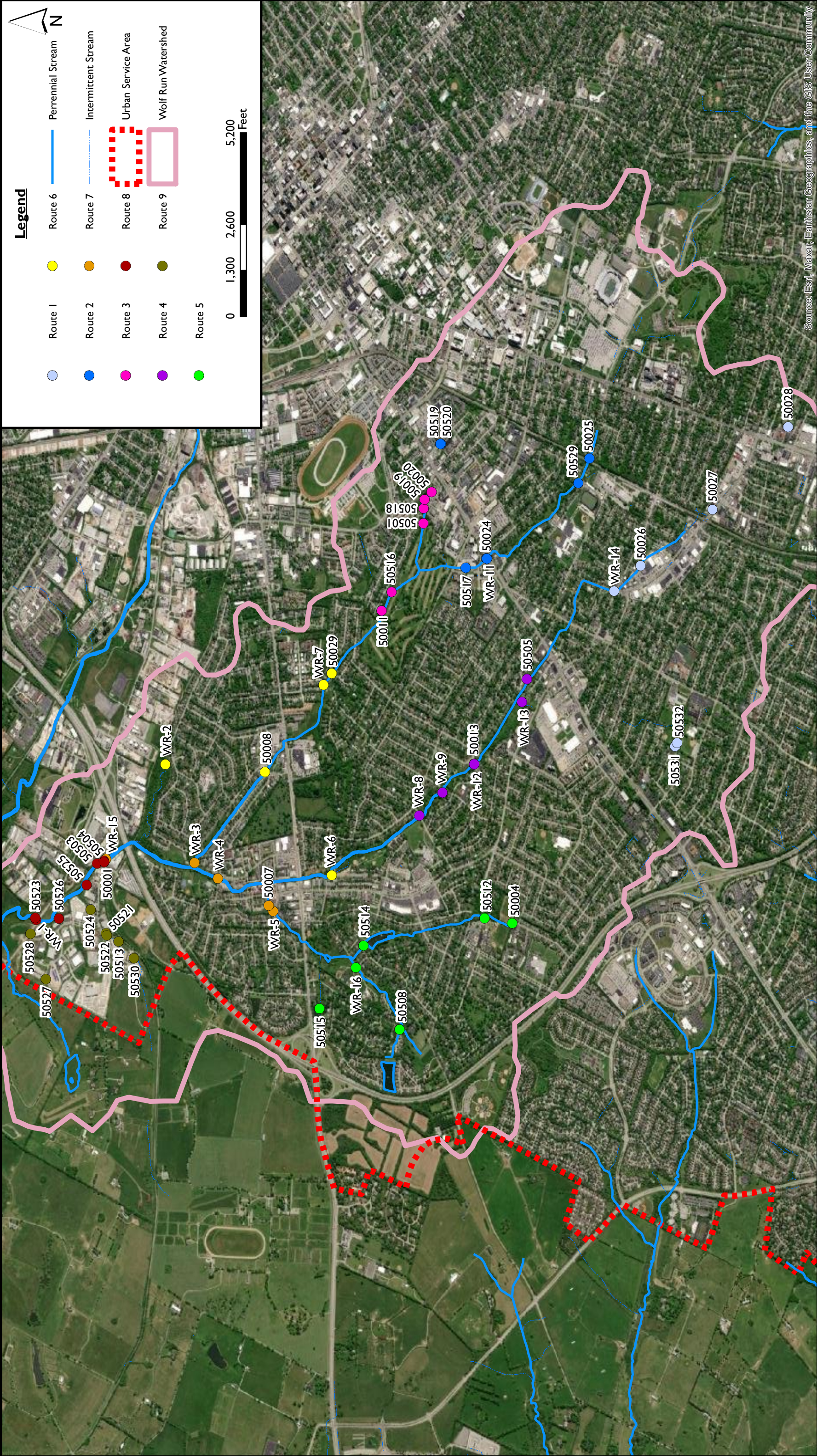
The cost for FY23 is \$5,000.00.

Are the funds budgeted?

Funds are budgeted and available in 4051-303204-3321-71299

Director / Commissioner: Martin / Albright





Prepared by:
Third Rock Consultants, LLC
2526 Regency Road, Suite 180
Lexington, Kentucky 40503

Routes Overview Wolf Run Watershed Phase I Water Quality Monitoring

Prepared for:
LFUCG Division of Water Quality
125 Lisle Industrial Avenue, Suite 180
Lexington, Kentucky 40511

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: NOVEMBER 4, 2022

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

Request: Authorization to execute Change Order No. 6 with ATS Construction for work on Town Branch Trail Phase 6. Change order is for \$111,417.50 and will increase the contract to \$4,985,464.75. This change order is being submitted concurrently to KYTC. The approval of Change Order No. 6 by LFUCG is contingent on approval by KYTC.

Purpose of the Request: On February 6, 2020 (Ordinance 045-2020), Council approved awarding L-M Asphalt Partners Ltd. d/b/a ATS Construction the contract for construction of the Town Branch Trail Phase 6. On July 6, 2021 (Resolution 365-2021), Council approved Change Order No. 1 to increase contract \$54,311.29 to increase the size of the trailhead parking lot. On October 14, 2021 (Resolution 570-2021), Council approved Change Order No. 2 to increase the contract in the amount of \$239,388.75 for safety improvements along the property line with RJ Corman Railroad from Forbes Road to Thompson Road. On April 28, 2022 (Resolution 199-2022), Council approved Change Order No. 3 to increase the contract \$290,318.01 for remediation of an underground storage tank, fencing, bollards and trail amenities. On July 7, 2022 (Resolution 400-2022), Council approved Change Order No. 4 to increase the contract to \$4,633,109.27 for additional parking along the trail at 1265 Manchester Street. On September 22, 2022 (Resolution 527-2022), Council approved Change Order No. 5 for improvements at 1345 & 1305 Old Frankfort Pike required by the right-of-way agreement.

The LFUCG Division of Engineering needs this action for the following:

- Additional tree planting along the trail.
- Planter boxes.
- Snow fence for job site protection.
- Material cost adjustment for fencing.

Details of the changes are shown in the attached Change Order forms.



Page 2 of 2
TB Trail Phase 6
Change Order No. 6

What is the cost in this budget year and future budget years? The cost for FY23 is \$111,417.50. No costs are anticipated in future budget years.

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

File Number: 1152-22

Director/Commissioner: Burton/Albright



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1		Date:	October 12, 2022
		Project:	Town Branch Trail 6 / Manchester & Forbes Turn Lanes
		Location:	Old Frankfort Pike
		Contract No.	003-2020
To (Contractor):		Original Contract Amt.	\$3,854,486.96
L-M Asphalt Partners (dba ATS Construction)		Cumulative Amount of Previous Change Orders	\$1,019,560.29
3009 Atkinson Ave.		Percent Change - Previous Change Orders	26.45%
Lexington KY 40509		Total Contract Amount Prior to this Change Order	\$4,874,047.25
		Change Order No.	6
You are hereby requested to comply with the following changes from the contract plans and specification;			
Current Change Order			
Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price
	See Attached Sheet		
	Total decrease	\$22,600.00	
	Total increase		\$134,017.50
	Net Amount of this Change Order	\$111,417.50	
	New Contract Amount Including this Change Order	\$4,985,464.75	
	Percent Change - This Change Order		2.89%
	Percent Change - All Change Orders		29.34%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.			
Recommended by <u>AF</u> (Proj. Engr.) Date <u>10/14/22</u>			
Accepted by <u>[Signature]</u> (Contractor) Date <u>10/26/22</u>			
Approved by <u>[Signature]</u> (Director) Date <u>10/26/22</u>			
Approved by <u>[Signature]</u> (Commissioner) Date <u>10/31/22</u>			
Approved by _____ (Mayor or CAO) Date _____			

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CHANGE ORDER

Page 2

DATE: October 12, 2022

Change Order #: 6

CONTRACT #: 003-2020

Project: Town Branch Trail 6 / Manchester & Forbes Turn Lanes

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

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
149	DEL	PERENNIAL	EA	200.00	\$28.00	\$ 5,600.00	\$ -
150	DEL	SHRUB	EA	50.00	\$260.00	\$ 13,000.00	\$ -
151	DEL	FLOWERING TREE	EA	4.00	\$1,000.00	\$ 4,000.00	\$ -
152	ADD	SHADE TREE	EA	36.00	\$1,400.00	\$ -	\$ 50,400.00
601	ADD	PLANTER BOXES	EA	50.00	\$487.19	\$ -	\$ 24,359.50
602	ADD	PLANTER BOX PLACEMENT AND GRADING	EA	1.00	\$11,000.00	\$ -	\$ 11,000.00
603	ADD	PLANTER BOX FLOWERS	EA	675.00	\$29.93	\$ -	\$ 20,202.75
604	ADD	SNOW FENCE FOR JOBSITE PROTECTION	LS	1.00	\$7,855.25	\$ -	\$ 7,855.25
605	ADD	FENCING MATERIAL ADJUSTMENT	LS	1.00	\$20,200.00	\$ -	\$ 20,200.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
Total decrease						\$ 22,600.00	
Total increase							\$ 134,017.50
Net (increase) in contract price							\$ 111,417.50

Page 3 of 3		
JUSTIFICATION FOR CHANGE	PROJECT:	Town Branch Trail 6 / Manchester & Forbes Turn Lanes
	CONTRACT NO.	003-2020
	CHANGE ORDER:	6

1. Necessity for change:
To add in additional landscaping along the trail, snow fence for job site protection, and a material cost adjustment for fencing.

