

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 10, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Lexington-Fayette Urban County Council
Schedule of Meetings
September 9 – September 16, 2024**

Monday, September 9

No Meetings

Tuesday, September 10

General Government & Planning Committee.....1:00 p.m.
Government Center – Council Chamber, 2nd Fl.

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

Wednesday, September 11

Tree Board.....10:30 a.m.
Government Center- Conference Room, 5th Fl.

Commission on Veterans’ Affairs.....11:30 a.m.
Lexington Senior Center – 195 Life Ln.

Homelessness Prevention & Intervention Board.....1:30 p.m.
Government Center – Council Chamber, 2nd Fl.

Thursday, September 12

Waste Digester Task Force.....3:00 p.m.
Government Center – Conference Room, 5th Fl.

Council Workshop: EMS Revenue Reallocation.....4:30 p.m.
Government Center – Caucus Room, 2nd Fl.

Council Meeting.....6:00 p.m.
Government Center – Council Chamber, 2nd Fl.

Friday, September 13

No Meetings

Monday, September 16

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
September 10, 2024**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval- Yes**
- III. Approval of Summary- Yes**
 - a. Table of Motions: Council Work Session, August 27, 2024, p. 1 - 2
- IV. Budget Amendments- Yes, p. 3 - 5**
- V. Budget Adjustments - For Information Only- Yes, p. 6 - 10**
- VI. New Business- Yes, p. 11 - 68**
- VII. Communications From the Mayor – Appointments- Yes, p. N/A**
- VIII. Communications From the Mayor – Donations- Yes, p. 69**
- IX. Communications From the Mayor – Procurements- Yes, p. 70**
- X. Continuing Business/ Presentations- Yes**
 - a. Summary: General Government & Planning Committee, June 11, 2024, p. 71 - 72
 - b. Summary: Special General Government & Planning Committee, August 29, 2024, p. 73 - 95
 - c. Recognition: Jessica Allinder, Division of Procurement, p. N/A
 - d. Presentation: Annual ARPA Update, p. 96 - 114
- XI. Council Reports**
- XII. Public Comment - Issues Not on Agenda**
- XIII. Adjournment**

Administrative Synopsis - New Business Items

- a** **0826-24** Authorization to approve an increasing Change Order of \$60,522.40 to the Stormwater Quality Projects Incentive Grant with the Unitarian Universalist Church of Lexington (Contract #042-2022) due to increased construction costs, bringing the total grant award to \$360,000. Funds are budgeted. (L0826-24) (Martin/Albright), p. 11 - 16
- b** **0834-24** Authorization to execute an agreement with the Red Cross to provide First Aid Training for 40 employees at the Division of Streets and Roads at a cost of \$1,520. Funds are budgeted. (L0834-24) (Allen/Albright), p. 17
- c** **0836-24** Authorization to execute an Amendment to the Agreement with the University of Kentucky Research Foundation (UKRF) to increase the contract in the amount of \$83,619 for the provision of evaluation services for Community Paramedicine Overdose Outreach Lexington (CPOOL) under the Comprehensive Opioid, Stimulant, and Substance Use Program from the Department of Justice, Bureau of Justice Assistance grant program, and to extend the period of performance to September 30, 2025. Funds are budgeted. (L0836-24) (Wells/Armstrong), p. 18
- d** **0837-24** Authorization to execute Contract Modification No.1, with Strand Associates Inc., for additional construction phase engineering services for the Town Branch Park Access Improvements Project for a total not to exceed \$50,000, bringing the new contract total to \$150,000. The LFUCG Division of Engineering needs this action to obtain additional engineering services for substantial design changes due to unforeseen site conditions. Funds are budgeted. (L0837-24) (Burton/Albright), p. 19 - 23
- e** **0847-24** Authorization to establish Forensic Technology Inc., (a member of the Ultra Group of companies) as a sole source vendor and accept the attached Integrated Ballistic Identification System (IBIS) SafeGuard Warranty and Protection Plan proposal for the IBIS BRASSTRAX Acquisition Station that the Lexington Police Department currently utilizes for cartridge casing images. The coverage period is for sixty (60) months (Option 6), from September 19, 2024 to September 18, 2029. The annual cost is \$20,878.60. Funds are budgeted. (L0847-24) (Weathers/Armstrong), p. 24

- f** **0850-24** Authorization to approve Change Order No. 1 to the agreement with the Cincinnati, New Orleans and Texas Pacific Railway Co. (Norfolk Southern Railway Co.) for an additional permit fee of \$20,000.00 to pay Rail Pros for the Spurr and Dotson Pump Station Sanitary Sewer Infrastructure project, bringing the total cost to \$41,135.00. Funds are budgeted. (L0850-24) (Martin/Albright), p. 25 - 29
- g** **0851-24** Authorization to execute Addendum No. 2 to the Agreement with the University of Kentucky Research Foundation (UKRF) in the amount of \$99,997.00 for the provision of evaluation services for Year 3 of the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP) funded under the U.S. Department of Health and Human Service First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA). (L0851-24) (Combs Marks/Allen-Byrant), p. 30
- h** **0852-24** Authorization to accept an award in the amount of \$1,800,000 from the Environmental Protection Agency Solid Waste Infrastructure for Recycling (EPA SWIFR) Grant Program for equipment and facility upgrades at LFUCG's Materials Recovery Facility (MRF). No grant match is required. LFUCG has allocated \$100,000 in personnel funding to support the project. (L0852-24) (Howard/Albright), p. 31
- i** **0859-24** Authorization to provide funding support in the amount of \$21,250 to a Public Art Project facilitated by the Meadowthorpe Neighborhood Association located at the Meadowthorpe Neighborhood Park Center, in celebration of the Meadowthorpe Neighborhood's 75th anniversary. Funds are budgeted. (L0859-24) (Lyons/Scott), p. 32
- j** **0866-24** Authorization to enter into a participating addendum with Konica Minolta Business Solutions through NASPO VALUE POINT for multi-function devices and related software, software and cloud solutions portfolio (master agreement #187962) and authorizing the Director of Procurement or his designee, for the term of the contract, to execute any necessary documents related to the price contract. (L0866-24) (Slatin/Hensley), p. 33

k	0867-24	Authorization to execute an Amended and Restated Supplemental Grant Assistance Agreement (GAA) accepting an additional award of \$1,186,810 in federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) for a total award in the amount of \$13,054,905 for the Ultraviolet Disinfection Systems at both treatment plants, a Consent Decree project. (L0867-24) (Martin/Albright), p. 34
l	0870-24	Authorization to approve Change Order No. 2 (final) with Tetra Tech, Inc., for the Former Jacks Creek Pike Landfill Improvement Project, reducing the amount budgeted by \$36,900.00 due to savings from onsite oversight, making a total amended contract amount of \$119,450.00. (L0870-24) (Carey/Albright), p. 35 - 37
m	0877-24	Authorization to transfer one (1) unclassified position of Administrative Specialist (Grade 516N) and the incumbent along with the funds associated with the position from the Office of the Mayor to the Division of Revenue, effective upon passage of Council. There is no fiscal impact associated with this action. (L0877-24) (George/Hamilton), p. 38
n	0878-24	Authorization to amend the classified civil service authorized strength by creating positions as approved in the FY 2025 budget process, to become effective retroactive to July 1, 2024. (L0878-24) (George/Hamilton), p. 39
o	0880-24	Authorization to abolish one (1) unclassified position of Construction Supervisor (Grade 524E) and create one (1) unclassified position of Construction Manager (Grade 531E), expiring June 30, 2028, in the Department of Environmental Quality and Public Works, effective upon passage of Council. This has a 12-month future impact cost of \$38,395.90. (L0880-24) (George/Hamilton), p. 40 - 41
p	0881-24	Authorization to establish Everbridge, Inc as a sole source provider for the alert notification system for the Division of Emergency Management and to execute the renewal contract and any necessary agreements with Everbridge, Inc. for the procurement of these goods/services at a cost not to exceed \$118,427.79. Funds are budgeted. (L0881-24) (Larkin/Armstrong), p. 42

