

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, February 6, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Lexington-Fayette Urban County Council
Schedule of Meetings
February 5 – 12, 2024**

Monday, February 5

No Meetings

Tuesday, February 6

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

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

Wednesday, February 7

Administration/Council Budget Retreat.....1:00 p.m.
LexTran, 200 W. Loudon Ave., Lexington, KY 40508

Thursday, February 8

No Meetings

Friday, February 9

No Meetings

Monday, February 12

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
February 6, 2024**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval- No**
- III. Approval of Summary- Yes**
 - a. Table of Motions: Council Work Session, January 30, 2024, pp. 1 - 3**
- IV. Budget Amendments- No**
- V. Budget Adjustments - For Information Only- No**
- VI. New Business- Yes, pp. 4 - 37**
- VII. Continuing Business/ Presentations- Yes**
 - a. Summary: Environmental Quality & Public Works Committee, December 5, 2023, pp. 38 - 41**
- VIII. Council Reports**
- IX. Mayor's Report- No**
- X. Mayor's Report - Price Contract Bid Recommendations- No**
- XI. Public Comment - Issues Not on Agenda**
- XII. Adjournment**

Administrative Synopsis - New Business Items

- a** **0055-24** Authorization for the Mayor to execute an agreement between the Cabinet for Health and Family Services, Department for Community Based Services, and the Division of Aging and Disability Services to provide Family Support Program Application Assistance and for staff to participate as certified application counselors, called “kynectors,” on the Commonwealth of Kentucky’s kynect benefits Self-Service Portal. No budgetary impact. (L0055-24) (Stambaugh/Allen-Bryant), p. 4
- b** **0106-24** Authorization to approve a decreasing change order in the amount of \$99,860.38, the full award of the Stormwater Quality Projects Incentive Grant with the Ashwood Townhouses of Laredo, Inc., contract#143-2020. Costs increased beyond the grant award and the grantee opted to cancel their grant. (L0106-24) (Martin/Albright), pp. 5 - 9
- c** **0108-24** Authorization to approve a decreasing change order in the amount of \$127,050.00, the full award of the Stormwater Quality Projects Incentive Grant with the Beaver Creek Hydrology, LLC., contract 052-2022. Costs increased beyond the grant award and the grantee has opted to cancel their grant. (L0108-24) (Martin/Albright), pp. 10-14
- d** **0109-24** Authorization to approve a decreasing change order in the amount of \$212,932.00, the full award of the Stormwater Quality Projects Incentive Grant with the Lakeshore Village, Inc., contract 041-2022. Costs increased beyond the grant award and the grantee has opted to cancel their grant. (L0109-24) (Martin/Albright), pp. 15 - 19
- e** **0113-24** Authorization to approve an amendment to the consultant services agreement with Johnson Early Architects (Resolution #481-2022) for the Black & Williams Neighborhood Community Center Gymnasium Improvements Project, increasing the cost by \$20,000 for the design and construction administration of a new metal deck roofing structure. The original agreement was for \$76,000. Funds are budgeted via ARPA. (L0113-24) (Ford), pp. 20 - 22
- f** **0115-24** Authorization to approve Black & Williams Neighborhood Center - Gymnasium Improvements Project - Change Order #02 with Omni Commercial, LLC increasing the contract price in the amount of \$153,232.49 from \$1,325,201.62 to \$1,478,434.11 with a (113) calendar day change to the construction contract time. Funds are budgeted via ARPA. (L0115-24) (Ford), pp. 23 - 25

- g** **0116-24** Authorization for the merger of Summit (“Summit”) Biosciences with Kindeva Drug Delivery L.P. in compliance with the requirements of Summit’s Jobs Fund Incentive Agreement. No budgetary impact. (L0116-24) (Atkins), pp. 26 - 27
- h** **0117-24** Authorization to approve the First Renewal to contract #291-2022 for the Sanitary Sewer Remedial Measures Plan Program Management Consulting Services awarded in FY 2023 to Hazen and Sawyer. A \$900,000.00 allocation for this work was approved in the FY 2024 budget. (L0117-24) (Martin/Albright), pp. 28-29
- i** **0130-24** Authorization to execute Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet (KYTC) to accept additional federal Surface Transportation Program (SLX) funds in the amount of \$356,000 for the design phase of the Liberty Road Improvements Project, as funded under the KYTC SLX program for capital improvements projects. Acceptance of these funds will also require \$89,000 in local match. Budget amendment in process. (L0130-24) (Burton/Albright), pp. 30 - 31
- j** **0131-24** Authorization to execute an agreement with Palmer Engineering, pursuant to RFP No. 8-2023, for the design of Wilson Downing Intersection Improvements, at a cost not to exceed \$172,187. Funds are budgeted. (L0131-24) (Burton/Albright), pp. 32 - 35
- k** **0132-24** Authorization to award a professional services contract, pursuant to RFP-51-2023, to Webster Environmental Associates for work associated with sewer Odor Control Master Planning and management services, to provide technical support needed for correcting odor control deficiencies, at a cost not to exceed \$550,000. Funds are budgeted. (L0132-24) (Martin/Albright), pp. 36 - 37

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
January 30, 2024**

Mayor Gorton called the meeting to order at 3:00 p.m. Vice Mayor Wu, Council Members J. Brown, Ellinger II, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, F. Brown, Baxter, Sevigny, Reynolds, and Plomin were present. Council Member Tayna Fogle was absent.

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

Motion by Gray to approve the Thursday, February 1, 2024 Council Meeting Docket (as amended). Seconded by LeGris. Motion passed without dissent.

Motion by Monarrez to place on the docket for the Thursday, February 1, 2024 Council Meeting, a resolution authorizing the Mayor to execute an agreement with Hinkle Construction Services, LLC (RFP No. 110-2023) for construction costs related to the Squires Road and Wilson Downing Sidewalk Projects, at a cost not to exceed \$1,764,435.25, pending Council's approval of the necessary budget amendments. Seconded by Baxter. Motion passed without dissent.

Motion by Monarrez to place on the docket for the Thursday, February 1, 2024 Council Meeting, a resolution authorizing the Mayor to execute Supplemental Agreement No. 5 with the Kentucky Transportation Cabinet to accept \$700,000.00 in federal funds (SLX) for the construction phase of the Wilson Downing Sidewalk Project, the acceptance of which requires the expenditure of \$175,000.00 as a local match, which is conditioned upon Council's approval of the necessary budget amendments. Seconded by Reynolds. Motion passed without dissent.

Motion by Monarrez to place on the docket for the Thursday, February 1, 2024 Council Meeting, a resolution authorizing the Mayor to execute Supplemental Agreement No. 3 with the Kentucky Transportation Cabinet to accept \$300,000.00 in federal funds (SLX) for the construction phase of the Squires Road Sidewalk Project, the acceptance of which requires the expenditure of \$75,000.00 as a local match, which is conditioned upon Council's approval of the necessary budget amendments. Seconded by Baxter. Motion passed without dissent.

Motion by J. Brown to place on the docket for the February 1, 2024 Council Meeting an ordinance amending Ordinance No. 134-2023, which adopted a schedule of meetings for the Council for Calendar Year 2024, to change the time of the Budget Committee of the Whole scheduled for May 28, 2024 to 10am and to add a Budget Committee of the Whole on May 30, 2024 at 1pm.

- III. Approval of Summary

Motion by Wu to approve the January 23, 2024 Work Session Summary. Seconded by LeGris. Motion passed without dissent.

IV. Budget Amendments

Motion by Gray to approve Budget Amendments (as amended). Seconded by Sheehan. Motion passed without dissent.

Motion by Monarrez to amend the Budget Amendment Request List on pages 3-4 of the Work Session Packet to add three (3) Budget Journals for Grants and Special Programs: a Budget Journal to budget total grant match in the amount of \$250,000 for both the Squires Road and Wilson Downing Sidewalk Projects; a Budget Journal to budget additional grant funds in the amount of \$375,000 for the Squires Road Sidewalk Project; and, a Budget Journal to budget additional grant funds in the amount of \$875,000 for the Wilson Downing Sidewalk Project.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Wu to approve New Business. Seconded by Ellinger II. Motion passed without dissent. Sheehan recused on Item g.