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

CONTRACT HISTORY FORM

CO #5

Project Name: Town Branch Trail Phase 6 / Manchester & Forbes Turn Lanes
Contractor: L-M Asphalt Partners (dba ATS Construction)
Contract Number and Date: 003-2020 2/6/2020
Responsible LFUCG Division: Engineering

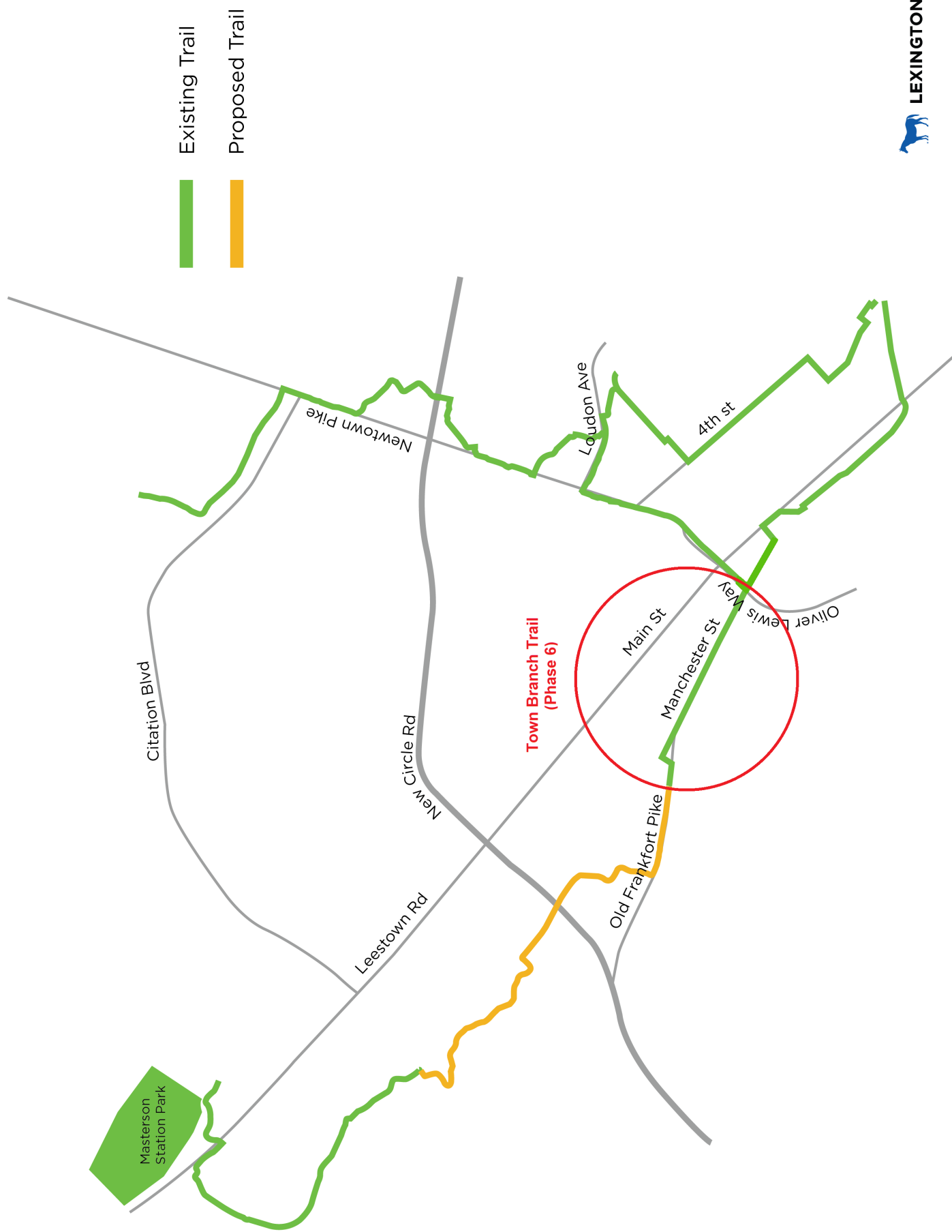
CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	\$	<u>3,854,486.96</u>	
Next Lowest Bid Amount:			
<u>\$4,396,138.40</u>			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u></u>	
D. Amended Contract Amount:	\$	<u>3,854,486.96</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>1,019,560.29</u>	<u>26.5%</u> (Line E / Line D)
F. Amount of This Change Order:	\$	<u>111,417.50</u>	<u>2.9%</u> (Line F / Line D)
G. Total Contract Amount:	\$	<u>4,985,464.75</u>	

SIGNATURES

Project Manager: 
Reviewed by: 
Division Director: 

Date: 10-19-22
Date: 10/19/22
Date: 10/26/22



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: NOVEMBER 4, 2022

**SUBJECT: Accept Additional American Rescue Plan Act Funds from the Kentucky
Cabinet for Health and Family Services, Department for Community Based
Services for the Extended School Program**

Request: Council authorization to accept additional award of federal funds from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services in the amount of \$139,687.74 under the American Rescue Plan Act (ARPA) to support child care expenses for the Extended School Program in the Division of Parks & Recreation. No matching funds required.

Purpose of Request: On April 28, 2022 (Resolution 194-2022), Council approved to accept award from the Kentucky Cabinet for Health and Family Services, Department of Community Based Services in the amount of \$216,382.16. On June 9, 2022 (Resolution 295-2022), Council approved accept award from the Kentucky Cabinet for Health and Family Services, Department of Community Based Services in the amount of \$116,221.30. On August 30, 2022 (Resolution 471-2022), Council approved accept additional federal award of \$89,857.30.

The Kentucky Cabinet for Health and Family Services, Department of Community Based Services has awarded the Lexington-Fayette Urban County Government Extended School Program in the Division of Parks & Recreation an additional federal funds award in the amount of \$139,687.74 to support child care expenses and personnel costs.

What is the cost in this budget year and future budget years? Federal award of \$139,687.74. No match is required. Funds for future budget years are dependent upon availability of grant funds.

Are the funds budgeted? Budget Amendment is in process.

File Number: 1153-22

Director/Commissioner: Conrad/Ford



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: NOVEMBER 4, 2022

SUBJECT: JOYLAND AREA STORMWATER IMPROVEMENTS

Request: Council authorization to submit application and accept award if offered, to the Federal Emergency Management Agency (FEMA) requesting federal funding in the amount of \$825,000 from the Building Resilient Infrastructure and Communities (BRIC) Grant Program for the Joyland Area Stormwater Improvements – Phase 2 portion. Match in the amount of \$275,000 is required.

Purpose of Request: Kentucky Emergency Management has approved the Fayette County request to apply for Federal funding under Building Resilient Infrastructure and Communities (BRIC) Grant Program. The Joyland area in Lexington has had stormwater problem areas identified for many years. The project limits can be generally defined as the area bounded by I-75/64, Paris Pike, Pierson Drive, and Rogers Road. Stormwater conveyance in the project area consists of a combination of existing infrastructure, open channels, and several karst features which intercept portions of the watershed. The existing system discharges onto Shandon Farm and eventually reaches Cane Run, approximately 4.5 miles to the northwest. Most of the residential structures in the area were constructed between the late 1950s through the mid-1960s.

The project is broken into two phases. Phase 1 which is consists of constructing three (3) detention basins with one (1) at Lisa Drive (500 Lisa Drive), and two (2) at Cabot Drive & Parkside Drive and Shandon Drive & Parkside Drive. Phase 2 will consist of installing new storm infrastructure (both inlets and storm lines) within portions of the Joyland Area Neighborhood. Joyland Area Stormwater Improvement Project - Phase 2 has an estimated construction cost of \$1,100,000

What is the cost in this budget year and future budget years? Total cost of the project is \$1,100,000. Federal amount (75%) is \$825,000. Local match of \$275,000 (25%) is required and will be requested in the FY24 grant match.

Are the funds budgeted? A budget amendment will be completed if the project is approved.