- q** **0882-24** Authorization to execute an amendment to the agreement with Davis Park Station Limited Liability Limited Partnership to increase the budget by \$277,576 in federal funds from the American Rescue Plan Act under the U.S. Department of Housing and Urban Development HOME Investment Partnerships Program to provide supportive services to individuals and households in the HOME-assisted units constructed at Davis Park Station. (L0882-24) (Reynolds/Lanter), p. 43
- r** **0883-24** Authorization to execute Change Order No. 3 with Prime AE in the amount of \$44,300.00 for design services of Meadows/Northland/Arlington Public Improvements Project, Phase 7 increasing the design amount from \$360,823.00 to \$405,123.00. Funds are budgeted. (L0883-24) (Burton/Albright), p. 44 - 62
- s** **0884-24** Authorization to execute a Grant Assistance Agreement for the federal award from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$2,780,000 for the East Hickman Pump Station Expansion and Rehabilitation project. No matching funds are required. (L0884-24) (Martin/Albright), p. 63 - 64
- t** **0885-24** Authorization to execute a Grant Assistance Agreement for the federal award from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$2,220,000 for the Blenheim Way Trunk Sewer project. No matching funds are required. (L0885-24) (Martin/Albright), p. 65 - 66
- u** **0886-24** Authorization to execute a Purchase of Services Agreement (PSA) with economic development partner agency Jubilee Jobs, pursuant to RFP 35-2024, to assist with the WORK-Lexington program for an amount of \$62,718.42. Budget Amendment in process. (L0886-24) (Glasscock/Atkins), p. 67
- v** **0887-24** Authorization to execute a Purchase of Services Agreement (PSA) with economic development partner agency Community Ventures Corporation, pursuant to RFP 35-2024, to assist with small business owner connections and networking; entrepreneurial development/start-up assistance; minority owned business development; and women owned business development, for an amount of \$63,220.17. Budget amendment in process. (L0887-24) (Glasscock/Atkins), p. 68

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 27, 2024**

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

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

Motion by Ellinger II to approve the August 29, 2024 Council Meeting Docket, as amended. Seconded by Gray. Motion passed without dissent.

Motion by Sevigny to place on the docket for the August 29, 2024 Council Meeting, an Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 2.114 net (2.214 gross) acres, for property located at 363 Pasadena Dr. without a public hearing. Seconded by Reynolds. Motion passed without dissent.

Motion by Wu to place on the docket for the August 29, 2024 Council Meeting, a resolution authorizing the mayor to execute an agreement with Mediocre and the Bluegrass Community Foundation for the creation of a website for the celebration of Lexington's 250th anniversary at a cost not to exceed \$50,000 to be paid by Bluegrass Community Foundation. Seconded by Reynolds. Motion passed without dissent.

Motion by Plomin to place on the docket for the August 29, 2024 Council Meeting, an Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Agricultural Buffer (A-B) zone, for 144.84 net (147.14 gross) acres, for property located at 8200 Tates Creek Rd., without a public hearing. Seconded by Baxter. Motion passed without dissent.

Motion by J. Brown to place on the docket for the August 29, 2024 Council Meeting, a resolution amending Sec. C.201 of Appendix A, Rules and Procedures of the Urban County Council relating to the council capital projects expenditure policy to amend the policy to permit direct appropriations of council capital funds capital project funding to eligible not-for-profit entities for eligible capital expenditures and amending definitions and establishing procedures related thereto. Seconded by Baxter. Motion passed 13 – 1 (Yes: Wu, J. Brown, Ellinger II, Lynch, LeGris, Monarrez, Sheehan, Worley, F. Brown, Baxter, Sevigny, Reynolds, Plomin. No: Gray.)

- III. Approval of Summary

Motion by Wu to approve the August 20, 2024 Work Session Summary. Seconded by Plomin. Motion passed without dissent.

- IV. Budget Amendments

Motion by Sevigny to approve Budget Amendments. Seconded by Gray. Motion passed without dissent.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Baxter to approve New Business. Seconded by Sheehan. Motion passed without dissent.

VII. Communications from the Mayor- Appointments

Motion by Wu to approve Communications from the Mayor- Appointments. Seconded by Gray. Motion passed without dissent.

VIII. Communications from the Mayor- Donations

Motion by Baxter to approve Communications from the Mayor- Donations. Seconded by Gray. Motion passed without dissent.

IX. Communications from the Mayor- Procurements

Motion by Sevigny to approve Communications from the Mayor- Procurements. Seconded by Gray. Motion passed without dissent.

X. Continuing Business/Presentations

Motion by Baxter to approve Neighborhood Development Funds, as amended. Seconded by LeGris. Motion passed without dissent.

Motion by Gray to amend Neighborhood Development Funds to correct the name of the entity requesting funds from Liberty Elementary School PTA to 16th District PTA c/o Liberty Elementary. Seconded by Baxter. Motion passed without dissent.

Councilmember J. Brown provided a summary of the June 25, 2024 BFED committee meeting.

Motion by J. Brown to amend ordinance 50-2016 pertaining to the contingency designation fund policy. Seconded by Plomin. Motion passed without dissent.

XI. Council Reports

XII. Public Comment – Issues Not on Agenda

XIII. Adjournment

Motion by Gray to adjourn at 4:04 p.m. Seconded by Plomin. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	150062	DIVISION	Economic Development Agencies	Fund Name	General Fund
				Fund Impact	335,000.00
					335,000.00CR
					.00

To provide funds for Economic Development agencies awarded funds for FY 2025 by decreasing funds in the placeholder account for this purpose. Funds are being awarded to Commerce Lexington, Community Ventures, and Jubilee Jobs.

JOURNAL	150100	DIVISION	Finance	Fund Name	General Fund
				Fund Impact	13,000.00
					796,520.00CR
					783,520.00CR

To adjust ad valorem budget for the General Services District Fund based on approved rates and state certification of property assessment for FY 2025.

JOURNAL	150277	DIVISION	Finance	Fund Name	General Fund
				Fund Impact	15,206.80
					.00CR
					15,206.80

To decrease personnel recovery for Social Services/Human Services covered under the American Rescue Plan Act (ARPA) State and Local Recovery Funds grant. This will provide a portion of funds necessary for the Black and Williams Gymnasium project.

JOURNAL	150219-20	DIVISION	Parks and Recreation	Fund Name	Donation Fund
				Fund Impact	2,438.00
					2,438.00CR
					.00

To provide funds for a memorial bench at Masterson Station Park by recognizing a donation for this purpose. This was reported on the Donation Report in the September 10, 2024 Work Session packet.

JOURNAL	150101	DIVISION	Finance	Fund Name	Urban Fund
				Fund Impact	700.00
					951,860.00CR
					951,160.00CR

To adjust ad valorem budget for the Urban Services District Fund based on approved rates and state certification of property assessment for FY 2025.

JOURNAL	150094	DIVISION	Police	Fund Name	Police Confiscated State
				Fund Impact	37,000.00
					37,000.00CR
					.00

To provide funds in capital for purchase of three drones by reducing budget for Equipment Under \$5000, all within Police Confiscated State funds.

JOURNAL	149993	DIVISION	Traffic Engineering	Fund Name	Misc Special Revenue Fund
				Fund Impact	16,000.00
					16,000.00CR
					.00

To provide funds for the rent/lease of a storage unit by reducing funds for state traffic accounts. The use of state funds has been approved by the state.

JOURNAL	150241-42	DIVISION	Grants and Special Programs	Fund Name	US Dept of HUD
				Fund Impact	277,576.00
					277,576.00CR
					.00

To budget additional HOME-ARPA funds to AU Associates, Inc. for Davis Park Station LLLP for supportive services.