VII. Continuing Business/Presentations

Motion by Wu to approve Neighborhood Development Funds. Seconded by Baxter. Motion passed without dissent.

J. Brown provided a summary of the November 28, 2023 Budget, Finance and Economic Development Committee Meeting. There were no motions to report.

Reynolds provided a summary of the January 23, 2024 Social Services and Public Safety Committee Meeting.

Motion by Reynolds to place on the docket for the February 1, 2024 Council Meeting, an ordinance creating section 2-31.2 of the Lexington-Fayette Urban County Government code of ordinances, to prohibit discrimination in housing on the basis of lawful source of income or payment, all effective March 1, 2024. Seconded by Sevigny. Motion passed 12-2. (Yes- Wu, J. Brown, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, Baxter, Sevigny, Reynolds, Plomin. No- Ellinger II, F. Brown)

Motion by Ellinger II to table to March 5, 2024 an ordinance creating section 2-31.2 of the Lexington-Fayette Urban County Government code of ordinances, to prohibit discrimination in housing on the basis of lawful source of income or payment, all effective March 1, 2024. Seconded by F. Brown. Motion failed 4-10. (Yes- Ellinger II, F. Brown, Baxter, Plomin. No- Wu, Brown, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, Sevigny, Reynolds.)

VIII. Council Reports

IX. Mayor's Report

Motion by Plomin to approve the Mayor's Report. Seconded by Gray. Motion passed without dissent.

X. Mayor's Report – Price Contract Bid Recommendations

Motion by Wu to approve the Mayor's Report- Price Contract Bid Recommendations. Seconded by Sheehan. Motion passed without dissent.

XI. Public Comment – Issues Not on Agenda

XII. Adjournment

Motion by Plomin to adjourn at 3:55 p.m. Seconded by Gray. Motion passed without dissent.

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: January 24, 2024

SUBJECT: DCBS Family Support Program Application Assistance Organization Agreement with
Aging & Disability Services

Request:

Request Council Authorization for the Mayor to execute an agreement between the Cabinet for Health and Family Services, Department for Community Based Services and the Division of Aging and Disability Services to provide Family Support Program Application Assistance.

Why are you requesting?

This agreement will provide for staff from the Division of Aging and Disability Services to participate as certified application counselors, called "kynectors," on the Commonwealth of Kentucky's kynect benefits Self-Service Portal. This will enable Aging staff to enroll clients/seniors in the Supplemental Nutrition Assistance Program (SNAP), while already assisting seniors with a variety of food insecurity issues. Staff acting as a "kynector" will simplify and expedite the process for new applicants and also allow staff to assist our seniors with their recertification process.

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

There is no fiscal impact associated with this contract.

Are the funds budgeted?

There is no fiscal impact associated with this contract.

File Number: 0055-24

Director/Commissioner: Kristy Stambaugh / Kacy Allen-Bryant



MAYOR LINDA GORTON



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: January 22, 2024

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #143-2020

Request

Requesting approval of a decreasing change order of \$99,860.38 to the Stormwater Quality Projects Incentive Grant with the Ashwood Townhouses of Laredo, Inc., Contract #143-2020.

Purpose of Request

The Grantee's project scope and costs has increased beyond the grant award, and Grantee has opted to cancel their grant.

Funds from this cancelled grant will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY23.

Project Cost in FY23 and in Future Budget Years

The decreasing change order savings of \$99,860.38 will be returned to fund 4052 for FY23 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:

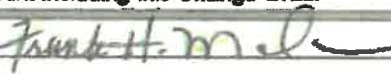
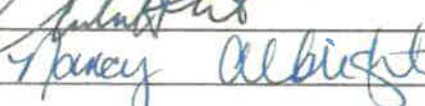
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_20 – WQ_GRANT

However, once the change order is approved, there will be a budget amendment to move the funds into:

4052 – 303204 – 3373 – 78112 – WQINCENTIVE_23 – WQ_GRANT

Albright/Martin

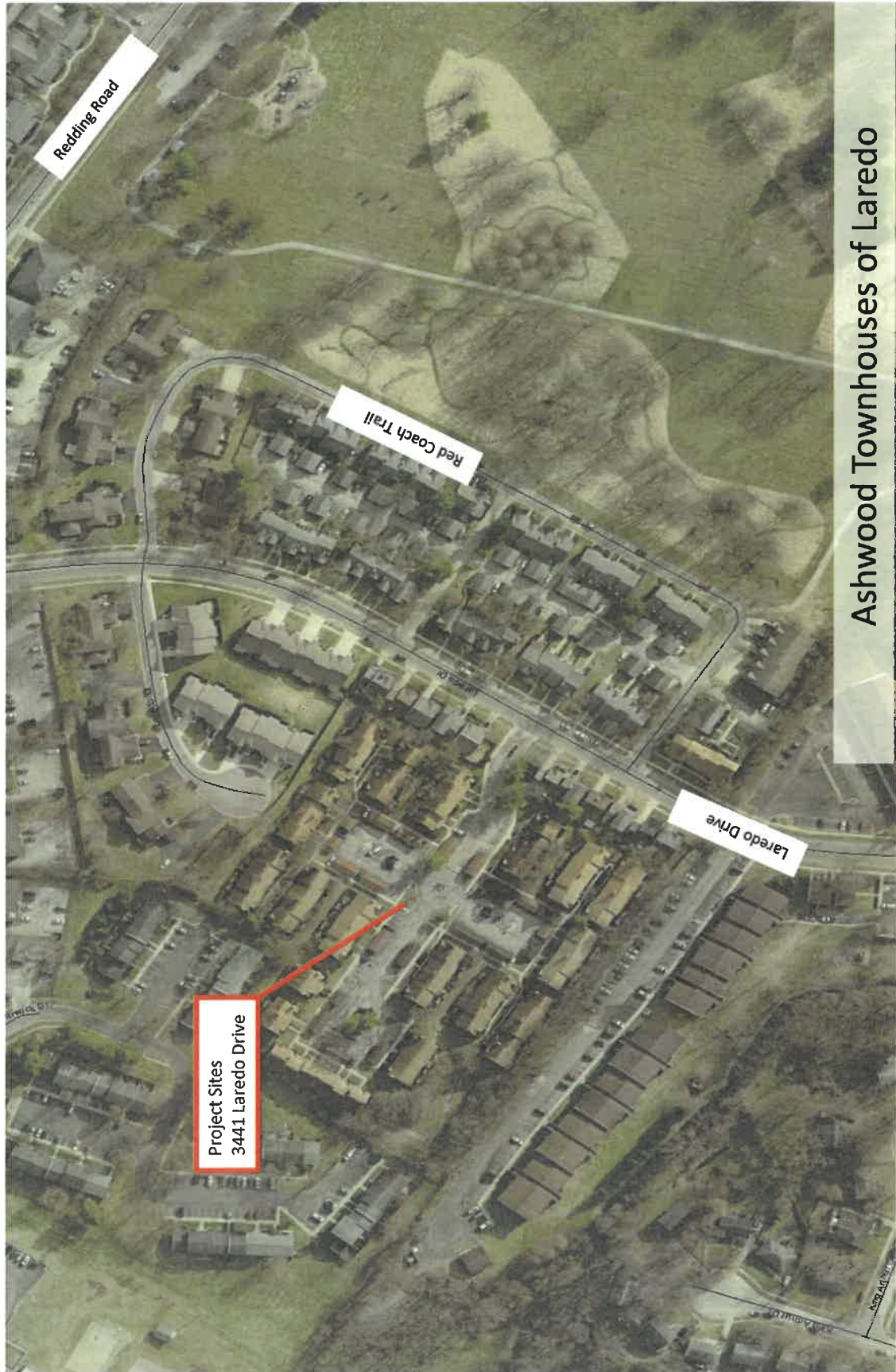


LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE:	17-Aug-22
		Contract Modification:	
		CONTRACT #:	C-143-2020
PROJECT: Ashwood Townhouses of Laredo - Stormwater Quality Project Incentive Grant			
TO: Ashwood Townhouses of Laredo			
Original Contract Amount			\$99,860.38
Cumulative Amount of Previous Contract Modifications			\$0.00
Percent Change of Previous Contract Modifications			0%
Existing Contract Amount			\$99,860.38
Net (increase/decrease) In Contract Amount - (From following pages)			-\$99,860.38
Percent Change of This Contract Modification			-100%
Original Contract Amount			\$99,860.38
Cumulative Amount of all Contract Modifications			-\$99,860.38
Percent Change of all Contract Modifications			-100%
New Contract Amount Including this Change Order			\$0.00
Recommended by		(Proj. Engr.)	Date 7/27/2022
Accepted by		(Consultant)	Date
Accepted by		(Contractor)	Date 9/15/22
Approved by		(Director)	Date 9-29-22
Approved by		(Commissioner)	Date 9/30/22
Approved by		(Mayor or CAO)	Date