File Number: 1154-22

Director/Commissioner: Martin/Albright



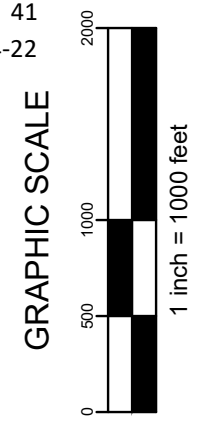
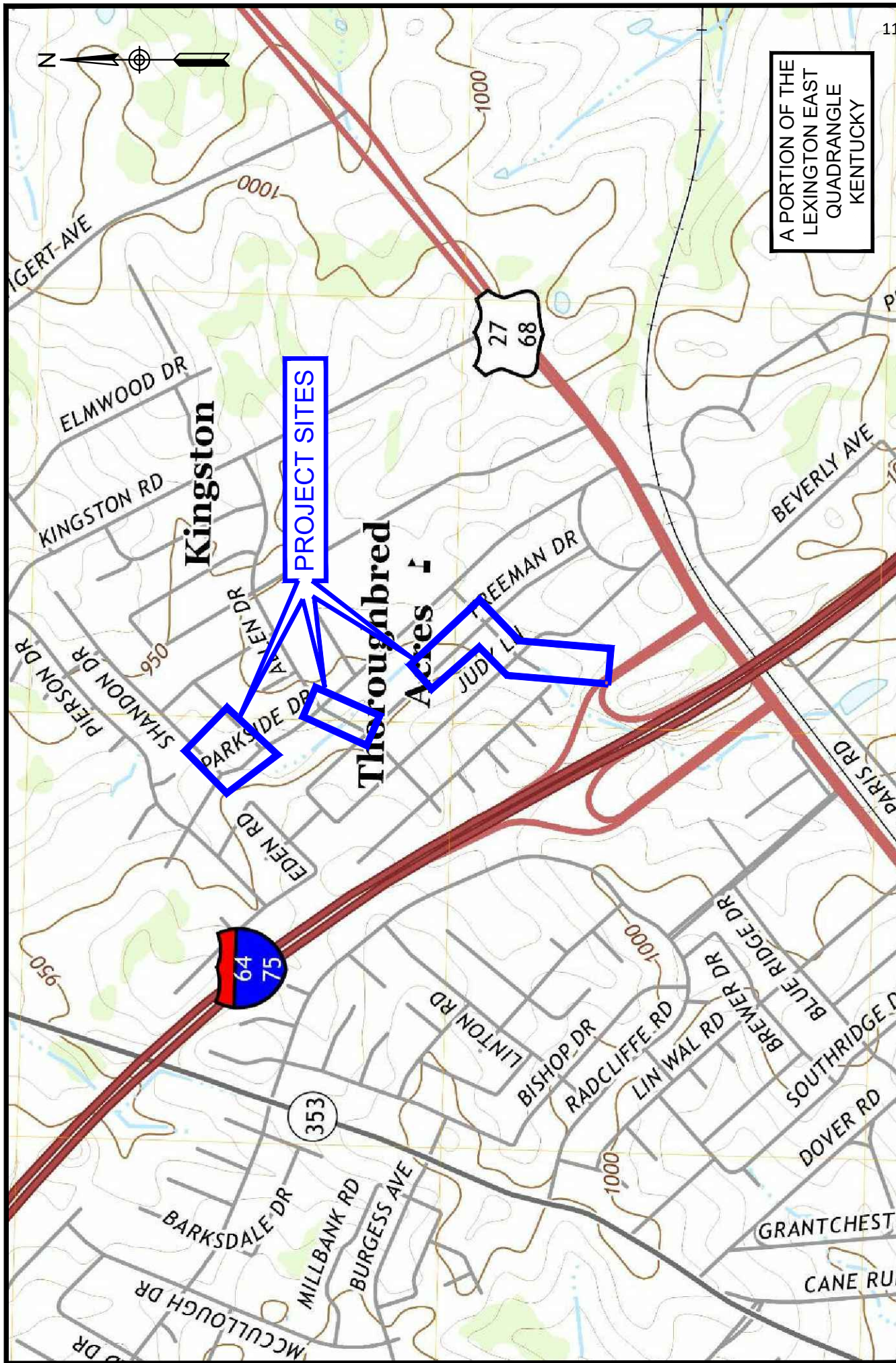


FIGURE 1 - PROJECT LOCATION MAP

2021 JOYLAND AREA STORM DRAINAGE PROJECT

LEXINGTON, KY

1 OF 1		JUNE 2021	
DATE:	REVISED	1	2
		3	4
		5	
JO# 20230		DRAWN: KJM	
CHECKED: JBS		DATE: 6/2/21	

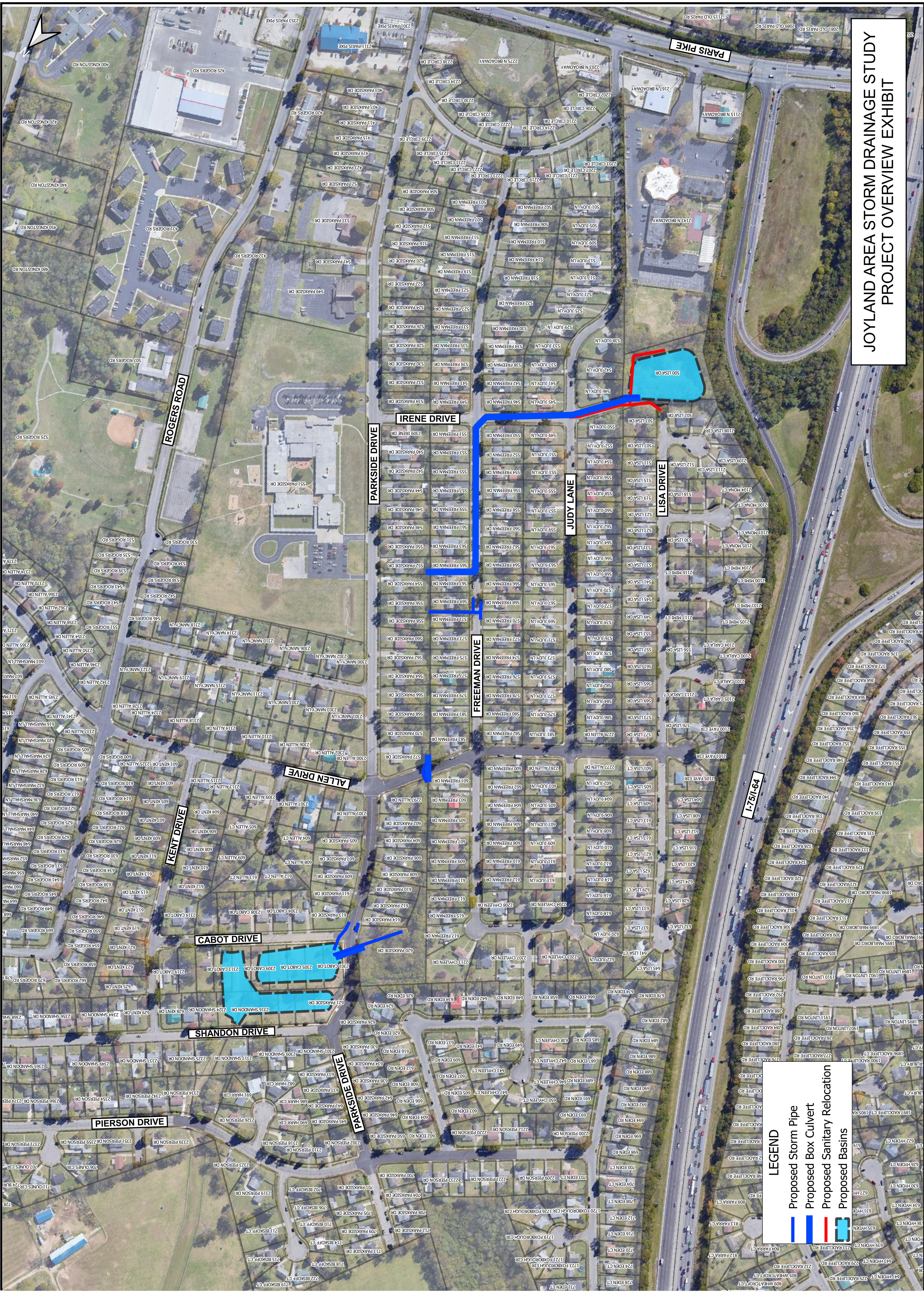


JOYLAND AREA STORM
DRAINAGE STUDY
LEXINGTON, KY
PROJECT OVERVIEW EXHIBIT



LEXINGTON FAYETTE
URBAN COUNTY GOVT.
DIV. OF WATER QUALITY
125 LISLE INDUSTRIAL AVE.
LEXINGTON, KY 40511

JOYLAND AREA STORM DRAINAGE STUDY
PROJECT OVERVIEW EXHIBIT



LEGEND

Proposed Storm Pipe

Proposed Box Culvert

Proposed Sanitary Relocation

Proposed Basins



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

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

DATE: NOVEMBER 4, 2022

SUBJECT: Accept Award from FEMA for the Western Kentucky Tornado Expenses

Request: Council authorization to accept award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$107,184.03 from the Kentucky Emergency Management for reimbursement of expenses incurred from the Western Kentucky Tornado by the Division of Emergency Management and Fire and Emergency Services. No match is required.

Purpose of Request: Lexington-Fayette Urban County Government submitted application for reimbursement the Federal Emergency Management Agency (FEMA) for reimbursement for expenses incurred from the Western Kentucky Tornado. FEMA Kentucky Emergency Management has awarded the Division of Emergency Management and Fire & Emergency Services a federal award in the amount of \$107,184.03 for Western Kentucky Tornado expenses.