JOURNAL	150273-74	DIVISION	Grants and Special Programs	Fund Name	US Env Protection Agency
				Fund Impact	1,900,000.00
					1,900,000.00CR
					.00

To establish budget for the EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program award.

JOURNAL	150102-03	DIVISION	Grants and Special Programs	Fund Name	US Dept of HHS
				Fund Impact	213,875.00
					213,875.00CR
					.00

To reduce budget to reflect actual federal and state funds received for Home Network FY 2022 grant.

JOURNAL	149979	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	37,489.29
					37,489.29CR
					.00

To reallocate funds within American Rescue Plan Act (ARPA) State and Local Recovery Funds previously allocated for Administration to increase funds available to the Black and Williams Neighborhood Center Gymnasium project.

JOURNAL	150126	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	15,658.61
					15,658.61CR
					.00

To reallocate funds within American Rescue Plan Act (ARPA) State and Local Recovery Funds from completed projects to increase funds available to the Black and Williams Neighborhood Center Gymnasium project.

JOURNAL	150116	DIVISION	Environmental Services	Fund Name	Landfill Fund
				Fund Impact	908,244.39
					.00CR
					908,244.39

To provide additional funds needed to accept the bid for the Haley Pike Landfill Leachate System Improvements Construction Contract.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	768,313.20CR
1103	Donation Fund	.00
1115	Full Urban Services District Fund	951,160.00CR
1132	Police Confiscated State Fund	.00
1141	Miscellaneous Special Revenue Fund	.00
3120	US Department of Housing & Urban Development	.00
3170	US Environmental Protection Agency	.00
3190	US Department of Health & Human Services	.00
3230	US Department of Treasury	.00
4121	Landfill Fund	908,244.39

INFORMATION ONLY

BUDGET ADJUSTMENT LIST
APPROVED AUGUST 19 THROUGH AUGUST 30, 2024

JOURNAL	149898	DIVISION	Planning	Fund Name	General Fund
				Fund Impact	113,111.00
					113,111.00CR
					.00

To adjust grant match for SLX - FY 2025 into the correct accounting based on divisions performing services for the grant.

JOURNAL	150023	DIVISION	Computer Services	Fund Name	General Fund
				Fund Impact	111,269.57
					111,269.57CR
					.00

To provide funds for General Fund copiers and software subscriptions in the appropriate accounts based on Governmental Accounting Standards Board (GASB) Subscription-Based IT Arrangements (SBITA) requirements.

JOURNAL	150063	DIVISION	Environmental Services	Fund Name	General Fund
				Fund Impact	9,483.45
					9,483.45CR
					.00

To provide funds for Professional Services by reducing funds for Operating Supplies and Expenses, all in the General Fund Sustainability section.

JOURNAL	150065	DIVISION	Environmental Services	Fund Name	General Fund
				Fund Impact	630.00
					630.00CR
					.00

To provide funds for Professional Services by reducing funds for Operating Supplies and Expenses, all in General Fund Education and Outreach section.

JOURNAL	150071	DIVISION	Council Office	Fund Name	General Fund
				Fund Impact	2,000.00
					2,000.00CR
					.00

To provide Council Neighborhood Development Funds to the Department of Social Services for to purchase tickets for the 3rd Annual Green Dot Bystander Appreciation event. This is authorized by NDF resolution 440-2024.

JOURNAL	150118	DIVISION	Computer Services	Fund Name	General Fund
				Fund Impact	6,463.03
					6,463.03CR
					.00

To reallocate funds to the correct account code for Lexcall Salesforce Platform Upgrade for the purchase of Sandbox software related to the project, all within the General Fund.

INFORMATION ONLY

JOURNAL	149731	DIVISION	Council Office	Fund Name	General Capital Fund
				Fund Impact	35,000.00
					35,000.00CR
					.00

To provide funds for Council Projects in the Division of Environmental Services to remove trees and brush on Maddox Lane. This is authorized by Council Capital resolution 434-2024.

JOURNAL	149735	DIVISION	Council Office	Fund Name	General Capital Fund
				Fund Impact	18,214.00
					18,214.00CR
					.00

To provide funds for Capital Projects in the Division of Parks and Recreation for the purchase of an Action Trackchair STS Model. This is authorized by Council Capital resolution 434-2024.

JOURNAL	149737	DIVISION	Council Office	Fund Name	General Capital Fund
				Fund Impact	1,900.00
					1,900.00CR
					.00

To provide funds for Capital Projects in the Department of Environmental Quality and Public Works for vegetation cutbacks on Old Higbee Mill between Reserve and Harrodsburg Road. This is authorized by Council Capital resolution 434-2024.

JOURNAL	149791	DIVISION	Council Office	Fund Name	General Capital Fund
				Fund Impact	30,048.00
					30,048.00CR
					.00

To provide funds for Council Projects in the Division of Parks and Recreation to install improved swing facilities at Kenwick Park. This is authorized by Council Capital resolution 434-2024.

JOURNAL	150027	DIVISION	Computer Services	Fund Name	Urban Fund
				Fund Impact	8,808.49
					8,808.49CR
					.00

To provide funds for Urban Fund software subscriptions in the appropriate accounts based on Governmental Accounting Standards Board (GASB) Subscription-Based IT Arrangements (SBITA) requirements.

JOURNAL	150119	DIVISION	Computer Services	Fund Name	Urban Fund
				Fund Impact	23,913.23
					23,913.23CR
					.00

To reallocate funds to the correct account code for Lexcall Salesforce Platform Upgrade for the purchase of Sandbox software related to the project, all within the Urban Fund.

INFORMATION ONLY

JOURNAL	150025	DIVISION	Computer Services	Fund Name	Sanitary Sewer Fund
				Fund Impact	6,291.78
					6,291.78CR
					.00

To provide funds for Sewer Fund software subscriptions in the appropriate accounts based on Governmental Accounting Standards Board (GASB) Subscription-Based IT Arrangements (SBITA) requirements.

JOURNAL	150120	DIVISION	Computer Services	Fund Name	Sanitary Sewer Fund
				Fund Impact	1,615.76
					1,615.76CR
					.00

To reallocate funds to the correct account code for Lexcall Salesforce Platform Upgrade for the purchase of Sandbox software related to the project, all within the Sanitary Sewer Fund.

JOURNAL	150024	DIVISION	Computer Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	3,775.07
					3,775.07CR
					.00

To provide funds for Water Quality Fund software subscriptions in the appropriate accounts based on Governmental Accounting Standards Board (GASB) Subscription-Based IT Arrangements (SBITA) requirements.

JOURNAL	150064	DIVISION	Environmental Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	3,500.00
					3,500.00CR
					.00

To provide funds for Professional Services by reducing funds for Operating Supplies and Expenses, all in the Water Quality Fund Education and Outreach section.

JOURNAL	150117	DIVISION	Computer Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	323.15
					323.15CR
					.00

To reallocate funds to the correct account code for Lexcall Salesforce Platform Upgrade for the purchase of Sandbox software related to the project, all within the Water Quality Fund.

JOURNAL	149844	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice
				Fund Impact	600.00
					600.00CR
					.00

To reallocate funds on Street Sales FY 2024 grant to provide funds for dues and equipment.

INFORMATION ONLY

JOURNAL	149845	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 15,823.00 15,823.00CR .00
----------------	--------	-----------------	-----------------------------------	--	---

To reallocate funds on Street Sales FY 2024 to provide funds for overtime.

JOURNAL	149739	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 36,435.00 36,435.00CR .00
----------------	--------	-----------------	-----------------------------------	--	--

To move funds on Intelligent Traffic System Congestion Management Grant FY 2024 to provide funds for traffic signal equipment.

JOURNAL	149876	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Env Protection Agency 1,500.00 1,500.00CR .00
----------------	--------	-----------------	-----------------------------------	--	---

To move funds from Operating Supplies and Expense to Food and Household Items on Lexington-Fayette Metropolitan Statistical Area (MSA) project.