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT				DATE: 17-Aug-22			
CONTRACT MODIFICATION				Contract Mod #: 1			
				CONTRACT #: #143-2020			
Project: Ashwood Townhouses of Laredo - Stormwater Quality Project Incentive Grant							
TO:							
You are hereby requested to comply with the following changes from the contract plans and specifications:							
Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	DEL		LS	1	\$ 99,860.38	\$ 99,860.38	\$ -
2						\$ -	\$ -
3						\$ -	\$ -
4						\$ -	\$ -
5						\$ -	\$ -
6						\$ -	\$ -
7						\$ -	\$ -
8						\$ -	\$ -
9						\$ -	\$ -
10						\$ -	\$ -
11						\$ -	\$ -
12						\$ -	\$ -
13						\$ -	\$ -
14						\$ -	\$ -
Total decrease						\$ 99,860.38	
Total increase							\$ -
Net (Increase) in contract price							\$ (99,860.38)

Page 3 of 3	
JUSTIFICATION FOR CHANGE	PROJECT: Ashwood Townhouses of Laredo - Stormwater Quality Project Incentive Grant
	CONTRACT NO. 143-2020
	CHANGE ORDER: 1
1. Necessity for change: Stormwater Quality Projects Incentive Grant completed under budget 2. Is proposed change an alternate bid? ___ Yes <u> X </u> No 3. Will proposed change alter the physical size of the project? ___ Yes <u> X </u> No If "Yes", explain. 4. Effect of this change on other prime contractors: N/A 5. Has consent of surety been obtained? ___ Yes <u> X </u> Not Necessary 6. Will this change affect expiration or extent of insurance coverage? ___ Yes <u> X </u> No If "Yes", will the policies be extended? ___ Yes ___ No 7. Effect on operation and maintenance costs: N/A 8. Effect on contract completion date: N/A Mayor Date	

Stormwater Quality Projects Incentive Grant Program



Ashwood Townhouses of Laredo

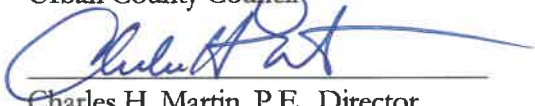
MAYOR LINDA GORTON



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: January 16, 2024

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #052-2022

Request

Requesting approval of a decreasing change order of \$127,050.00 to the Stormwater Quality Projects Incentive Grant with Beaver Creek Hydrology, LLC, Contract #052-2022.

Purpose of Request

The Grantee's project scope and costs has increased beyond the grant award, and the Grantee has opted to cancel the grant.

Funds from this cancelled grant will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY24.

Project Cost in FY24 and in Future Budget Years

The decreasing change order savings of \$127,050.00 will be returned to fund 4052 for FY24 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:

4052 - 303204 - 3373 - 78112 - WQINCENTIVE_22 - WQ_GRANT

However, once the change order is approved, there will be a budget amendment to move the funds into:

4052 - 303204 - 3373 - 78112 - WQINCENTIVE_24 - WQ_GRANT

Albright/Martin

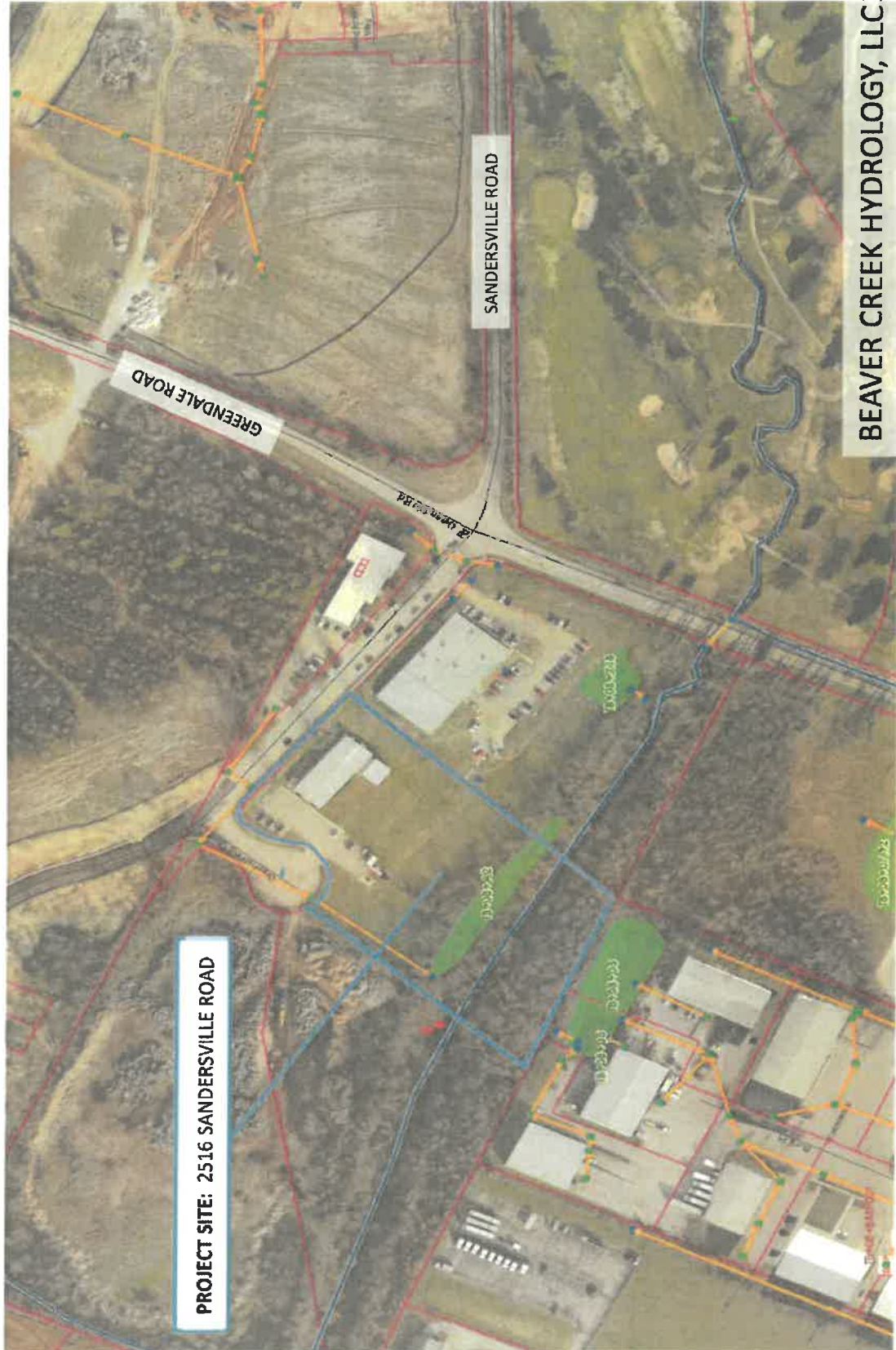


LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE: 16-Jan-24 Contract Modification: 1 CONTRACT #: C-052-2022
PROJECT: Beaver Creek Hydrology, LLC, Stormwater Quality Project Incentive Grant		
TO: Beaver Creek Hydrology, LLC		
Original Contract Amount	\$127,050.00	
Cumulative Amount of Previous Contract Modifications	\$0.00	
Percent Change of Previous Contract Modifications	0%	
Existing Contract Amount	\$127,050.00	
Net (increase/decrease) in Contract Amount - (From following pages)	-\$127,050.00	
Percent Change of This Contract Modification	-100%	
Original Contract Amount	\$127,050.00	
Cumulative Amount of all Contract Modifications	-\$127,050.00	
Percent Change of all Contract Modifications	-100%	
New Contract Amount Including this Change Order	\$0.00	
Recommended by <u>Frank H. M. [Signature]</u>	(Proj. Engr.)	Date <u>1/18/2024</u>
Accepted by _____	(Consultant)	Date _____
Accepted by <u>[Signature]</u>	(Contractor)	Date <u>1/16/24</u>
Approved by <u>[Signature]</u>	(Director)	Date <u>1-18-24</u>
Approved by <u>Nancy Albright</u>	(Commissioner)	Date <u>1/23/24</u>
Approved by _____	(Mayor or CAO)	Date _____