What is the cost in this budget year and future budget years? Federal award is \$107,184.03. No match is required. Funds for future budget years are dependent upon availability of grant funds.

Are the funds budgeted? Budget amendment is in process.

File Number: 1155-22

Director/Commissioner: Dugger and Wells/Armstrong

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: NOVEMBER 7, 2022

SUBJECT: Accept 2021 BJA FY 2021 State Criminal Alien Assistance Program

Request: Council authorization to accept award and execute agreement from the U.S. Department of Justice in the amount of \$6,363 under the under the 2021 Bureau of Justice Assistance FY 2021 State Criminal Alien Assistance Program (SCAAP). No matching funds are required.

Purpose of the Request: On June 16, 2022, the Division of Corrections submitted a grant application to the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security, requesting federal funds under the FY 2021 State Criminal Alien Assistance Program (SCAAP). The U.S. Department of Justice has offered the LFUCG an award in the amount of \$6,363.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens who have been incarcerated for at least four consecutive days during the reporting period (July 1, 2019 to June 30, 2020), and incarcerated on conviction of at least one felony or two (2) misdemeanors. The Division of Community Corrections proposes to use the funding for professional services and operating supplies for inmate reentry.

The cost in this budget year and future budget years: \$6,363 has been awarded for Fiscal Year 2023. Future funding is dependent upon availability of grant funding.

Are the funds budgeted: Budget amendment is in process.

File Number: 1156-22

Director/Commissioner: Ballard/Armstrong



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 28, 2022

SUBJECT: Change Order #5 to Resolution #524-2021 with ALLA, LLC for Staff Safety and Electrical Safety Implementation Program Services – Division of Water Quality

Request

The purpose of this memorandum is to request approval of Change Order #5 to the Pump Stations Maintenance and Wastewater Treatment Plants Safety Program Audit and Post Audit Implementation Services. The cost of this additional work is \$337,000.00 and funding to continue this program was included in Water Quality's FY23 budget proposal approved by Council.

Purpose of Request

Funds were included in the FY23 budget to continue the improvement of the OSHA compliance safety programs at the Town Branch and West Hickman wastewater treatment plants. Phase V implementation services to be provided include:

- Electrical Safety Program –Implement an OSHA compliant Electrical Safety Program at the Pump Stations Maintenance Section and continue development at both wastewater treatment plants.
- Electrical Safety Program – Update staff training, Arc Flash studies and Infrared equipment testing as required by NFPA 70e-2021 electrical safety standard.
- Continuing to work with the Safety Specialist and Division Management to correct unsafe work sites and behaviors.
- Conduct in-depth OSHA program documentation reviews at each treatment plant, training and make additional improvements as needed.

Project Cost in FY23 and in Future Budget Years

\$337,000.00 for this work was included in the FY23 budget.

Are Funds Budgeted

Funds for this work were included in the Water Quality FY23 Budget: 4002-303401-3402-71299

Director/Commissioner

Martin/Albright



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE:	October 28, 2022
		Contract Modification:	5
		CONTRACT #:	#237-2020
PROJECT: Wastewater Treatment Plants/ Pump Stations Safety Program Audit and Post Audit Implementation			
TO: ALL4			

Original Contract Amount	\$334,800.00
Cumulative Amount of Previous Contract Modifications	\$983,950.25
Percent Change of Previous Contract Modifications	294%
Existing Contract Amount	\$1,318,750.25
Net (increase/decrease) in Contract Amount - (From following pages)	\$337,000.00
Percent Change of This Contract Modification	101%
Original Contract Amount	\$334,800.00
Cumulative Amount of all Contract Modifications	\$1,320,950.25
Percent Change of all Contract Modifications	395%
New Contract Amount Including this Change Order	\$1,655,750.25

Recommended by <u>Robin Wright</u>	(Proj. Engr.)	Date <u>11/02/22</u>
Accepted by <u>[Signature]</u>	(Consultant)	Date <u>11/4/22</u>
Accepted by <u>[Signature]</u>	(Contractor)	Date <u>11-7-22</u>
Approved by <u>Nancy Albright</u>	(Director)	Date <u>11/7/22</u>
Approved by _____	(Commissioner)	Date _____
Approved by _____	(Mayor or CAO)	Date _____

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CONTRACT MODIFICATION**

DATE: November 2, 2022
Contract Mod #: 5
CONTRACT #: #237-2020

Project: 0

TO:

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

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	ADD	Electrical Safety Implementation Program Phase V	LS	1		\$ -	\$ 337,000.00
1						\$ -	\$ -
2						\$ -	\$ -
3						\$ -	\$ -
4						\$ -	\$ -
5						\$ -	\$ -
6						\$ -	\$ -
7						\$ -	\$ -
8						\$ -	\$ -
9						\$ -	\$ -
10						\$ -	\$ -
11						\$ -	\$ -
12						\$ -	\$ -
13						\$ -	\$ -
Total decrease						\$ -	
Total increase							\$ 337,000.00
Net (increase) in contract price							\$ 337,000.00

Page 3 of 3

JUSTIFICATION FOR CHANGE

Wastewater Treatment Plant Safety Program Audit and Post Audit Implementation

PROJECT:

CONTRACT NO.

#237-2020

CHANGE ORDER:

5

1. Necessity for change:
2. Is proposed change an alternate bid? ___Yes XNo
3. Will proposed change alter the physical size of the project? ___Yes XNo
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes XNot Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes XNo
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

Mayor

Date _____

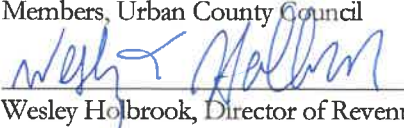
MAYOR LINDA GORTON



LEXINGTON

WESLEY HOLBROOK
DIRECTOR
REVENUE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: 
Wesley Holbrook, Director of Revenue

DATE: November 9, 2022

SUBJECT: Amend section 2-172 of the Code of Ordinances to be inclusive of all places accommodations are offered and rental platforms

Request

Authorization to amend section 2-172 of the Code of Ordinances (related to the transient room tax) to 1) apply the transient room tax to every type of accommodation and platform; accommodations subject to the transient room tax; 2) require online platforms (like Airbnb and VRBO) to collect and remit transient room taxes on rent charged by the platform; 3) establish that rentals of a continuous period of thirty (30) days to a person are not subject to the transient room tax; and 4) to define certain terms relevant to the above changes. This would take effect January 1, 2023.

Why are you requesting?

These changes are based upon HB8 bill which allows for an expansion of the current application of the transient room tax ordinance, which primarily results in rental platforms like AirBNB being directly subject to the tax. Additional related services necessary to facilitate the rental of the accommodation would also be included. Any additional revenue from such a change would be distributed to VisitLex and the Convention Center per state law.

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?

There is no budgetary impact

Account number:

File Number: 1162-22

Director/Commissioner: Wesley Holbrook/Erin Hensley





General Government & Social Services Committee

October 27, 2022

Summary and Motions

Committee chair, Council Member Susan Lamb, called the meeting to order at 1:00 p.m. Committee members Vice Mayor Steve Kay and Council Members Richard Moloney, James Brown, Whitney Baxter, Hannah LeGris, Liz Sheehan, Jennifer Reynolds, Amanda Bledsoe, and Josh McCurn attended the meeting.

I. Approval of September 6, 2022 Committee Summary

A motion by Liz Sheehan to approve September 6, 2022 Committee Summary, seconded by Kathy Plomin, the motion passed without dissent.

II. ADA Improvement Plan

This item was reported out at the November 1st, 2022 Council Work Session.

III. Housing Rehabilitation Program Update

Lamb introduced the item. Theresa Reynolds, the Director of Grants and Special Programs presented on behalf of the item. Grants and Special Programs administers the Housing Rehabilitation Program which provides loans and deferred loans of up to \$35,000 to assist eligible homeowners to rehabilitate their homes. The funds must first be used to eliminate any Code Enforcement violations. The program is funded by the U.S. Department of Housing and Urban Development's Community Block Grant Program and HOME Program.

The program has experienced some challenges which include poor workmanship and poor performance by a single contractor, a shortage of qualified contractors willing to participate, and short staffed two Grant Compliance Officers and a Grants Manager. Some improvements made include improved communication, greater staff presence at worksites, management of expectations, improving the number and quality of contracts, as well as reinstating a Grants Compliance Sr. Officer position.

The Division's Administrative Specialist Sr. now makes weekly calls to homeowners with active projects to check in. Additionally, the policy now requires Grant Compliance Officers to visit active job sites at least 3 days per week. The contract now allows the Grants Compliance Officer to issue a Stop Work Order should incorrect or poor quality work be identified at any point in the project. The provisions which allowed a homeowner to sign a letter of non-conformity has been removed from the contract. Checklists have been created for contractors and homeowners. Some homeowners need more assistance than the Housing Rehab Program staff can provide. Therefore, the program has partnered with the Division of Community and Resident Services to have a social worker available to work with these households.