JOURNAL	150104	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 159,851.22 159,851.22CR .00
----------------	--------	-----------------	-----------------------------------	--	---

To reallocate funds on Home Network FY 2022 grant to spend down grant funds.

JOURNAL	149740	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Homeland Sec 79,515.54 79,515.54CR .00
----------------	--------	-----------------	-----------------------------------	--	--

To reallocate funds for Eastern KY Flood Reimbursement to match payroll expenses.

JOURNAL	149793	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 3,755.01 3,755.01CR .00
----------------	--------	-----------------	-----------------------------------	--	--

To reallocate funds from personnel to operating on Extended School Program grant through Kentucky Cabinet for Health and Family Services, Department for Community Based Services American Rescue Plan Act (ARPA) funding.

JOURNAL	149980	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 93,489.61 93,489.61CR .00
----------------	--------	-----------------	-----------------------------------	--	--

To reallocate budget for Coronavirus Relief funds to match expenses.

INFORMATION ONLY

JOURNAL	150093	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 500.00 500.00CR .00
----------------	--------	-----------------	-----------------------------------	--	--

To reallocate funds for personnel benefits to match expenses on Extended School Program grant through Kentucky Cabinet for Health and Family Services, Department for Community Based Services American Rescue Plan Act (ARPA) funding.

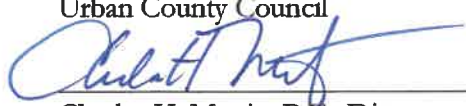
BUDGET ADJUSTMENT SUMMARY

1101	General Services District Fund	.00
1105	General Fund Capital Projects	.00
1115	Full Urban Services District Fund	.00
3140	US Department of Justice	.00
3160	US Department of Transportation	.00
3170	US Environmental Protection Agency	.00
3190	US Department of Health & Human Services	.00
3200	US Department of Homeland Security	.00
3230	US Department of Treasury	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4051	Water Quality Management Fund	.00

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: August 5, 2024

SUBJECT: Change Order for Stormwater Quality Projects Incentive Grant Contract #042-2022

Request

Requesting approval of an increasing change order of \$60,522.40 to the Stormwater Quality Projects Incentive Grant with the Unitarian Universalist Church of Lexington (UUCL), Contract #042-2022.

Purpose of Request

In fall of 2021, Unitarian Universalist Church of Lexington (UUCL) was awarded a Stormwater Quality Incentive Grant to implement design and construction of the green infrastructure elements prioritized in the FY20 Feasibility Study grant as "Phase 1". In May (2024), UUCL contacted the division to inquire about a change order because construction costs increased since being awarded putting the feasibility of the project in question. The increase was due to inflationary costs for materials and construction.

The Water Quality Fees Board recently approved to continue with the change order program that allows for a percentage of annual grant program funding to be used for projects that meet change order application criteria. UUCL wishes to proceed with the project but cannot without additional funding. UUCL is requesting their existing grant award be amended allowing them to access change order funding while not exceeding the maximum allowable grant award for Class B infrastructure type grants.

	2022 Grant Award	Proposed 2024 Grant Amendment	Change	% Change
WQ Grant share	\$299,477.60	360,000.00	\$60,522.40	20.21%
Grantee Share	\$74,869.40	\$90,000.00	\$15,130.60	20.21%
TOTAL PROJECT COST	\$374,347.00	\$450,000.00	\$75,653.00	20.21%



MAYOR LINDA GORTON



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

The division recommends that the Urban County Council grant approval of the request based on the following:

1. The increase in construction cost is validated by the competitive bids received by the applicant.
2. Value engineering was performed to reduce the bid amount to not exceed the maximum allowable grant award amount.
3. The Grantee has agreed to provide additional cost share to meet the contracted percentage (add. \$15,130.60).

The request for increase has been reviewed and approved by the Water Quality Fees Board on July 25, 2024.

Project Cost in FY22 and in Future Budget Years

The increasing change order of \$60,522.40 will come from Change Order Pool grant funds budgeted for FY24.

Are Funds Budgeted

Funds from this increasing change order are already budgeted in:

4052 – 303204 – 3373 – 78112 – WQINCENTIVE_24 – WQ_GRANT

Martin/Albright



Page 1 of 2

Contract I	Original C	Cumulative	Previous	Percent C	Change C	Total Con	to this Ch	Change C
------------	------------	------------	----------	-----------	----------	-----------	------------	----------

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

Description of changes-quantities, unit prices, change in completion date, etc.

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

This Change Order shall have a zero (0) calendar day time extension.

13
0826-24

JUSTIFICATION FOR CHANGEPROJECT: Unitarian Universalist Church of Lexington FY22 Class B
Infrastructure Stormwater Quality Project Incentive Grant

CONTRACT NO. 042-2022

CHANGE ORDER #: 1

1.

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:

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:

8. Effect on contract completion date:

Mayor_____
Date

Stormwater Quality Projects Incentive Grant Program



FY22 UUCL Water Quality Incentive Grant Class BI

- Project Budget:

- Request for additional funds breakdown:

• FY2022 grant amount:	\$ 299,477.60
• UUCL 20% match amount:	<u>\$ 74,869.40</u>
• Total:	\$ 374,347.00

- Change Order request:

• WQG increase amount:	\$ 60,522.40
• UUCL 20% match:	\$ 15,130.60

- Total:

• FY2022 grant amount:	\$ 360,000.00
• UUCL 20% match amount:	\$ 90,000.00

MAYOR LINDA GORTON



LEXINGTON

ROBERT ALLEN
DIRECTOR
STREETS & ROADS

MEMORANDUM

TO: Linda Gorton, Mayor
Urban County Council

FROM: 
Robert Allen, Director
Division of Streets & Roads

DATE: August 21, 2024

SUBJECT: Red Cross - First Aid Training

Request: The purpose of this memorandum is to request to provide First Aid Training from the Red Cross for 40 Streets & Roads employees. These fees for the FY 2025 should not exceed the sum of \$1,520

Authorization to: Approve service from Red Cross

Purpose of Request

The requested approval will allow 40 Streets & Roads employees to help better serve as First Responders in the event of a crisis.

Projected Cost in FY25

The projected cost in FY 2025 is \$ 1,520.00 and is fully budgeted out of the following funds:

1101	303301	0001	74101	\$ 380.00
1115	303303	0001	74101	\$ 380.00
4051	303302	0001	74101	\$ 380.00
1115	303301	0001	74101	\$ 380.00

File Number: 0834-24

Director/Commissioner: Allen/Albright



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS

DIRECTOR

GRANTS & SPECIAL PROGRAMS

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

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

DATE: AUGUST 20, 2024

**SUBJECT: Agreement with the University of Kentucky Research Foundation (UKRF)
for the Division of Fire and Emergency Services**

Request: Council authorization to execute an Amendment to the Agreement with the University of Kentucky Research Foundation (UKRF) to increase the contract in the amount of \$83,619 for the provision of evaluation services for the Community Paramedicine Overdose Outreach Lexington (CPOOL) under the Comprehensive Opioid, Stimulant, and Substance Use Program from the Department of Justice, Bureau of Justice Assistance grant program, to extend the period of performance to September 30, 2025. Cost not to exceed \$83,619.

Purpose of Request: On February 15, 2024 (Resolution 057-2024), Council authorized execution of the agreement with UKRF to provide evaluation services pertaining to Year 1 of the Lexington-Fayette Urban County Government's Community Paramedicine Overdose Outreach Services under the Comprehensive Opioid, Stimulant, and Substance Use Program from the Department of Justice, Bureau of Justice Assistance grant program. The University of Kentucky Research Foundation is listed as the required evaluator in the grant application. This action will amend the UKRF original agreement to extend the evaluation services until September 29, 2025.