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION					DATE:	16-Jan-24
					Contract Mod #:	1
					CONTRACT #:	#052-2022
Project: Beaver Creek Hydrology, LLC, Stormwater Quality Project Incentive Grant						
TO:						
You are hereby requested to comply with the following changes from the contract plans and specifications;						
Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Increase in contract price
1	DEL		LS	1	\$ 127,050.00	\$ 127,050.00
2						\$ -
3						\$ -
4						\$ -
5						\$ -
6						\$ -
7						\$ -
8						\$ -
9						\$ -
10						\$ -
11						\$ -
12						\$ -
13						\$ -
14						\$ -
Total decrease					\$ 127,050.00	
Total increase						\$ -
Net (increase) in contract price						\$ (127,050.00)

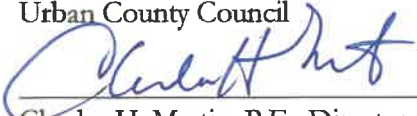
Page 3 of 3	
JUSTIFICATION FOR CHANGE	PROJECT: Beaver Creek Hydrology, LLC, Stormwater Quality Project Incentive Grant
	CONTRACT NO. 052-2022
	CHANGE ORDER: 1
1. Necessity for change: The Stormwater Quality Project Incentive Grant was canceled by Grantee. 2. Is proposed change an alternate bid? ___Yes ___X___ No 3. Will proposed change alter the physical size of the project? ___Yes ___X___ No If "Yes", explain. 4. Effect of this change on other prime contractors: N/A 5. Has consent of surety been obtained? ___Yes ___X___ Not Necessary 6. Will this change affect expiration or extent of insurance coverage? ___Yes ___X___ No If "Yes", will the policies be extended? ___Yes ___No 7. Effect on operation and maintenance costs: N/A 8. Effect on contract completion date: N/A Mayor Date	

Stormwater Quality Projects Incentive Grant Program





TO: Mayor Linda Gorton
Urban County Council

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

DATE: January 16, 2024

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #041-2022

Request

Requesting approval of a decreasing change order of \$212,932.00 to the Stormwater Quality Projects Incentive Grant with the Lakeshore Village, Inc., Contract #041-2022.

Purpose of Request

The Grantee's project scope and costs has increased beyond the grant award, and the Grantee has opted to cancel their grant.

Funds from this cancelled grant will be returned to the Stormwater Quality Projects Incentive Grant Program for award in FY24.

Project Cost in FY24 and in Future Budget Years

The decreasing change order savings of \$212,932.00 will be returned to fund 4052 for FY24 grant awards.

Are Funds Budgeted

Savings from this decreasing change order are budgeted in:

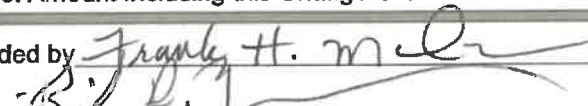
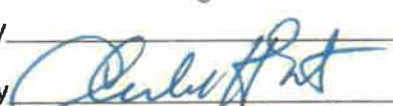
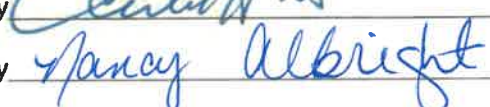
4052 – 303204 – 3373 – 78112 – WQINCENTIVE_22 – WQ_GRANT

However, once the change order is approved, there will be a budget amendment to move the funds into:

4052 – 303204 – 3373 – 78112 – WQINCENTIVE_24 – WQ_GRANT

Albright/Martin



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		DATE: Contract Modification: CONTRACT #:	28-Dec-23 1 C-041-2022
PROJECT: Lakeshore Village, Inc., Stormwater Quality Project Incentive Grant			
TO: Lakeshore Village, Inc.			
Original Contract Amount		\$212,932.00	
Cumulative Amount of Previous Contract Modifications		\$0.00	
Percent Change of Previous Contract Modifications		0%	
Existing Contract Amount		\$212,932.00	
Net (increase/decrease) in Contract Amount - (From following pages)		-\$212,932.00	
Percent Change of This Contract Modification		-100%	
Original Contract Amount		\$212,932.00	
Cumulative Amount of all Contract Modifications		-\$212,932.00	
Percent Change of all Contract Modifications		-100%	
New Contract Amount Including this Change Order		\$0.00	
Recommended by		(Proj. Engr.)	Date <u>1/11/2024</u>
Accepted by		(Consultant)	Date <u>1/10/24</u>
Accepted by		(Contractor)	Date _____
Approved by		(Director)	Date <u>1-18-24</u>
Approved by		(Commissioner)	Date <u>1/23/24</u>
Approved by		(Mayor or CAO)	Date _____

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION					DATE: 28-Dec-23		
					Contract Mod #:	1	
					CONTRACT #:	#041-2022	
Project: Lakeshore Village, Inc., Stormwater Quality Project Incentive Grant							
TO:							
You are hereby requested to comply with the following changes from the contract plans and specifications:							
Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	DEL		LS	1	\$ 212,932.00	\$ 212,932.00	\$ -
2						\$ -	\$ -
3						\$ -	\$ -
4						\$ -	\$ -
5						\$ -	\$ -
6						\$ -	\$ -
7						\$ -	\$ -
8						\$ -	\$ -
9						\$ -	\$ -
10						\$ -	\$ -
11						\$ -	\$ -
12						\$ -	\$ -
13						\$ -	\$ -
14						\$ -	\$ -
Total decrease						\$ 212,932.00	
Total increase							\$ -
Net (increase) in contract price							\$ (212,932.00)

Page 3 of 3	
JUSTIFICATION FOR CHANGE	PROJECT: Lakeshore Village, Inc., Stormwater Quality Project Incentive Grant
	CONTRACT NO. 041-2022
	CHANGE ORDER: 1
1. Necessity for change: Stormwater Quality Project was canceled. 2. Is proposed change an alternate bid? ___ Yes <u> X </u> No 3. Will proposed change alter the physical size of the project? ___ Yes <u> X </u> No If "Yes", explain. 4. Effect of this change on other prime contractors: N/A 5. Has consent of surety been obtained? ___ Yes <u> X </u> Not Necessary 6. Will this change affect expiration or extent of insurance coverage? ___ Yes <u> X </u> No If "Yes", will the policies be extended? ___ Yes ___ No 7. Effect on operation and maintenance costs: N/A 8. Effect on contract completion date: N/A Mayor Date	

Stormwater Quality Projects Incentive Grant Program



MAYOR LINDA GORTON



LEXINGTON

CHRIS FORD
COMMISSIONER
GENERAL SERVICES

TO: Todd Slatin, Director
Division of Procurement

FROM: 
Jamshid Baradaran, Director, Division of Facilities & Fleet Management

DATE: January 24, 2024

SUBJECT: Amendment to Consultant Services Agreement for Professional Design Services at Black & Williams Neighborhood Center Gymnasium Improvements Project.