All current contractors participated in an annual, mandatory training to cover program rules and expectations in July 2022. Additional training will be offered as needed. There are currently 5 active Housing Rehab contractors in the program. Program staff are now required to obtain a copy of the building permit and include it in the program file prior to authorizing work on a home. There were a couple other policy changes which included crawlspace evaluation on a case-by-case basis, an increased Emergency

Repair budget (from \$6,500 to \$8,500), and increase the budget a Housing Rehabilitation project (from \$35,000 to \$45,000).

For FY 2023, there are 5 completed rehabs, 3 rehabs in construction and 7 rehabs in the pipeline. There were also 6 Emergency Repairs made in FY 2023 with 4 in the pipeline. Currently, there are 29 applications on the Emergency Repair waitlist and 76 on the Housing Rehabilitation list. The average wait time is 8 to 10 months for Housing Rehabilitation.

Moloney thanked the staff. LeGris asked about outreach for the program. T. Reynolds said that much of the outreach is by word of mouth and work with Social Services. Legris asked if there was anything Council could do to promote the program. T. Reynolds said she would need time to think of the best way they could assist. Plomin asked about examples for emergency repair list and how long it takes to complete a repair. T. Reynolds said some of the issues are a furnace as they are just turning it on for the winter, or plumbing issues. The office is currently working with HUD to get new funding. They have sent out letters to 29 homeowners and 11 are starting to go through the process.

IV. Redistricting Workgroup Report Out

Bledsoe introduced the item. Kelley Farley and Jennifer Sutton, Research Analysts for the Council Core Staff, presented on behalf of this item. Farley reviewed the Workgroup detail, which was a result of the May 10th, 2022 GGSS Redistricting Review presentation. She reviewed the Workgroup objectives which included: review of criteria for redistricting committee members, re-evaluate redistricting guidelines, examine the shape and number of Council Districts, and compare Lexington's redistricting process to similar cities.

Farley provided a comparison of other cities and their process. Additionally, she shared the recommended ordinance updates which includes general language clean-up, redistricting administration, redistricting committee selection, guideline updates, and timeline updates. The Council Administrator will be the official custodian for the records of the committee and responsible for maintaining the records for 20 years.

Sutton reviewed the updates to the redistricting committee selection and the restrictions. She shared the Workgroup placed an emphasis on being mindful and inclusive of Lexington's diverse community when Council Members are selecting their appointees. Sutton reviewed the changes to committee expectations and shared the "shalls" and "shoulds" of the ordinance have been updated and separated into two sections. Farley reviewed the 3 guidelines that were removed. Sutton reviewed a new timeline based upon Workgroup discussions. She highlighted that Council Members and Candidates will run in the newly revised districts, while sitting Council Members will continue to serve the same district for their existing term.

Kay asked to add the language "at least" in section (e)(2) and (e)(3). He also asked about the restriction that committee members would not run for office for five years and suggested 2-3 years instead. Farley said based on research, other cities were more strict or extreme and the Workgroup decided that 5 years was a good middle ground.

LeGris asked if a committee member could run for At-Large. Sutton said they could run for At-Large or Mayor since they are not impacted by the shape of a district. Sutton said that they could not legally prevent someone from running. Farley added they could ask them to sign a document attesting they would not run. LeGris asked about public transparency as listed in the proposed ordinance. Sutton said

the intention was to have a direct emphasis placed on public input, with the input process beginning prior to the map being drawn. LeGris expressed support for the timeline beginning earlier. She further asked about the removal of the consideration of Council Members and where they lived.

Baxter addressed the public transparency comment, stating the Workgroup did not want to be too specific because they don't know how it will look in 10 years. Bledsoe spoke to the Council District lines shifting and emphasized that the community should be considered.

Moloney asked about the 5 year requirement for running for office and if the state would have to make that decision. Evan Thompson reiterated that the committee members would only be attesting, this would not legally prevent them from running.

J. Reynolds said that they are trying to update the policy moving forward. She spoke about the timeline and asked what would happen if a situation similar to COVID-19 delayed the data release again. Sutton said the timeline would still allow the committee to begin working earlier.

Kay mentioned one more adjustment to the "shoulds" section and asking if corridors should be mentioned. Bledsoe mentioned the conversation regarding Council Members being full-time or part-time, as well as the number of districts would be included in a Charter Review conversation.

Farley also shared the information from this meeting, as well as all of the research and suggested timelines would be included in a handbook for the future.

Steve Kay made a motion, seconded by Whitney Baxter to approve the Redistricting Workgroup Report-Out Ordinance. Steve Kay made a motion, seconded by Kathy Plomin, to amend the ordinance subsection (e)(4) from 5 to 3 years, the motion passed 8-1. Steve Kay made a motion, seconded by Kathy Plomin, to amend the ordinance to state "at least" in subsection (e)(3), the motion passed unanimously.

This item will return at the November 15th GGSS meeting.

V. Items Referred to Committee

Liz Sheehan made a motion, seconded by Kathy Plomin to remove the ADA Improvement Plan from items referred, the motion passed unanimously.

-

A motion by Hannah LeGris to adjourn at 2:35 PM, seconded by Kathy Plomin, the motion passed without dissent.

Meeting materials: <https://drive.google.com/file/d/1LsdxsqMFeez0SeDcZ9bICrtNoVRhicbq/view>

Recording of the meeting:

https://ifug.granicus.com/player/clip/5670?view_id=4&redirect=true&h=96fe64edd70536e3af50120eb6a224cc

JDS 11/9/2022

Lexington-Fayette Urban County Government 2022 Disparity Study



LEXINGTON

BBC
RESEARCH &
CONSULTING

Presented by

Iris McClish, Managing Director
BBC Research & Consulting

BBC Research & Consulting

Denver, CO

Prime Consultant

**EHI
Consultants**

Lexington, KY

**Community
Engagement**

**Abundant
Living**

Lexington, KY

**Anecdotal
Evidence**

**Holland &
Knight**

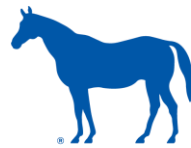
Atlanta, GA

**Legal
Consultation**

**Davis
Research**

Calabasas, CA

**Survey
Execution**



LEXINGTON

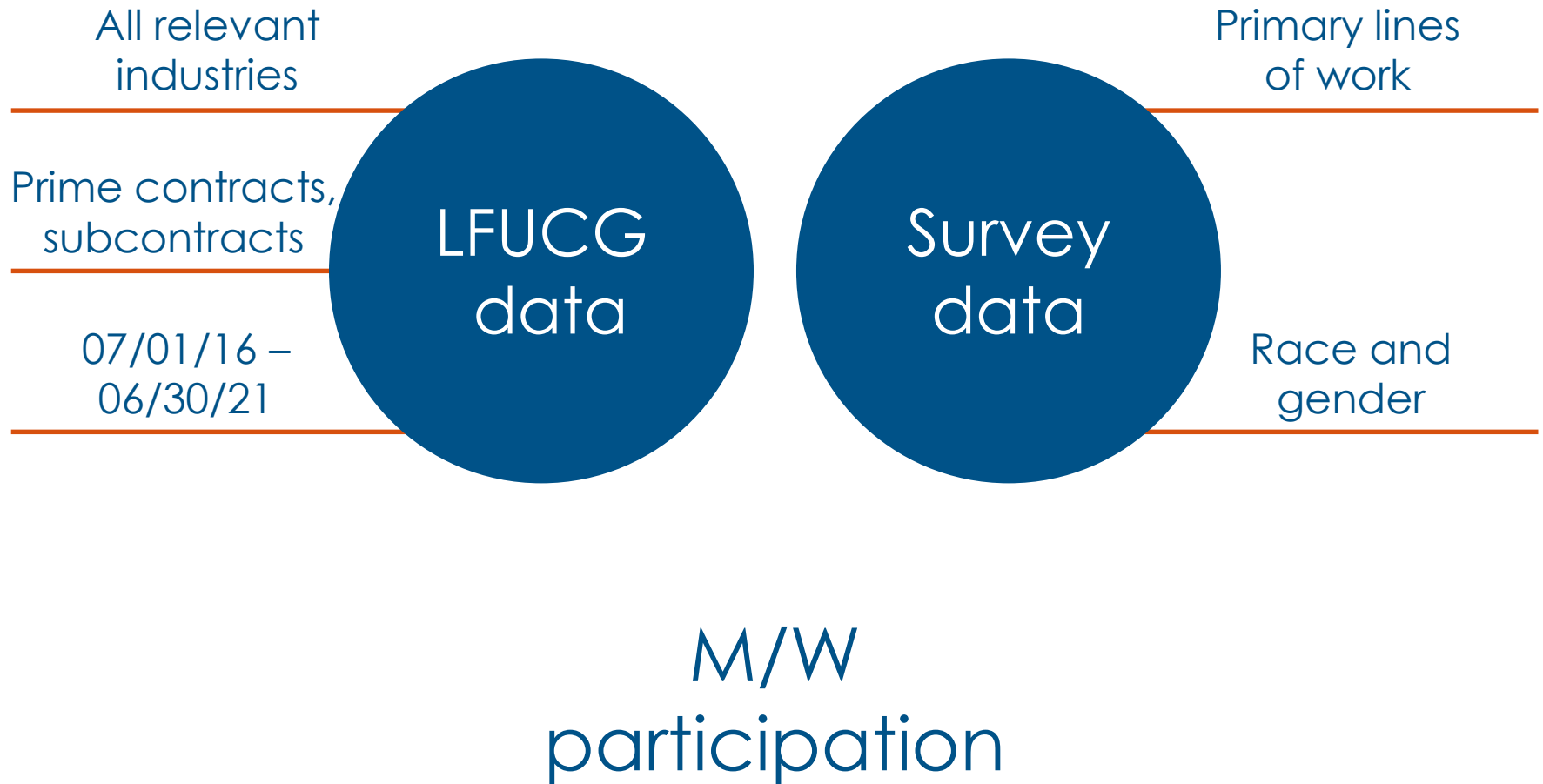
- Participation, availability, and disparities
- Analysis of marketplace conditions
- Qualitative and anecdotal information
- Policy and program recommendations
- Legal compliance