What is the cost in this budget year and future budget years? \$83,619 is cost in FY2025
Future budget year cost for renewal is \$83,619 for FY2026.

Are the funds budgeted? Yes, 3140-505701-71299, COSSUP_2024, FED_GRANT, 2024

File Number: 0836-24

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

DOUG BURTON
DIRECTOR
ENGINEERING

TO: Mayor Linda Gorton
Urban County Council

FROM: Doug Burton, Director
Division of Engineering

DATE: August 21, 2024

SUBJECT: Town Branch Park Access Improvements Project
Engineering Services Contract Modification No.1
Contract 001-2024

Request:

Request Council authorization to execute Contract Modification No.1, with Strand Associates Inc., for additional construction phase engineering services for the Town Branch Park Access Improvements Project, for a total not-to-exceed amount of \$50,000.

Purpose of Request:

On January 23, 2024, Council authorized the execution of an agreement with Strand Associates, in the amount of \$100,000 for construction phase engineering support services (Resolution No. 028-2024). The LFUCG Division of Engineering needs this action to obtain additional engineering services for substantial design changes due to unforeseen site conditions at the subject project.

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

The cost for this FY is: \$50,000.00
The cost for future FY is: N/A

Are the funds budgeted?

Yes, the funds are budgeted in in the following accounts:

Fund	Dept ID	Sec	Acct	Project
1105	303202	3251	91715	TB_PARK2_2023

File Number: 0837-24**Director/Commissioner:** Burton/Albright

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

DATE: 07/17/24

Project: Town Branch Park Access Improvements Project

Location: Manchester Street from High St to OLV

To (Contractor): Stand Associates
651 Perimeter Road #220
Lexington, KY 40517

Contract No: 001-2024

Contract Modification No: 1

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	Additional Design Engineering Services	LS	1	\$ 50,000.00	\$ -	\$ 50,000.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -

Total decrease

\$ -

Total increase

\$ 50,000.00

Net (increase/decrease) in contract price

\$ 50,000.00

Current Contract Amount = \$100,000.00

New Contract Amount = \$150,000.00

Recommended by  (Proj. Engr.)

Date 07/17/24

Accepted by  (Contractor)

Date 7/25/24

Approved by  (Director - Engineering)

Date 8/20/24

Approved by  (Commissioner - EQPW)

Date 8/20/24

Approved by _____ (Mayor or CAO)

Date _____

20
0837 24

JUSTIFICATION FOR CHANGE

PROJECT: Town Branch Park Access Improvements Project

CONTRACT NO. 001-2024

CONTRACT MODIFICATION NO.: 1

1. Necessity for change: During construction, field conditions were encountered that required a significant design change to a retaining wall and adjacent roadway. This contract modification covers the cost for meetings, site visits and preparation of plans and specifications to address the design changes.
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

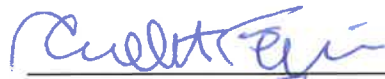
Date

CONTRACT HISTORY FORMProject Name: Town Branch Park Access Improvements ProjectContractor: Strand AssociatesContract Number and Date: 001-2024 01/18/24Responsible LFUCG Division: Engineering**CONTRACT AND MODIFICATION DETAILS**

A. Original Contract Amount:	\$	<u>100,000.00</u>	
Next Lowest Bid Amount:			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>100,000.00</u>	
D. Amended Contract Amount:	\$	<u>100,000.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>0.00</u>	<u>0.0%</u> (Line E / Line D)
F. Amount of This Change Order:	\$	<u>50,000.00</u>	<u>50.0%</u> (Line F / Line D)
G. Total Contract Amount:	\$	<u>150,000.00</u>	

SIGNATURES

Project Manager:

Date: 07/17/24

Reviewed by:

Date: 07/17/24

Division Director:

Date: 8/20/24



OLIVER LEWIS WAY

COX ST

HERLIHY ST

MANCHESTER ST

TY CT

W HIGH ST

W MAXWELL ST

MADISON PL

MERINO ST



LEXINGTON

DIVISION OF ENGINEERING

**PROJECT LOCATION MAP
TOWN BRANCH PARK
ACCESS IMPROVEMENTS
PROJECT LIMITS**

11/06/2023
DATE



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: August 23, 2024

SUBJECT: Forensic Technology Inc. – Integrated Ballistic Identification System (IBIS)

Request

Authorization to reestablish Forensic Technology Inc. as a sole source vendor and accept the attached Integrated Ballistic Identification System (IBIS) SafeGuard Warranty and Protection Plan proposal.

Why are you requesting?

This is a SafeGuard Warranty and Protection Plan for the IBIS BRASSTRAX Acquisition Station that the Lexington Police Department currently utilizes. The IBIS BRASSTRAX Acquisition Station captures high resolution 2D and 3D images of the cartridge casing. The images of the cartridge casing are entered into NIBIN (National Integrated Ballistic Information Network). This network allows cartridge casings from across the country to be compared to each other. The NIBIN will return a list of potential matches. All IBIS systems deployed on NIBIN must meet the U.S. Department of Justice (DOJ) security requirements. Forensic Technology's SafeGuard Warranty includes key services that ensure all IBIS systems continue to be compliant with the DOJ requirements.

The coverage period is for sixty (60) months (Option 6), from September 19, 2024 to September 18, 2029. The annual cost is \$20,878.60. Customer can terminate this contract for its convenience at a cost not to exceed the contract price. This is also to establish Forensic Technology Inc. as a sole source vendor. The attached agreement requires the approval/signature of Council and Mayor Gorton.

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

Funds are budgeted - \$20,878.60 per year x (5 Years) = \$104,393

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

File Number: 0847-24

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

LBW/rmh

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: August 20, 2024

SUBJECT: Change Order #1 Rail Pros (Norfolk Southern Railroad)
Spurr and Dotson Pump Station Removal Agreement with Norfolk Southern
Resolution #630-2023

Request

The purpose of this memorandum is to request approval of Change Order #1 for an additional \$20,000 permit fee payment to Norfolk Southern for the installation of sanitary sewer infrastructure under their tracks.

Purpose of Request

The terms and conditions of the permit were reviewed by the Department of Law and risk management staff. The recommended permit fee increase is a result of the inclusion of permit conditions that were more favorable to the city.