Reason for Change:

Request Council authorization for an amendment to the consultant services agreement with Johnson Early Architects (Resolution #481-2022) associated with RFP #43-2022 for the Black & Williams Neighborhood Community Center Gymnasium Improvements Project.

Purpose:

LFUCG is currently engaged in a consultant services agreement with Johnson Early Architects for the Black & Williams Neighborhood Center Gymnasium Improvements Project, as authorized by council resolution #481-2022. The original agreement was for \$76,000. This recommended amendment, in the increase amount of \$20,000, is for the additional scope of services requested for the design and construction administration of a new metal deck roofing structure after the existing gypsum roof structure was found to be deteriorated and required removal.

Budgetary Implication:

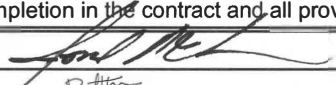
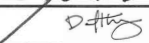
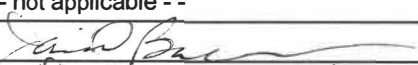
Increase of \$20,000.00 to the original contract of \$76,000.00

Are the funds budgeted? YES

File Number: 0113-24

Director: Jamshid Baradaran



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	January 24, 2024	0113-24
		Project:	Black & Williams Gymnasium Improvements Project	
		Location:	498 Georgetown St Lexington, KY 40508	
To (Contractor): Johnson Early Architects 131 Prosperous Place - Suite 19B Lexington, KY 40509 Resolution #481-2022		Contract No.	Resolution #481-2022	
		Original Contract Amt.	\$76,000.00	
		Cumulative Amount of Previous Change Orders	\$0.00	
		Percent Change - Previous Change Orders		0.00%
		Total Contract Amount Prior to this Change Order	\$76,000.00	
		Change Order No.	1	
You are hereby requested to comply with the following changes from the contract plans and specification;				
Current Change Order				
Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
1	Design Consultant Fee Ammendment for Additional Scope		\$20,000.00	
2				
3				
4				
5				
	Total decrease	\$0.00		
	Total increase		\$20,000.00	
	Net Amount of this Change Order	\$20,000.00		
	New Contract Amount Including this Change Order	\$96,000.00		
	Percent Change - This Change Order			26.32%
	Percent Change - All Change Orders			26.32%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.				
Recommended by: 		(Project Manager)	Date 1/24/24	
Reviewed / Accepted by: 		(Consultant)	Date 1/24/24	
Accepted by: - - not applicable - -		(Contractor)	Date N/A	
Approved by: 		(Director)	Date 1/24/24	
Approved by:  (Comm Fund)		(Commissioner)	Date 1/24/24	
Approved by: 		(Mayor or CAO)	Date 1/24/24	

JUSTIFICATION FOR CHANGE

PROJECT: B&W Neighborhood Center - Gymnasium Improvements

CONTRACT NO. #481-2022 Resolution Number

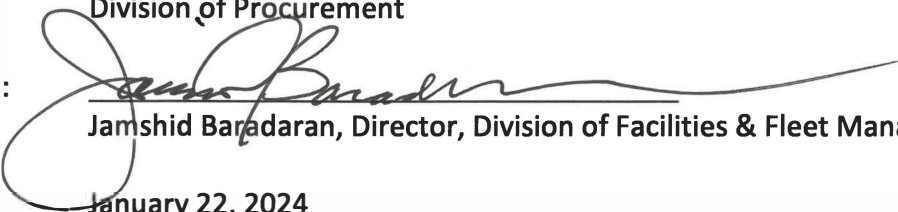
CHANGE ORDER #: 1

1. Necessity for change: due to an unforeseen and found condition of the deterioration of the existing gypsum roof structure, the design consultant was requested to provide a change in project scope to design and provide construction administration services to a new steel deck roof. LFUCG is currently engaged in a consultant services agreement with Johnson Early Architects for this Black & Williams Neighborhood Center Gymnasium Improvements Project authorized by council resolution #481-2022. The original agreement was for \$76,000. Documentation from the consultant for the fee amendment is attached.
2. Is proposed change an alternate bid? ___Yes ___X___No
3. Will proposed change alter the physical size of the project? ___Yes ___X___No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes ___X___Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes ___X___No
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: No

Mayor_____
Date



TO: Todd Slatin, Director
Division of Procurement

FROM: 
Jamshid Baradaran, Director, Division of Facilities & Fleet Management

DATE: January 22, 2024

SUBJECT: Reason for Change Memo. Black & Williams Neighborhood Center – Gymnasium Improvements Project - Change Order #02 with Omni Commercial, LLC increasing the contract price in the amount of \$153,232.49 from \$1,325,201.22 to \$1,478,434.11 with a (113) calendar day change to the construction contract time.

Reason for Change:

Reason for Change Memo. Black & Williams Neighborhood Center – Gymnasium Improvements Project - Change Order #02 with Omni Commercial, LLC increasing the contract price in the amount of \$153,232.49 from \$1,325,201.22 to \$1,478,434.11 with a (113) calendar day change to the construction contract time.

Purpose:

The current contract for the Black & Williams Neighborhood Center – Gymnasium Improvements Project is \$1,325,201.62. The additional work totaling \$153,232.49 includes PR#1 to replace the front entrance concrete sidewalk that has deteriorated / PR #4 to enlarge the exterior ground mounted unit mechanical equipment pad and fenced area to accommodate the unit's clearance requirements / PR #4A: remove unsuitable fill soils at the new ground mounted unit exterior concrete slab and provide proper compacted backfill to bear on / PR #7: to provide a new framed metal stud header and blocking for the new glass storefront entrance system with the existing header deteriorated / PR #8: to remove the unforeseen condition of the entire existing gypsum roof deck system and replace with all new metal deck roof structure. Increase of 113 calendar days for the additional work related to PR #8 changing the Substantial Completion Date from 5/25/24 to 9/15/24 and Final Completion Date from 6/15/24 to 10/6/24.

Budgetary Implication:

Increase of \$153,232.49 to the current contract of \$1,325,201.62

Are the funds budgeted? YES

File Number: 0115-24

Director: Jamshid Baradaran



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	January 22, 2024	0115-24
		Project:	Black & Williams Gymnasium Improvements Project	
		Location:	498 Georgetown St Lexington, KY 40508	
To (Contractor): Omni Commercial, LLC 2025 Leestown Road - Suite B Lexington, KY 40511		Contract No.	140-2023	
		Original Contract Amt.	\$1,319,588.00	
		Cumulative Amount of Previous Change Orders	\$5,613.62	
		Percent Change - Previous Change Orders		0.43%
		Total Contract Amount Prior to this Change Order	\$1,325,201.62	
		Change Order No.	2	
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	PR#1: front entrance concrete sidewalk replacement		\$9,090.72	
2	PR #4: enlargement of exterior concrete pad & fenced area		\$708.00	
3	PR #4A: removal of unsuitable soils & backfill at GMU pad		\$4,086.25	
4	PR #7: providing new framed header at entrance opening		\$1,372.34	
5	PR #8: existing gypsum roof structure removal & replacement		\$137,975.18	
	Total decrease	\$0.00		
	Total increase		\$153,232.49	
	Net Amount of this Change Order	\$153,232.49		
	New Contract Amount Including this Change Order	\$1,478,434.11		
	Percent Change - This Change Order			11.61%
	Percent Change - All Change Orders			12.04%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.				
Recommended by:		(Project Manager)	Date 1/22/24	
Reviewed / Accepted by:		(Consultant)	Date	
Accepted by:		(Contractor)	Date 1/25/24	
Approved by:		(Director)	Date 1-22-24	
Approved by:		(Commissioner)	Date 1/22/24	
Approved by: N/A		(Director of Purchasing)	Date: N/A	
Approved by:		(Mayor or CAO)	Date	