Project management
Community engagement
Legal framework and analysis
Review of contracting
Data collection
Utilization analysis
Availability analysis
Disparity analysis
Analysis of marketplace
Anecdotal evidence
Recommendations

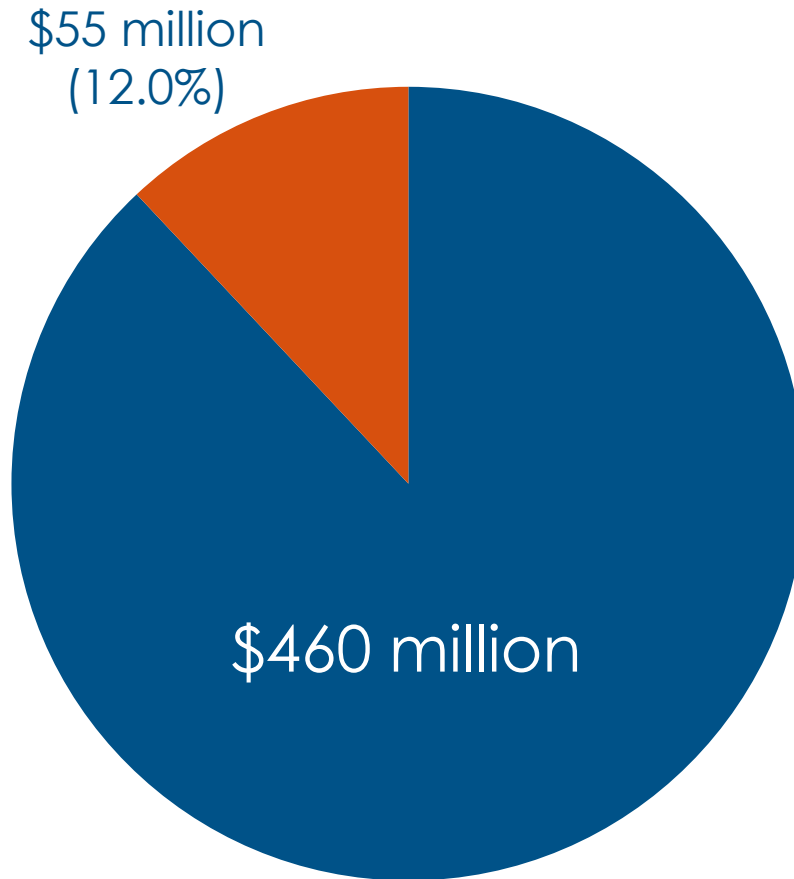
UTILIZATION ANALYSIS

UTILIZATION ANALYSIS



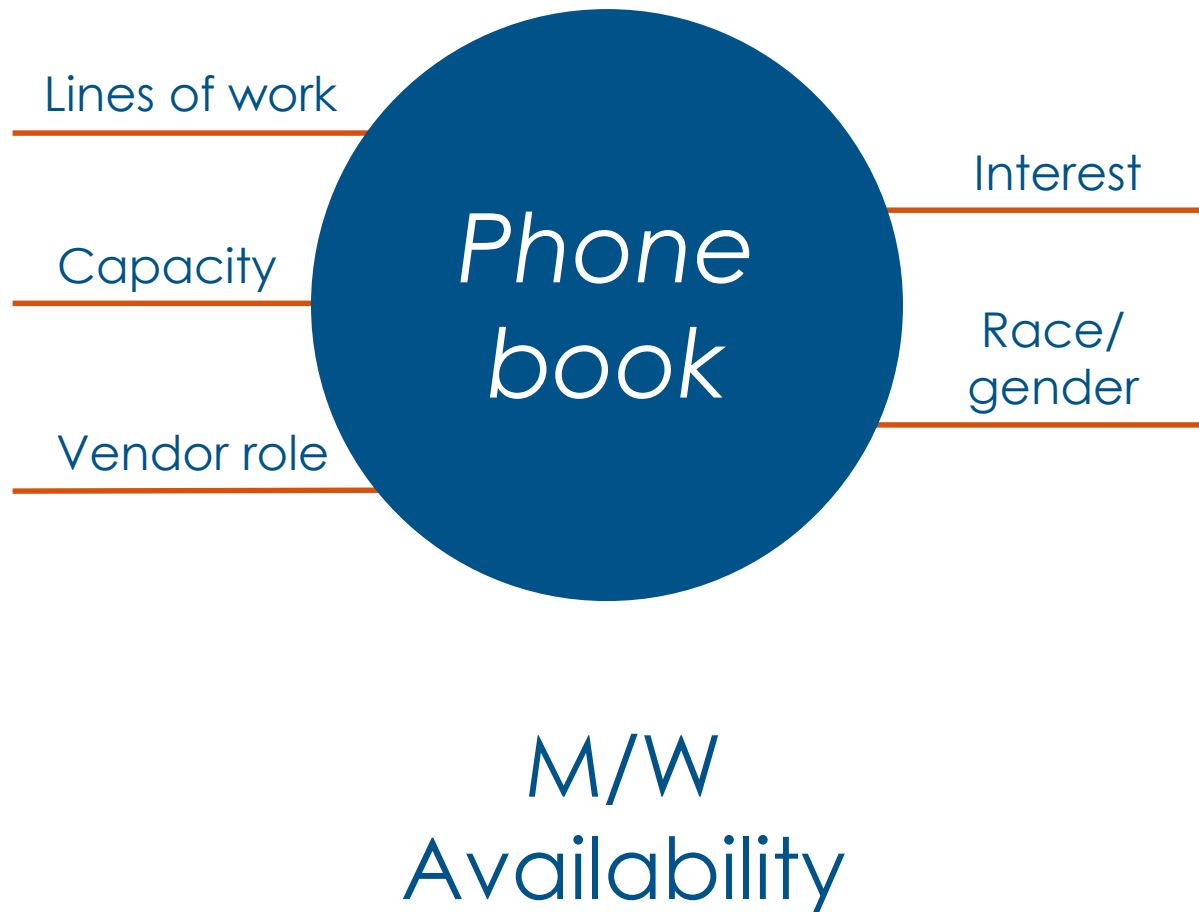
OVERALL UTILIZATION

59



	% Total Dollars
White woman	8.3%
Asian American	0.9%
Black American	1.5%
Hispanic American	1.2%
Native American	0.1%
TOTAL	12.0%

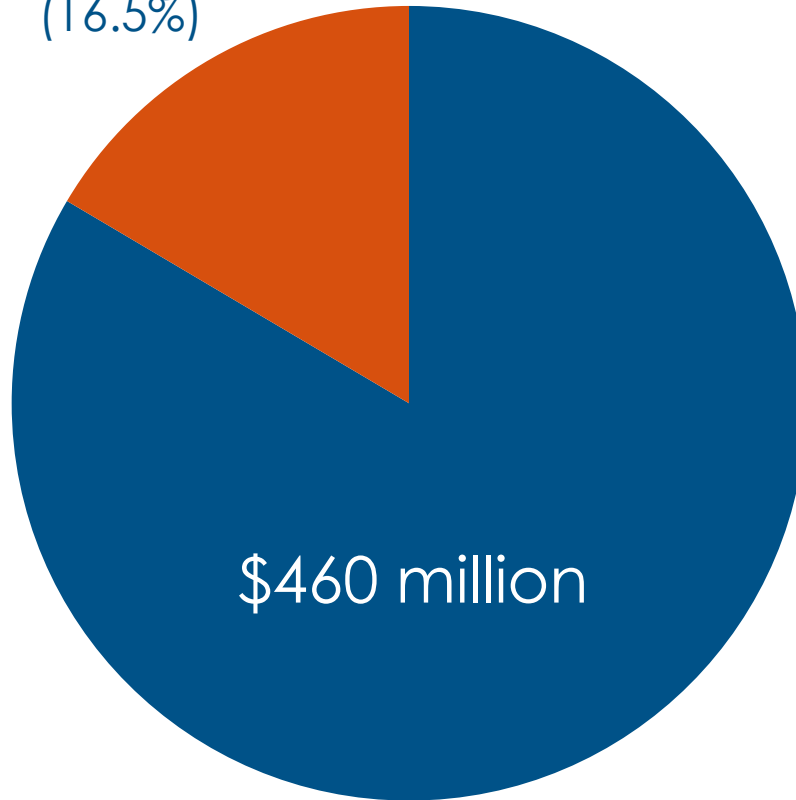
AVAILABILITY ANALYSIS



OVERALL AVAILABILITY

62

\$76 million
(16.5%)