Project Cost in FY25

The cost for this FY is \$20,000.00

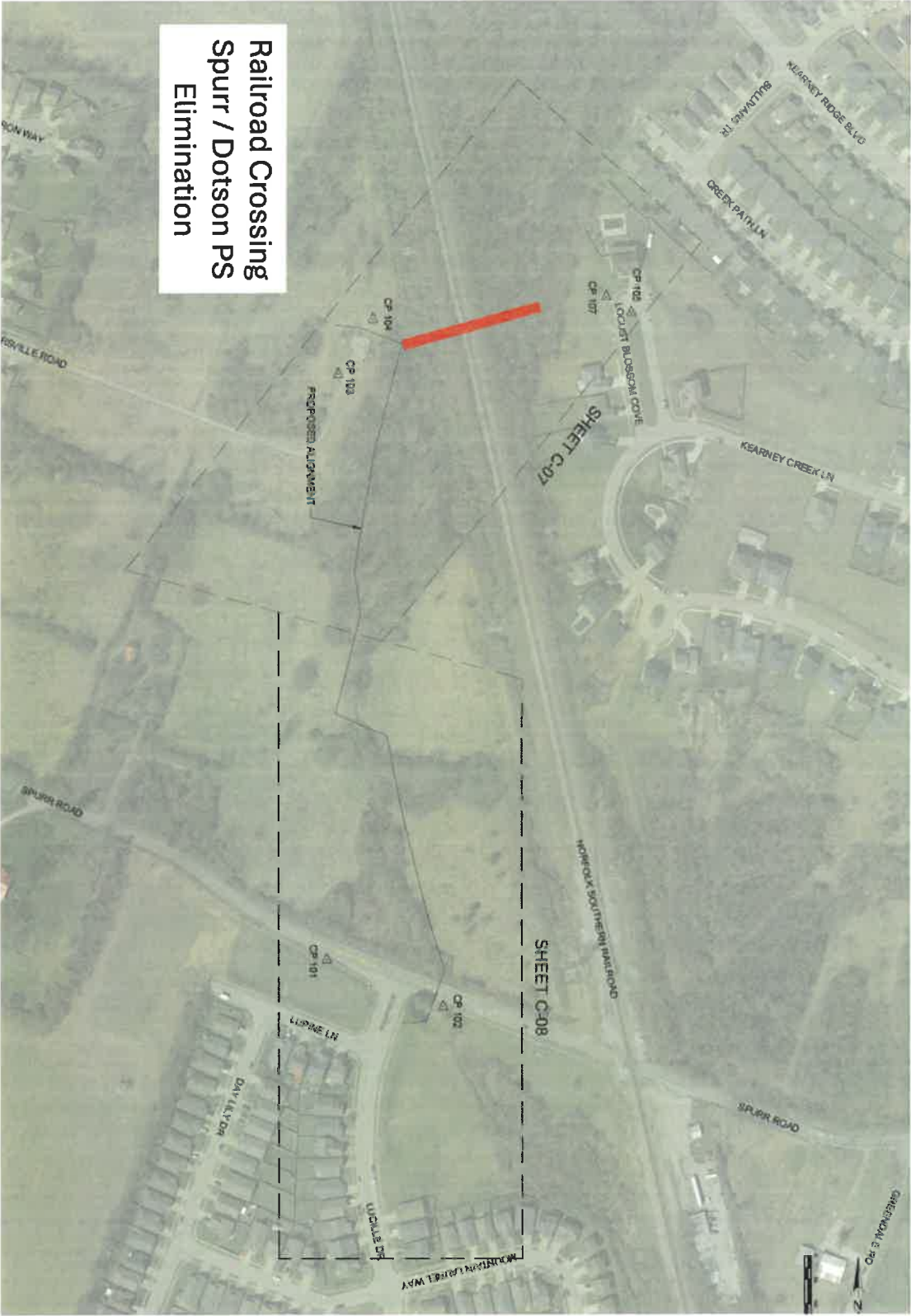
Are the funds budgeted?

The funds are budgeted in: 4003-303408-3468-92811

Director/Commissioner

Martin/Albright







INVOICE

Date: 07/16/2024

Invoice No. 40072
RailPros Tracking No. 18632
NS Activity No. 1310998

To **Michael Davis**
Strand Associates, Inc.
651 Perimeter Drive Suite 220
Lexington, Kentucky 40517
(859) 225-8500, (859) 333-4686
mike.davis@strand.com

Description	Amount
Underground Pipeline Licensing Fee	\$20,000.00
Total	\$20,000.00

Three Ways to Pay Your Invoice:

1. Login to your account at ns.railprosp permitting.com. Click the  **Home** and choose **open existing application** from your home screen. Then click the **Pay Now** link in the **action** column next to the corresponding application.
2. Not a registered user? Simply click [HERE](#) to be taken directly to the payment portal. You will only need the RailPros tracking number or invoice number provided above. Not viewing this invoice online? Visit ns.railprosp permitting.com and click on **Make a Payment** from the landing page.
3. Send your check payable to RailPros Field Services Inc., to the following address:
RailPros PO Box 642270, Omaha, NE 68164
(Be sure to Include the RailPros tracking number on the check)

RailPros PO Box 642270, Omaha NE 68164

Phone: (402)965-0539 Fax: (866) 762-7619

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	August 13, 2024	
		Project:	Spurr Dotson Railroad Agreement	
		Location:	Spurr Road	
To (Contractor): Rail Pros PO Box 642270 Omaha, NE 68164		Contract No.	R#630-2023	
		Original Contract Amt.	\$21,135.00	
		Cumulative Amount of Previous Change Orders	\$0.00	
		Percent Change - Previous Change Orders		0.00%
		Total Contract Amount Prior to this Change Order	\$21,135.00	
		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	Norfolk Southern wants additional payment to revise the additional insured language		\$20,000.00	
	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	\$41,135.00		
	Percent Change - This Change Order			48.62%
	Percent Change - All Change Orders			94.63%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.				
Recommended by <u>Craig P. [Signature]</u>		(Proj. Manager)	Date <u>8-13-2024</u>	
Accepted by _____		(Contractor)	Date _____	
Approved by <u>Charles [Signature]</u>		(Director)	Date <u>8-13-24</u>	
Approved by <u>Spencer Albright</u>		(Commissioner)	Date <u>8/19/24</u>	
Approved by _____		(Mayor or CAO)	Date _____	

JUSTIFICATION FOR CHANGE

PROJECT: Spurr Dotson PS Removal

CONTRACT NO. R#630-2023

CHANGE ORDER: 1

1. Necessity for change: Norfolk Southern Railroad wants additional payment in lieu of revising the additional insured language.
2. Is proposed change an alternate bid? ___ Yes X No
3. Will proposed change alter the physical size of the project? ___ Yes X No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___ Yes X Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___ Yes X No
If "Yes", will the policies be extended? ___ Yes ___ No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

Mayor_____
Date

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: AUGUST 22, 2024

**SUBJECT: Addendum No. 2 to Agreement with University of Kentucky Research
Foundation (UKRF)**

Request: Council authorization to execute Addendum No. 2 to the Agreement with the University of Kentucky Research Foundation (UKRF) in the amount of \$99,997.00 for the provision of evaluation services for Year 3 of the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP) funded under the U.S. Department of Health and Human Service First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA). Cost not to exceed \$99,997.

Purpose of Request: On December 6, 2022 (Resolution 677-2022), Council authorized execution of the agreement with UKRF to provide evaluation services pertaining to Year 1 of the Lexington-Fayette Urban County Government Expanded First Responders and Community Partners Overdose Prevention Project. On November 16, 2023 (Resolution 619-2023), Council authorized execution of Addendum No. 1 to the UKRF to provide evaluation services pertaining to Year 2 of the LFUCG Expanded First Responders and Community Partners Overdose Prevention Project. The purpose of the project is to reduce the number of overdose fatalities by facilitating access to naloxone through first responders and members of other key community sectors. The Division of Social Services listed the University of Kentucky Research Foundation as the required evaluator in the grant application.

What is the cost in this budget year and future budget years? \$99,997 is cost in FY25. Future budget years is dependent upon receipt of an award.

Are the funds budgeted? Budget amendment 13233 is in process.

File Number: 0851-24

Director/Commissioner: Combs Marks/Kacy Allen-Bryant



**LEXINGTON**THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

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

DATE: AUGUST 22, 2024

SUBJECT Acceptance of Award from the Environmental Protection Agency (EPA) Solid Waste Infrastructure for Recycling (SWIFR) Grant Program

Request: Council authorization to accept an award in the amount of \$1.8 million from the Environmental Protection Agency Solid Waste Infrastructure for Recycling Grant Program (EPA SWIFR). The Department of Environmental Quality and Public Works - Division of Waste Management will use the grant funds for equipment and facility upgrades at LFUCG's Materials Recovery Facility (MRF). No grant match is required, but LFUCG has allocated \$100,000 in personnel funding to support the project.

Purpose of Request: The Department of Environmental Quality and Public Works - Division of Waste Management submitted an application to the EPA SWIFR Grant Program and have been offered a grant award in the amount of \$1.8 million to further local and regional recycling efforts. Specifically, this grant funding will support equipment and facility upgrades at LFUCG's Materials Recovery Facility (MRF) that will expand the materials accepted and recycled through LFUCG's recycling program to include polypropylene plastics such as yogurt containers and butter tubs. The funding will assist in optimizing the sortation, recovery and marketing of these PP rigid plastics and will also facilitate the improved sortation, quality, and quantity of HDPE plastics already accepted at the MRF such as laundry detergent bottles. The project will support diversion of more materials from landfills while also improving the development of end-markets for the use of recycled commodities. There is no required match for the project, but LFUCG has allocated \$100,000 in personnel funding to support the project. Total project cost is \$1.9 million.