2/1/25

JUSTIFICATION FOR CHANGE

PROJECT: B&W Neighborhood Center - Gymnasium Improvements

CONTRACT NO. 140-2023

CHANGE ORDER #: 2

1. Black & Williams Neighborhood Center - Gymnasium Improvements Project - Change Order #2 with Omni Commercial, LLC increasing the contract price in the amount of \$153,232.49 from \$1,325,201.62 to \$1,478,434.11 with a (113) calendar day increase change. The additional work totaling \$153,232.49 includes PR#1 to replace the front entrance concrete sidewalk that has deteriorated / PR #4 to enlarge the exterior ground mounted unit mechanical equipment pad and fenced area to accommodate the unit's clearance requirements / PR #4A: remove unsuitable fill soils at the new ground mounted unit exterior concrete slab and provide proper compacted backfill to bear on / PR #7: to provide a new framed metal stud header and blocking for the new glass storefront entrance system with the existing header deteriorated / PR #8: to remove the unforeseen condition of the entire existing gypsum roof deck system and replace with all new metal deck roof structure. Increase of 113 calendar days for the additional work related to PR #8 changing the Substantial Completion Date from 5/25/24 to 9/15/24 and Final Completion Date from 6/15/24 to 10/6/24.
2. Is proposed change an alternate bid? ___Yes X No
3. Will proposed change alter the physical size of the project? ___Yes X No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes X Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes X No
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: Yes

Mayor

Date

MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Craig Bencz
Administrative Officer Senior

CC: Kevin Atkins
Chief Development Officer

DATE: January 24, 2024

SUBJECT: Jobs Fund Request: Summit Biosciences - Consent to Merger

Request

Request Council authorization for merger of Summit ("Summit") Biosciences with Kindeva Drug Delivery L.P. in compliance with the requirements of Summit's Jobs Fund Incentive Agreement.

Reason for Request

Summit Biosciences received a Jobs Fund Incentive in October 2015 in the amount of \$100,000. Summit has requested LFUCG's required consent for a merger between Summit and Kindeva Drug Delivery L.P. in compliance with the requirements of Section 4.1 of their Jobs Fund Incentive Agreement.

The Economic Development Investment Board reviewed this request during their January 23, 2024 meeting and recommended approval with the following conditions: the original requirements of the Jobs Fund Incentive will remain in place through the end of the ten-year compliance period; and the applicant will execute an updated Guaranty Agreement for the incentive funds.

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

The cost for this FY is: N/A

The cost for future FY is: N/A



Are the funds budgeted?

N/A

File Number:

Director/Commissioner: Bencz/Atkins



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: January 2, 2024

SUBJECT: First Renewal of Contract #291-2022 for the
Sanitary Sewer Remedial Measures Plan Program Management Consulting Services
(Consent Decree)

Request

The purpose of this memorandum is to recommend Council approval of the first renewal to the contract awarded in FY23 to Hazen and Sawyer (Hazen) for the program management services needed to implement the Consent Decree Remedial Measures Plan. Award of contract #291-2022 was for 365 days as measured from the Mayor's signature date on the resolution (November 17, 2022), and provided for up to four (4) annual renewals if approved by the Urban County Council. This recommendation represents annual renewal request number one to utilize FY24 funds budgeted for this work.

Purpose of Request

Since 2008, the Division of Water Quality (DWQ) has been implementing the terms and conditions of the Consent Decree, including implementation of the Remedial Measures Plan (RMP). The RMP is an estimated \$590 M capital improvement plan intended to abate Recurring Sanitary Sewer Overflows (SSOs) as required by the Consent Decree.

RMP implementation has been executed using a Program Management contract services format. The history of that format is as follows:

- Competitive advertisement of a Request for Proposals (RFP) led to Resolution #394-2010 awarding the original RMP Program Management services contract to Hazen.



- A revised RFP was advertised and led to Resolution #449-2019 awarding a revised RMP Program Management services contract to Hazen. The terms of this new contract required annual renewal requests along with the clear identification of Hazen staff who could bill for work under the contract terms.
- Expiration of the contract approved by Resolution #449-2019 led to advertisement of RFP 56-2022. Hazen was the lone responder to that RFP, and thus was awarded the current RMP Program Management services contract via Resolution #628-2022.

Project Cost in FY24

A \$900,000 allocation for this work was approved in the FY24 budget. The cost for future fiscal years is estimated at \$900,000 annually through full implementation of the RMP.

Funds are Budgeted

The funds are budgeted in: 4003-303401-3425-71205 REMEDIAL CONSENT_DE 2024 LFUCG

Martin / 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: JANUARY 26, 2024

**SUBJECT: Supplemental Agreement No. 1 for Liberty Road Improvement Project – Design
Phase**

Request: Council authorization to execute Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet (KYTC) to accept additional federal Surface Transportation Program (SLX) funds in the amount of \$356,000 for the design phase of the Liberty Road Improvements Project, as funded under the KYTC SLX program for capital improvements projects. Acceptance of these funds will also require \$89,000 in local match.

Purpose of Request: On March 17, 2022, (Resolution 124-2022), Council approved acceptance of SLX funds in the amount of \$640,000 and a local match in the amount of \$160,000, for the design phase of the Liberty Road Improvements Project, for a total design phase funding of \$800,000. With Supplemental Agreement No. 1, the Kentucky Transportation Cabinet has offered the LFUCG additional SLX funds for the design phase of the Liberty Road Improvements Project in the amount of \$356,000. Local match in the amount of \$89,000 is required for a total additional design phase cost of \$445,000. This additional funding is for a shortfall between the previously budgeted amount and the negotiated design costs. Combined with the previous amount, the total design phase cost funding is \$1,245,000.

The Liberty Road Improvements Project is a multimodal project on Liberty Road from New Circle Road to Winchester Road that will modernize the roadway and provide bicycle and pedestrian facilities.

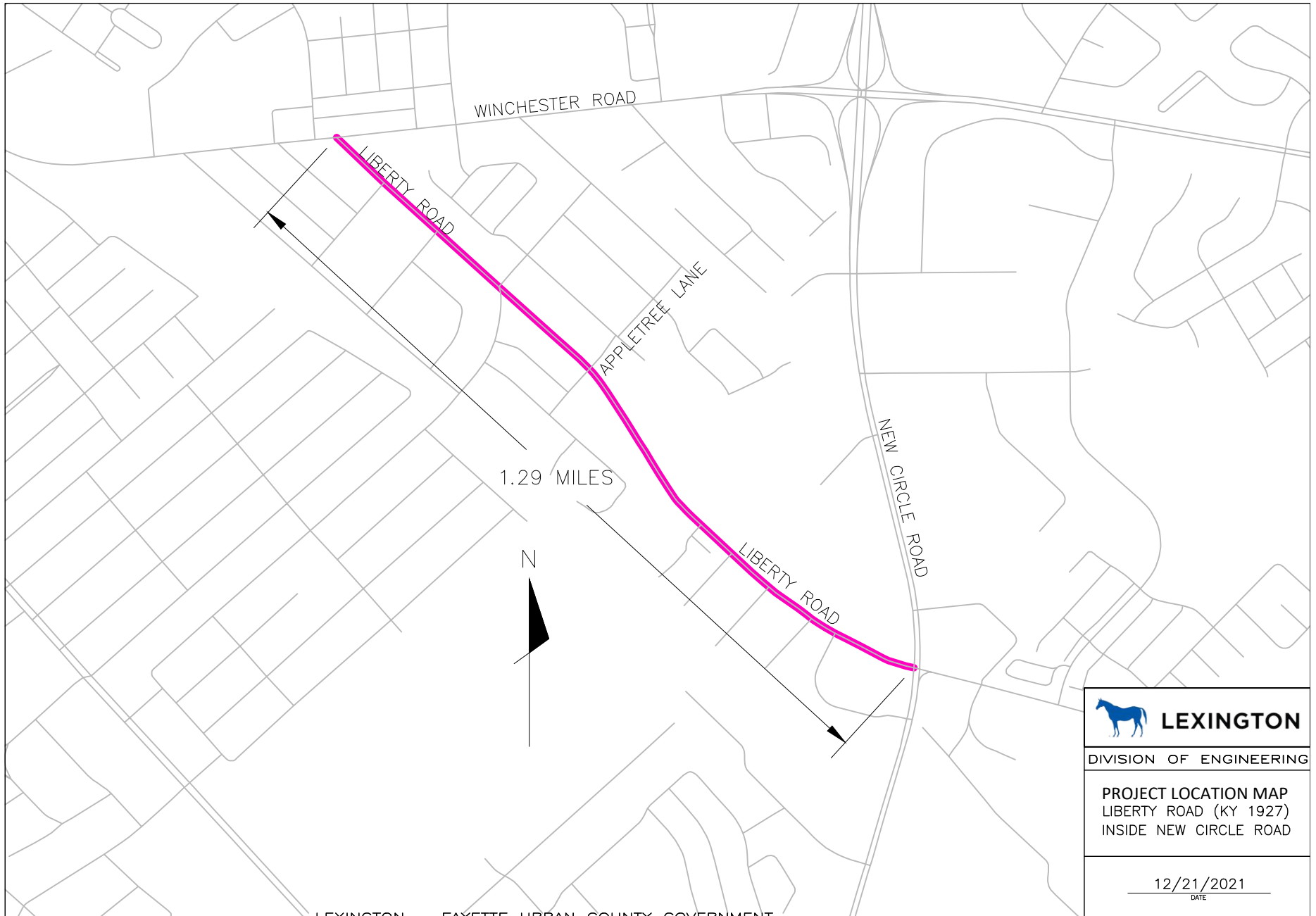
What is the cost in this budget year and future budget years? The cost for Fiscal Year 2024 is \$445,000 total: \$356,000 federal funds and \$89,000 local match. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? Budget amendment is in process.