\$460 million

	% Total Dollars
White woman	11.9%
Asian American	0.6%
Black American	2.3%
Hispanic American	1.2%
Native American	0.5%
TOTAL	16.5%

UTILIZATION V. AVAILABILITY

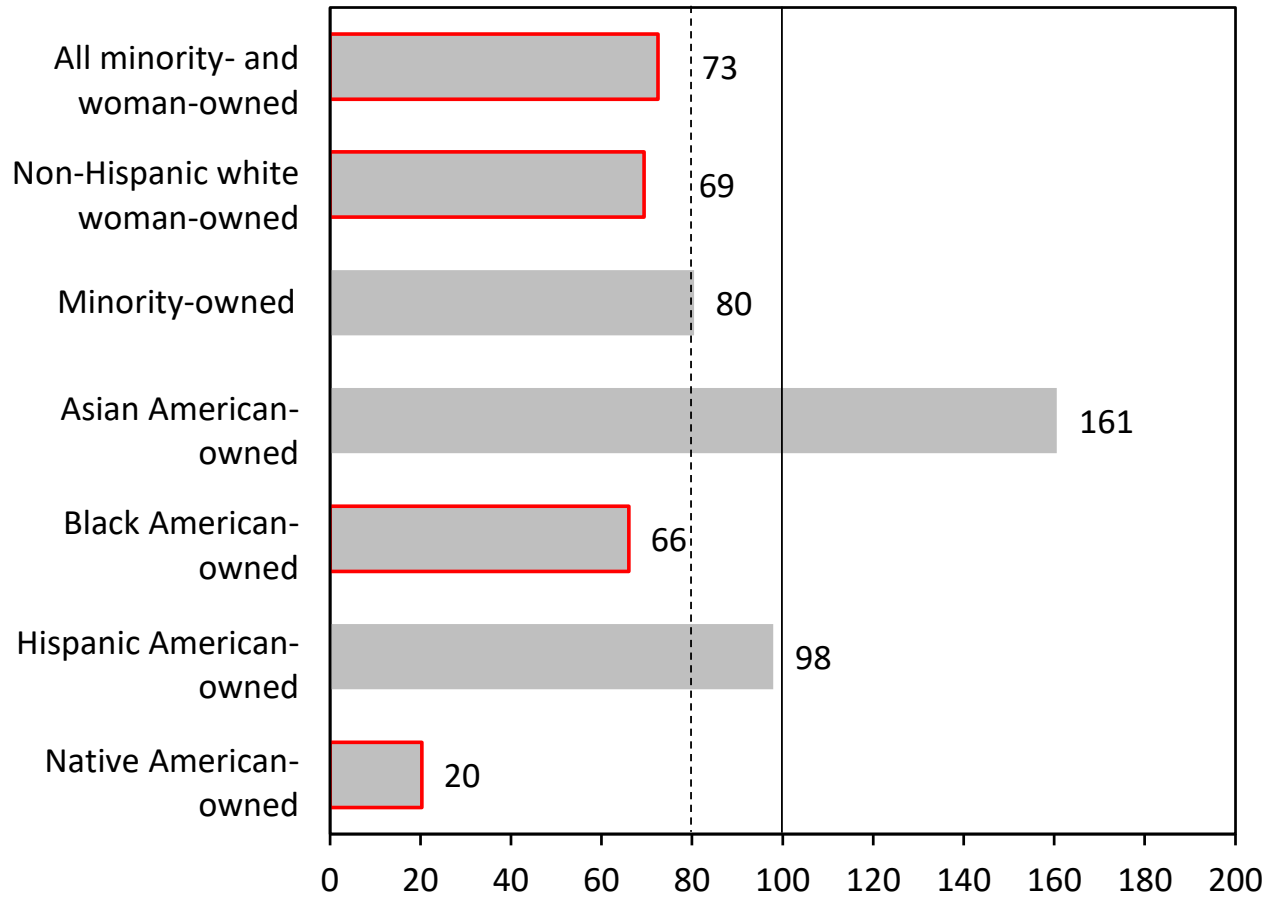
	Utilization	Availability
Asian American	\$4,072,746	\$2,535,696
Black American	\$6,978,309	\$10,581,023
Hispanic American	\$5,582,963	\$5,705,403
Native American	\$509,790	\$2,511,466
Total minority	\$17,143,808	\$21,333,588
White woman	\$38,002,346	\$54,721,487
TOTAL	\$55,146,154	\$76,055,076

DISPARITY ANALYSIS

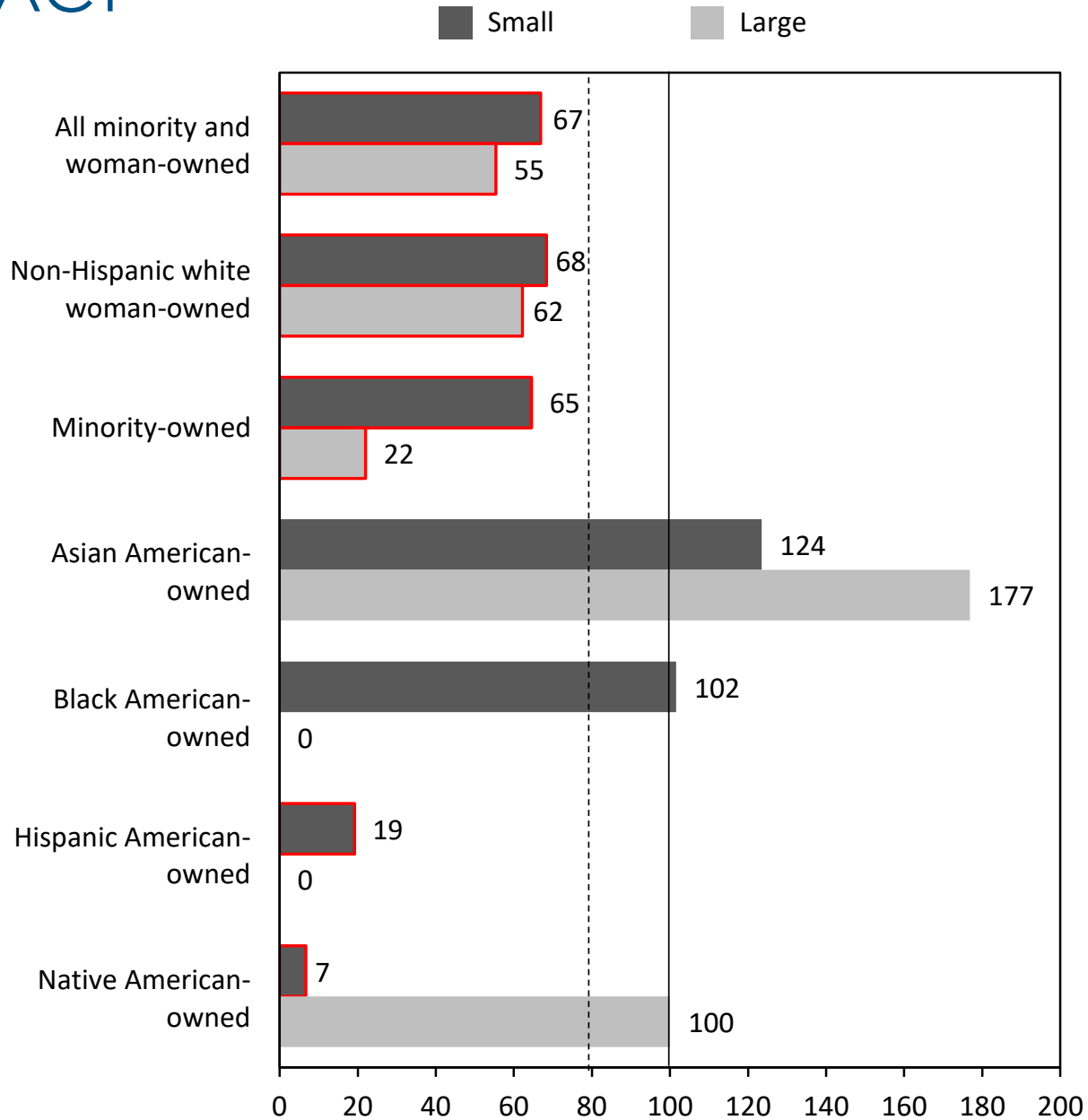
$$\frac{\text{Dollars received}}{\text{Dollars available}} \times 100 = \text{DISPARITY INDEX}$$