What is the cost in this budget year and future budget years? \$1.8 million has been awarded for Fiscal Year 2025. No grant match is required, but LFUCG has allocated \$100,000 in personnel funding to support project for total project cost of \$1.9 million. Future budget years are dependent upon fund availability.

Are the funds budgeted? Budget amendment is in process.

File Number: 0852-24

Director/Commissioner: John Howard Acting/ Nancy Albright



MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON

CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Council Members

FROM: Heather Lyons, Mayor's Office

CC: DATE: Tyler Scott, Chief of Staff

DATE: August 23, 2024

SUBJECT: PSA for Meadowthorpe Neighborhood Association

Authorization to: Provide funding support to a Public Art Project facilitated by the Meadowthorpe Neighborhood Association, in celebration of the Meadowthorpe Neighborhood's 75th anniversary.

Why are you requesting? To support the Meadowthorpe Neighborhood Association's Public Art Project, per their application to and approval from the Public Art Commission's Collaborative Grant Program. Funding from the Percent for Art Fund supplements funds from the Meadowthorpe Neighborhood Association and supports the artist payment, materials and supplies for a mural to be painted on the Meadowthorpe Park Center wall.

Department needs this action completed because: The Meadowthorpe Neighborhood Association conducted a community process and successfully applied to the Public Art Commission for funding support for a community mural.

What is the cost in this budget year and future budget years? The cost for FY25 is \$21,250. There will be no additional costs in future budget years.

Are the funds budgeted? YES

Account number: 2614-134201-1428-71299

File Number: 0859-24

Director/Commissioner: Heather Lyons/Tyler Scott



MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
DIVISION OF PROCUREMENT
ADMINISTRATION

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

**FROM: TODD SLATIN, DIRECTOR
DIVISION OF PROCUREMENT**

DATE: August 27, 2024

**SUBJECT: PARTICIPATING ADDENDUM NASPO VALUE
POINT AGREEMENT WITH KONICA MINOLTA
BUSINESS SOLUTIONS, INC. U.S.A**

Request:

Request Council authorization to accept the Participating Addendum NASPO Value Point agreement with Konica Minolta Business Solutions, Inc. U.S.A. to establish a price contract for multi-function devices and related software, software and cloud solutions and authorizing the Mayor to sign this agreement.

Why are you requesting?

The State of Kentucky has renegotiated a new contract with NASPO VALUE POINT AGREEMENT and a new Participating Addendum needs to be signed in order to purchase from this contract. The LFUCG's fleet of copiers and printers is Konica and this agreement meets all our needs including service, supplies and our accounting needs. In addition, changing the fleet would require a lot of time and money.

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

Lease payments are made by individual divisions and is incorporated within their budgets.

Are the funds budgeted? Yes

File Number: Director/Commissioner: Slatin/Hensley



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: AUGUST 26, 2024

**SUBJECT: Acceptance of Award from Kentucky Cleaner Water Round 2 Grant from
American Rescue Funds for Ultraviolet Disinfection Systems at Both Treatment
Plants**

Request: Council authorization to execute an Amended and Restated Supplemental Grant Assistance Agreement (GAA) accepting an additional award of \$1,186,810 in federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) for a total award in the amount of \$13,054,905 for the Consent Decree project.

Purpose of Request: On April 28, 2022 (Resolution 191-2022), Council accepted an award from the Kentucky Cleaner Water Grant 21CWS027 in the amount of \$11,868,095 for the design and construction of ultraviolet disinfection systems at each wastewater treatment plant. Construction cost estimates developed during the design phase determined that the original grant award was less than the estimated total project cost. A \$1,186,810 (10%) supplemental grant award was requested to help fund the project.

This project is part of the Consent Decree Remedial Measures Plan (RMP) project schedule approved by the Commonwealth and the U.S. Environmental Protection Agency (EPA). The project is scheduled for completion by December 31, 2026.

What is the cost in this budget year and future budget years? \$1,186,810 has been awarded for FY25. Future budget year's funds are dependent upon availability of grant funds.

Are the funds budgeted? Yes in 3230 303401 3401 92711 UV_GRANT_2022 CONSTRUCT and budget amendment 13236 is in process.

File Number: 0867-24

Director/Commissioner: Martin/Albright



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: August 27, 2024

SUBJECT: Change Order #2 (final) for Tetra Tech, Inc.,
Former Jacks Creek Pike Landfill Improvement Project at Raven Run Nature Sanctuary
Contract No. 120-2022

Request

The purpose of this memorandum is to request approval of Change Order #2 (final) with Tetra Tech, Inc. for the Former Jacks Creek Pike Landfill Improvement Project. If approved, the final amended contract amount will be \$119,450.00.

Why are you requesting?

Tetra Tech's services included construction management and onsite oversight during construction of the landfill improvement project. The original budget included an estimate of 65 days of onsite oversight at \$900/day (to be billed based on the number of actual days onsite). The construction project is now complete and there were only 24 days of onsite oversight. This change order is to reduce the final project budget to match the final invoiced amount.

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

There are no costs for this budget year or future FYs. There will be a budget credit of \$36,900.00.

Are the funds budgeted?

N/A

File Number: 0870-24

Director / Commissioner: Carey / Albright

pc: John Howard, Acting Director, Division of Waste Management



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date:	August 8, 2024
		Project:	Raven Run Landfill Construction Management
		Location:	Raven Run Nature Sanctuary
To (Contractor): Tetra Tech, Inc. 424 Lewis Hargett Circle, Suite 110 Lexington, Kentucky 40503		Contract No.	120-2022
		Original Contract Amt.	\$37,000.00
		Cumulative Amount of Previous Change Orders	\$119,350.00
		Percent Change - Previous Change Orders	322.57%
		Total Contract Amount Prior to this Change Order	\$156,350.00
		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	Second bidding of Contractor RFP	\$0.00	
2	Pre-Construction Meeting	\$0.00	
3	Review Shop Drawings	\$0.00	
4	Respond to RFIs	\$0.00	
5	Prepare Change Orders	\$0.00	
6	Conduct Monthly Progress Meetings	\$0.00	
7	ESC Compliance Inspections	\$0.00	
8	Review Pay Applications	\$0.00	
9	Develop Punch List	\$0.00	
10	Final Inspection	\$0.00	
11	Record Drawings, Closeout Report, and O&M Plan	\$0.00	
12	Daily On Site Construction Monitoring (\$900 per day)	\$36,900.00	
	Total decrease	\$36,900.00	
	Total increase		\$0.00
	Net Amount of this Change Order	(\$36,900.00)	
	New Contract Amount Including this Change Order	\$119,450.00	
	Percent Change - This Change Order		-23.60%
	Percent Change - All Change Orders		222.84%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.			
Recommended by: <i>James Donaldson</i>		(Project Manager)	Date: 8-7-2024
Reviewed / Accepted by: <i>[Signature]</i>		(Consultant)	Date: 8-23-2024
Accepted by:		(Contractor)	Date:
Approved by: <i>Jenifer M. Carey</i>		(Director)	Date: 8/26/24
Approved by: <i>Nancy Albrecht</i>		(Commissioner)	Date: 8/27/24
Approved by:		(Mayor or CAO)	Date:

JUSTIFICATION FOR CHANGE

PROJECT: Raven Run Landfill Construction Management

CONTRACT NO. 120-2022

CHANGE ORDER #:2

1. Tetra Tech was awarded the construction management and onsite oversight of a landfill improvement project. The estimate and original budget included 65 days of oversight at \$900/day (to be billed based on the number of actual days onsite). The construction project is now complete and there were only 24 days of oversight. This change order is to reduce the project budget to match the invoiced amount for oversight.
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 _____

MAYOR LINDA GORTON

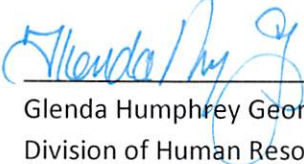


LEXINGTON

GLEND A HUMPHREY GEORGE
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: 
Glenda Humphrey George, Director
Division of Human Resources

DATE: August 27, 2024

RE: Transfer position – Revenue

Request:

The attached action is requesting authorization to transfer one (1) unclassified position of Administrative Specialist (Grade 516N) and the incumbent along with the funds associated with the position from the Office of the Mayor to the Division of Revenue, effective upon passage of Council.