File Number: 0130-24

Director/Commissioner: Burton/Albright







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

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

DATE: JANUARY 26, 2024

**SUBJECT: Authorization to Execute Agreement with Palmer Engineering for Design
RFP #8-2023 Wilson Downing Intersection Improvements**

Request: Council authorization to execute agreement with Palmer Engineering in the amount of \$172,187 for design for Wilson Downing Intersection Improvements. Cost not to exceed \$172,187.

Purpose of Request: On October 27, 2022 (Resolution 589-2022), Council approved to accept award from the Kentucky Transportation Cabinet from the CRRSSA and SLX Programs in the amount of \$144,000 with \$6,000 local match for total project \$150,000 for the design of the Wilson Downing Intersection Improvements Project. On November 2, 2023 (Resolution 606-2023), Council accepted \$32,000 in federal funds under the Surface Transportation Program (SLX) for the design phase with local match of \$8,000 for a total design phase cost of \$40,000.

The LFUCG Division of Engineering needs this action to design the Wilson Downing Intersections Improvements project. This project will provide a right turn lane at the Bates Creek Road-Wilson Downing Road intersection and a roundabout at the Belleau Wood Drive-Wilson Downing Road intersection.

What is the cost in this budget year and future budget years? Total Cost in FY 2024 is \$172,187. There are no anticipated costs in future budget years.

Are the funds budgeted? Yes, 3160-303202-3251-91715 WILSON_D_2023

File Number: 0131-24

Director/Commissioner: Burton/Albright



Exhibit A

Wilson Downing Intersection Improvements
Project Location Map



34
0131-24

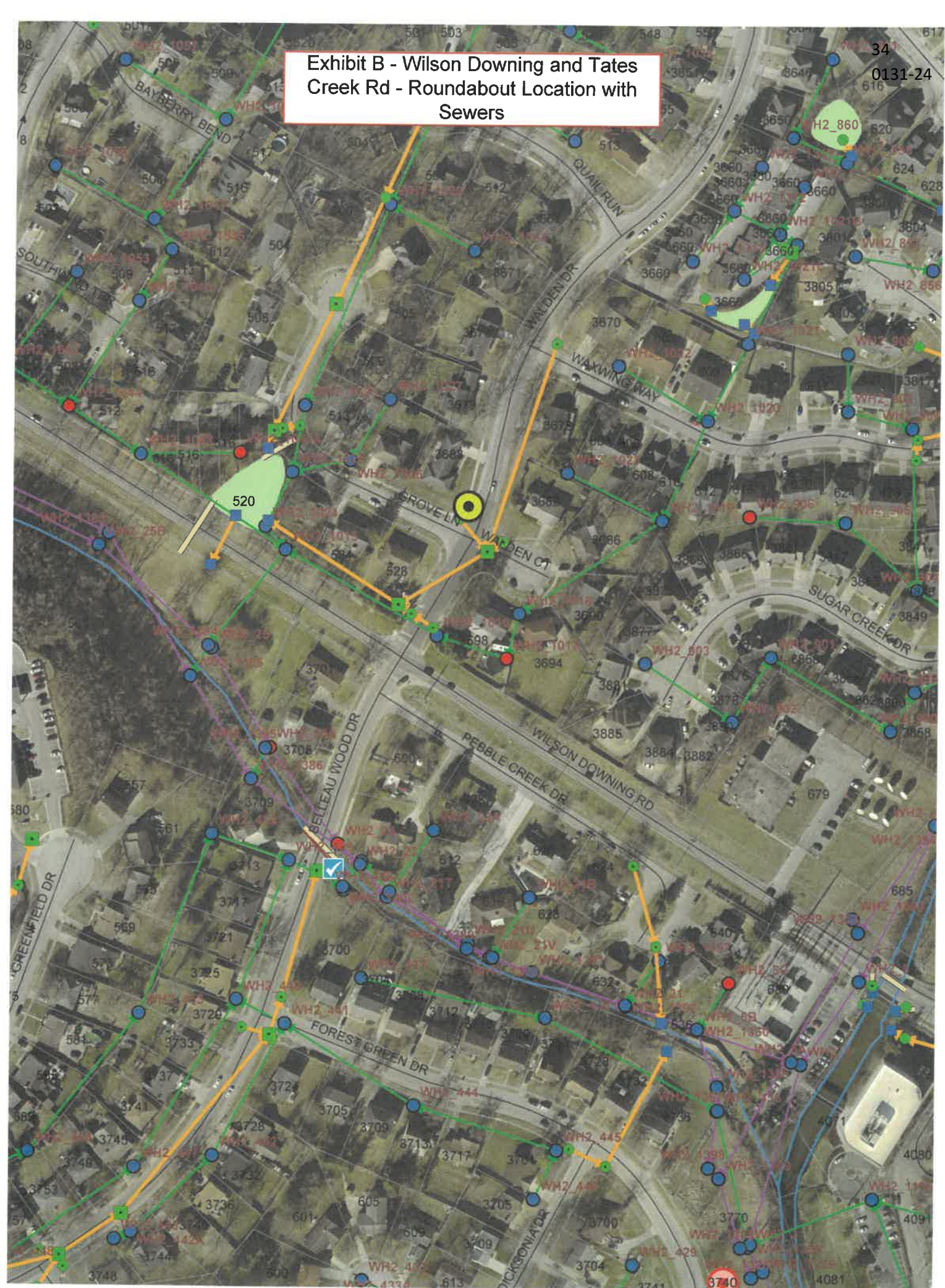


Exhibit C - Wilson Downing and Tates
Creek Rd - Turning Lane with Sewers

35
0131-24

Approximate Location
of Turning Lane



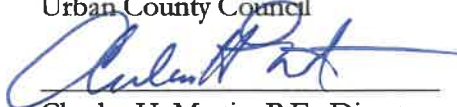
MAYOR LINDA GORTON



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: January 26, 2024

SUBJECT: Odor Control Master Planning – RFP-51-2023

Request

The purpose of this memorandum is to recommend award of a professional services contract to Webster Environmental Associates for work associated with sewer **Odor Control Master Planning** and program management services. The contract term will be for 365 days as measured from the Mayor's signature date on the contract. Up to four (4) annual renewals are possible if approved by the Urban County Council.

Purpose of Request

RFP-51-2023 was issued by the Division of Water Quality to acquire the technical support needed for correcting odor control deficiencies within the sanitary sewer system. Escalating odor complaints from customers combined with measured substandard performance by existing odor control equipment clearly indicates that improving the overall program is necessary.

Throughout the course of the Consent Decree, the Division of Water Quality has successfully used third party program management as the mechanism for upgrading programs to a productive and compliant condition. The division recommends that LFUCG use that same approach in resolving deficiencies in the sanitary sewer odor control program.