80 or less = **substantial** underutilization

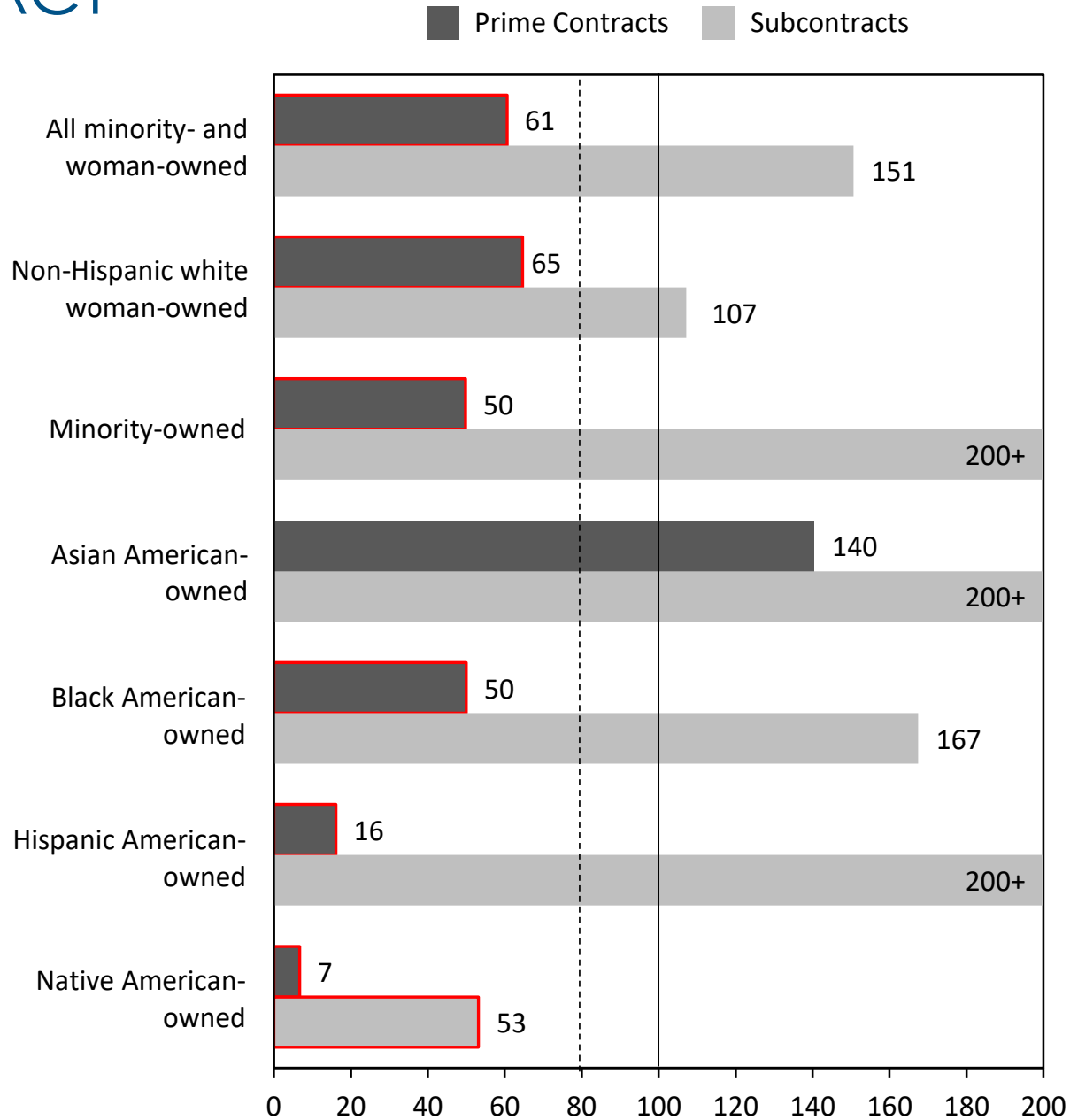
OVERALL

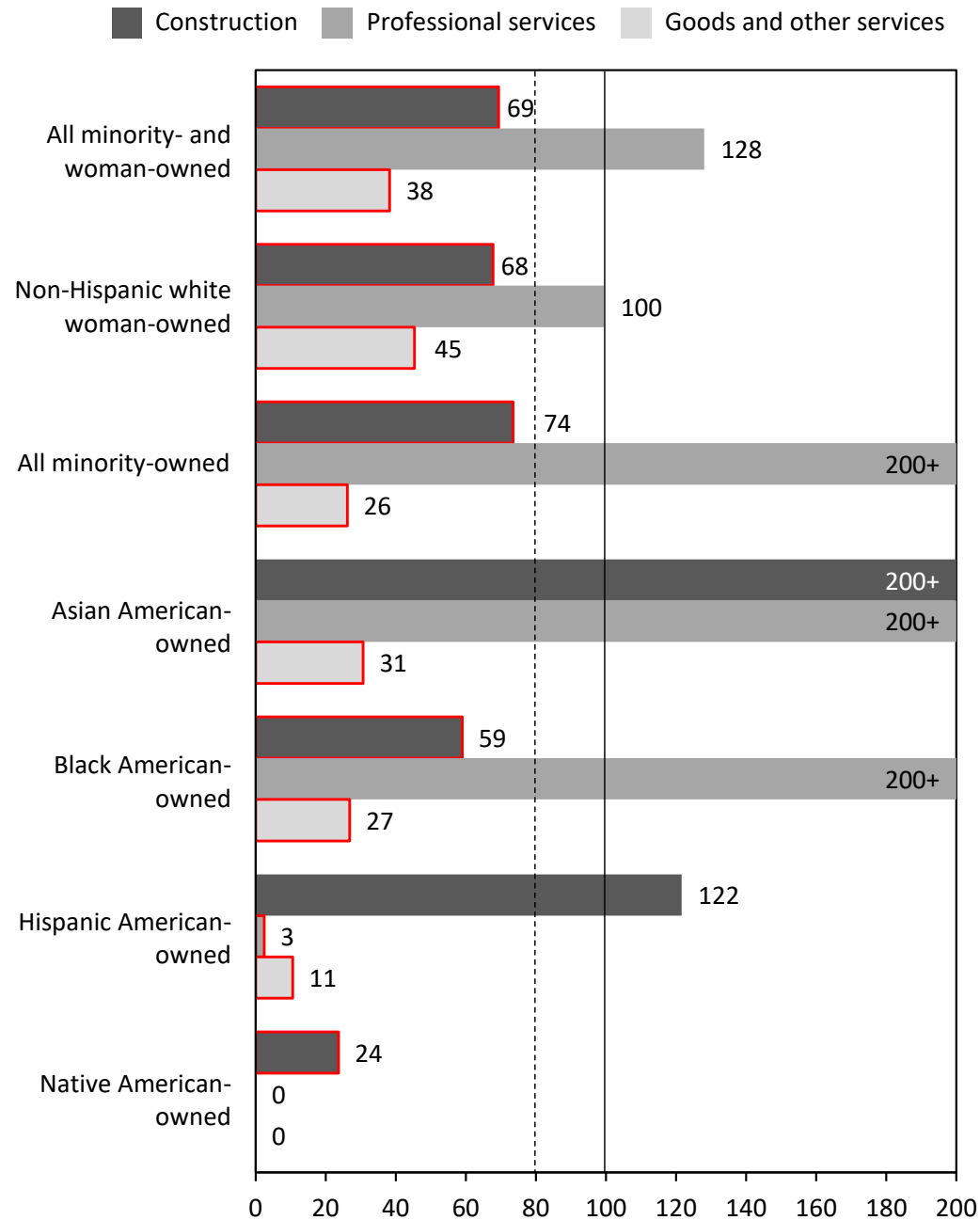


CONTRACT SIZE



CONTRACT ROLE





RECOMMENDATIONS

POTENTIAL REMEDIES

OVERALL MBE/WBE GOAL(S)

Race-/gender-neutral measures

- Prompt payment
- Advertising and outreach
- Subcontracting minimums
- Unbundling large contracts
- Small business set-asides
- Supportive services
- Data collection/monitoring

Race-/gender-conscious measures

- Contract goals
- Price/evaluation preferences

QUESTIONS

MAYOR LINDA GORTON

**LEXINGTON**TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

Urban County Council Council Meeting November 17, 2022

The following price contract bid recommendations will be placed on the Mayor's Report for approval at the November 17, 2022 Council Meeting;

- (1) Accepting and approving the following bids and establishing price contracts for the following Departments or Divisions as to the specifications and amount set forth in the terms of the respective bids:
 - (a) Div. of Traffic Engineering – Traffic Signal & Control Equipment 129-2022 – General Traffic Equipment Corporation, Precision Traffic & Safety Systems, Iron Armour, LLC, Baldwin & Sours, Inc., Traffic Control Products and Path Master, Inc.
 - (b) Div. of Police – Tactical Plate Carriers 144-2022- Galls, LLC