Project Cost in FY24

Design and construction management costs for targeted fast track projects is estimated to be \$550,000.

Future project costs will be determined using the hourly rates quoted in the proposal and hours allocated via issued task orders.



Are the funds budgeted

The funds are budgeted in: 4003-303401-3401-92711 WWTPODORCONTROL 2024 LFUCG

Martin / Albright





Environmental Quality & Public Works Committee

December 5, 2023

Summary and Motions

Chair Sheehan called the meeting to order at 1:04 p.m. Committee Members Lynch, LeGris, Monarrez, Gray, Worley, F. Brown, and Sevigny were present. Committee Members Wu and Fogle were absent.

I. Approval of October 24, 2023 Committee Summary

Motion by Sevigny to approve the October 24, 2023 Environmental Quality & Public Works Committee Summary. Seconded by Gray. Motion passed without dissent.

II. Consent Decree and Remedial Measures Plan

Charlie Martin, Director of Division of Water Quality, explained the overall status of the Consent Decree. Storm water and supplement obligations are complete. Capacity, Management, Operations and Maintenance (CMOM) obligations are ongoing and Sanitary Sewer Remedial Measures Plan (RMP) projects continue, pending approval of a revised schedule. He reviewed the schedule modification status broken down by what LFUCG requested and what the EPA and Kentucky have agreed to. He spoke about the 2nd material modification status which is expected to be filed with District Court by late November 2023. Out of 117 projects: 75 are complete, 22 are active and 20 are pending. Active and upcoming projects include East Hickman, West Hickman, Delong Road Pump Station, Wolf Run Truck F, Parkers Mill Trunk, New Circle A & B Trunk, Plainview Trunk Phase 1, Floyd Drive Trunk, and Merrick Trunk. He shared a summary of the Consent Decree obligations and where we currently stand. Martin confirmed the sanitary sewer user fees are used to pay for sanitary sewer obligations. Speaking about Green Tree and if we work with the water company on projects, Martin stressed the importance of having everyone work together so things move along more quickly. Addressing concerns with Floyd Drive, Martin does not see an issue with that area being a flood zone. There was some discussion about the location of the New Circle A & B Trunk. No action was taken on this item.

III. Environmental Best Practices in Paving Process

Rob Allen, Director of Streets and Roads, spoke about Reclaimed or Recycled Asphalt Pavement (RAP) which is the milling portion of paving. About 20% is used on normal roads and this has been done for years. There are grants available to fund these innovative, sustainable, and environmentally friendly practices. RAP asphalt is slightly less expensive than comparative asphalt. We are using the highest RAP content (45%) in the country right now on collector roads as part of an experiment. He spoke about the ability to add Kevlar fiber and Polymer to the asphalt to allow for the use of more RAP asphalt. He displayed photos to show what the high RAP, fiber and polymer roads look like. Through the paving formula, 10% of the paving budget goes toward preventative maintenance. When asked if there is a different process for using RAP on the different types of roads, Allen said the only difference is traffic control. Addressing preventive maintenance, Allen confirmed this happens year-round, and crack sealing is happening now. When asked about crack seal, paving, and rejuvenation, Allen said we do not self-perform, but we do have a small crack seal machine for certain road patches.

Addressing what to tell constituents about the duration of paving, Allen said arterials could go 3-5 years, collectors can last 5-7 years, and residential roads could go about 25 years. It was mentioned that ATS began earlier than planned in one district and it caused traffic backups in certain areas with no notice provided. When asked how we keep this from happening, Allen said ATS has made personnel changes and communication has improved. When asked about sealant, Allen clarified crack seal is permanent until the road gets resurfaced. Mr. Billings, with ATS Construction, spoke about the paving team and providing resources to accomplish Lexington's resurfacing needs. He spoke about the importance of putting RAP into our pavement. No action was taken on this item.

IV. Environmental Commission – Ordinance Updates

Grace Downey, Chairperson of the Environmental Commission, spoke about proposed changes to the Commission's ordinance. The Environmental Commission currently consists of up to forty members of the community who volunteer their time and expertise and want to better the city's natural environment and its practices. The Commission serves to improve the natural environment in our city and county by promoting sustainability and environmental resilience practices. Downey requested changes to their by-laws and the current ordinance related to these by-laws. She reviewed the sections in the ordinance where changes would make the commission more efficient.

Motion by LeGris to approve an ordinance amending section 2-96 of the Lexington Fayette Urban County code of ordinances to rename the "Metropolitan Environmental Improvement Commission of the Lexington Fayette Urban County Government" to the "Environmental Commission of Lexington Fayette County," consistent with current practice; amending section 2-97 of the code of ordinances to reduce the number of members to twenty-five (25) and adding a councilmember as a non-voting ex-officio member; and amending section 2-99 of the code of ordinances to add an information officer as an officer of the commission and setting officers' terms at two (2) years; effective upon passage of council. Seconded by Monarrez. Motion passed without dissent.

V. Items Referred to Committee

Motion by LeGris to remove *Short-Term Rentals (STR) Enforcement* from committee. Seconded by Gray. Motion passed without dissent.

Motion by Worley to remove *Environmental Best Practices in Our Paving Process* from committee. Seconded by F. Brown. Motion passed without dissent.

Motion by Sevigny to remove *Environmental Commission - Ordinance Updates* from committee. Seconded by F. Brown. Motion passed without dissent.

The meeting was adjourned at 2:14 p.m.

ORDINANCE NO. _____ - 2023

AN ORDINANCE AMENDING SECTION 2-96 OF THE LEXINGTON-FAYETTE URBAN COUNTY CODE OF ORDINANCES TO RENAME THE “METROPOLITAN ENVIRONMENTAL IMPROVEMENT COMMISSION OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT” TO THE “ENVIRONMENTAL COMMISSION OF LEXINGTON-FAYETTE COUNTY,” CONSISTENT WITH CURRENT PRACTICE; AMENDING SECTION 2-97 OF THE CODE OF ORDINANCES TO REDUCE THE NUMBER OF MEMBERS TO TWENTY-FIVE (25) AND ADDING A COUNCILMEMBER AS A NON-VOTING EX-OFFICIO MEMBER; AND AMENDING SECTION 2-99 OF THE CODE OF ORDINANCES TO ADD AN INFORMATION OFFICER AS AN OFFICER OF THE COMMISSION AND SETTING OFFICERS’ TERMS AT TWO (2) YEARS; EFFECTIVE UPON PASSAGE OF COUNCIL.

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

Section 1 – That Section 2-96 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-96. Established.

A commission for environmental improvement is hereby created which shall be known as ~~the “Metropolitan Environmental Improvement Commission of the Lexington-Fayette Urban County Government,”~~ “The Environmental Commission of Lexington-Fayette County,” hereinafter called the “environmental commission.”

Section 2 – That Section 2-97 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-97. Membership.

The environmental commission shall consist of ~~not more than forty (40) nor less than twenty (20) members~~ twenty-five (25) members appointed by the mayor subject to the confirmation by the council. One member shall be a member of the urban county council, and shall be an ex-officio, non-voting member. The remaining membership shall be representative of all residents of the urban county and shall include at least ~~two (2) members~~ one (1) but no more than (3) members from each of the twelve (12) urban county council districts.

Section 3 – That Section 2-99 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-99. Officers and rules of procedure.

The officers of the environmental commission shall consist of a chairman, a vice-chairman, a secretary, a treasurer, an information officer, and three (3) directors, elected by the membership at the June meeting to serve a two-year term ~~from July 1 to June 30~~ in accordance with its bylaws. The duties of the officers shall be implied by the respective titles and such as may be specified in the bylaws.

The environmental commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.

Section 4 – That each member of the Environmental Commission who does not conform to the district requirements of this amendment at the time of this Ordinance’s passage may continue as members of the Environmental Commission until such time as the member moves outside the boundaries of Lexington-Fayette County, resigns, is removed by a majority of the Urban County Council, or the member’s term otherwise ends.

Section 5 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL
PUBLISHED:
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