Why are you requesting?

The transfer of this position is to assist the daily operational duties within the Division of Revenue.

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

There is no fiscal impact associated with this action.

File Number: 0877-24

Director/Commissioner: Glenda Humphrey George/Sally Hamilton

If you have questions or need additional information, please contact Alana Morton (859) 258-3037.



MAYOR LINDA GORTON



LEXINGTON

GLEND A HUMPHREY GEORGE
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: 
Glenda Humphrey George, Director
Division of Human Resources

DATE: August 26, 2024

RE: Amendment to Authorized Strength - FY 2025 Budget

The attached action amends the classified civil service authorized strength by creating positions as approved in the FY 2025 budget process, to become effective retroactive to July 1, 2024.

The request includes the following to be effective July 1, 2024:

- Create one (1) classified civil service position of Odor Control Manager (Grade 523E) in the Division of Water Quality;
- Create one (1) classified civil service position of Traffic Engineer (Grade 525E) in the Division of Traffic Engineering;
- Create one (1) classified civil service position of E911 Manager (Grade 527E) in the Division of Enhanced 911;

The fiscal impact for FY 2025 (26 pay periods) will be budget-neutral. All funding for the new positions are included in the FY 2025 approved budget.

File Number: 0878-24

Director/Commissioner: Glenda Humphrey George/Sally Hamilton

If you have questions or need additional information, please contact Alana Morton 859-258-3037.



MAYOR LINDA GORTON

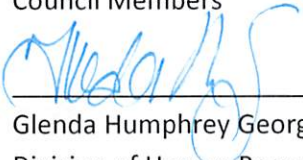


LEXINGTON

GLEND A HUMPHREY GEORGE
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: 
Glenda Humphrey George, Director
Division of Human Resources

DATE: August 26, 2024

SUBJECT: Abolish positions – Department of Environmental Quality and Public Works

Request:

The attached action is requesting authorization to abolish one (1) unclassified position of Construction Supervisor (Grade 524E) and create one (1) unclassified position of Construction Manager (Grade 531E), expiring June 30, 2028, in the Department of Environmental Quality and Public Works, effective upon passage of Council.

Why are you requesting:

The Department of Environmental Quality and Public Works has multiple ongoing projects and only one Construction Manager to manage these projects.

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

This has a 12-month future impact cost of \$38,395.90.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Construction Supervisor	\$74,023.04	\$0	(\$74,023.04)
Construction Manager	\$0	\$104,160.16	\$104,160.16
Total Annual Impact/ Salary and Benefits \$38,395.90			



File Number: 0880-24

Director/Commissioner: Glenda Humphrey George/Sally Hamilton

If you have questions or need additional information, please contact Alana Morton at (859) 258-3037.



MAYOR Linda Gorton



LEXINGTON

Robert J. Larkin, DIRECTOR
EMERGENCY MANAGEMENT

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: ROBERT J. LARKIN, DIRECTOR
EMERGENCY MANAGEMENT

DATE: August 29, 2024

SUBJECT: CONTRACT RENEWAL – EVERBRIDGE, INC.

Request: Request council authorization to establish Everbridge, Inc. as a sole source provider for the alert and notification system for the Division of Emergency Management AND to execute the renewal contract and any necessary agreements with Everbridge, Inc. at a cost not to exceed \$118,427.79.

Why are you requesting? The annual contract is up for renewal. This is a necessary service to be able to alert the community in the event of an emergency.

What is the cost in the budget year and future budget years? The cost in this budget year (FY2025) is \$118,427.79. No additional costs are anticipated. Future budget years will likely see a similar cost as this is an annual contract.

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

1101-505204-5242-76102	\$100,677.79
4204-505602-5622-76102	\$ 16,350.00
1115-313201-3095-71299	\$ 1,000.00
4051-313201-3095-71299	\$ 200.00
4002-313201-3095-71299	\$ 200.00

File Number: 0881-24

Director/Commissioner: Larkin/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: AUGUST 28, 2024

SUBJECT: Amendment to Agreement with Davis Park Station Limited Liability Limited Partnership

Request: Council authorization to execute an amendment to the agreement with Davis Park Station Limited Liability Limited Partnership to increase the budget by \$277,576 in federal funds from the American Rescue Plan Act under the U.S. Department of Housing and Urban Development HOME Investment Partnerships Program. Davis Park Station Limited Liability Limited Partnership will use the funds to provide supportive services to individuals and households in the HOME-assisted units constructed at Davis Park Station.

Purpose of Request: On October 12, 2023 (Resolution 535-2023), Council approved to allocate \$950,000 of federal funds awarded from the American Rescue Plan Act funds under the U.S. Department of Housing and Urban Development HOME Investment Partnerships Program to Davis Park Station Limited Liability Limited Partnership to construct five (5) units of housing and to provide housing and supportive services to individuals and households who are homeless, at risk of homelessness, or other vulnerable populations. Davis Park Station Limited Liability Limited Partnership has requested additional funding in the amount of \$277,576 to provide supportive services for total project cost \$1,227,576.

What is the cost in this budget year and future budget years? \$277,576 of federal funding is awarded for FY25. No additional funds are anticipated. No matching funds are required.

Are the funds budgeted? Budget amendment is in process.

File Number: 0882-24

Director/Commissioner: Reynolds/Lanter



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
GRANTS & SPECIAL PROGRAMS**

DATE: August 29, 2024

**SUBJECT: Authorization to Execute Change Order No. 3 with Prime AE
(previously Integrated Engineering) for design services of
Meadows/Northland/Arlington Public Improvement Project, Phase 7**

Request: Request Council authorization to execute Change Order No. 3 with Prime AE in the amount of \$44,300.00 for design services of Meadows/Northland/Arlington Public Improvements Project, Phase 7 increasing the design amount from \$360,823.00 to \$405,123.00.

Why are you requesting it? On April 21, 2016 (Resolution No. 202-2016), Council approved the execution of an agreement with Integrated Engineering, PLLC in the amount of \$319,000.00 for the design of Meadows/Northland/Arlington Public Improvements Project, Phases 6A-6C

On August 29, 2019 (Resolution No. 452-2019), Council approved Change Order No. 1 with Integrated Engineering, PLLC in the amount of \$32,320.00 for design services of Meadows/Northland/Arlington Public Improvements Project, Phase 6A2

On January 28, 2021 (Resolution No. 038-2021), Council approved Change Order No. 2 with Integrated Engineering, PLLC in the amount of \$9,503.00 for design services of Meadows/Northland/Arlington Public Improvements Project, Phase 6B1 and 6B2.

The Division of Engineering requests to amend Prime AE (previously Integrated Engineering) contract to include a survey, preliminary and final design and construction administration of Phase 7, Rosemary Avenue.



As the project was split into different phases to best accommodate the use of federal funds as awarded. The Division of Grants and Special Programs concurs with the Division of Engineering's request.

What is the cost in this budget year and future budget years? The cost for Fiscal Year 2025 is \$44,300.00.

Are the funds budgeted? Yes

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3120	303202	3211	91713	CDBG_2024	2024	C03	\$44,300.00
						TOTAL	\$44,300.00

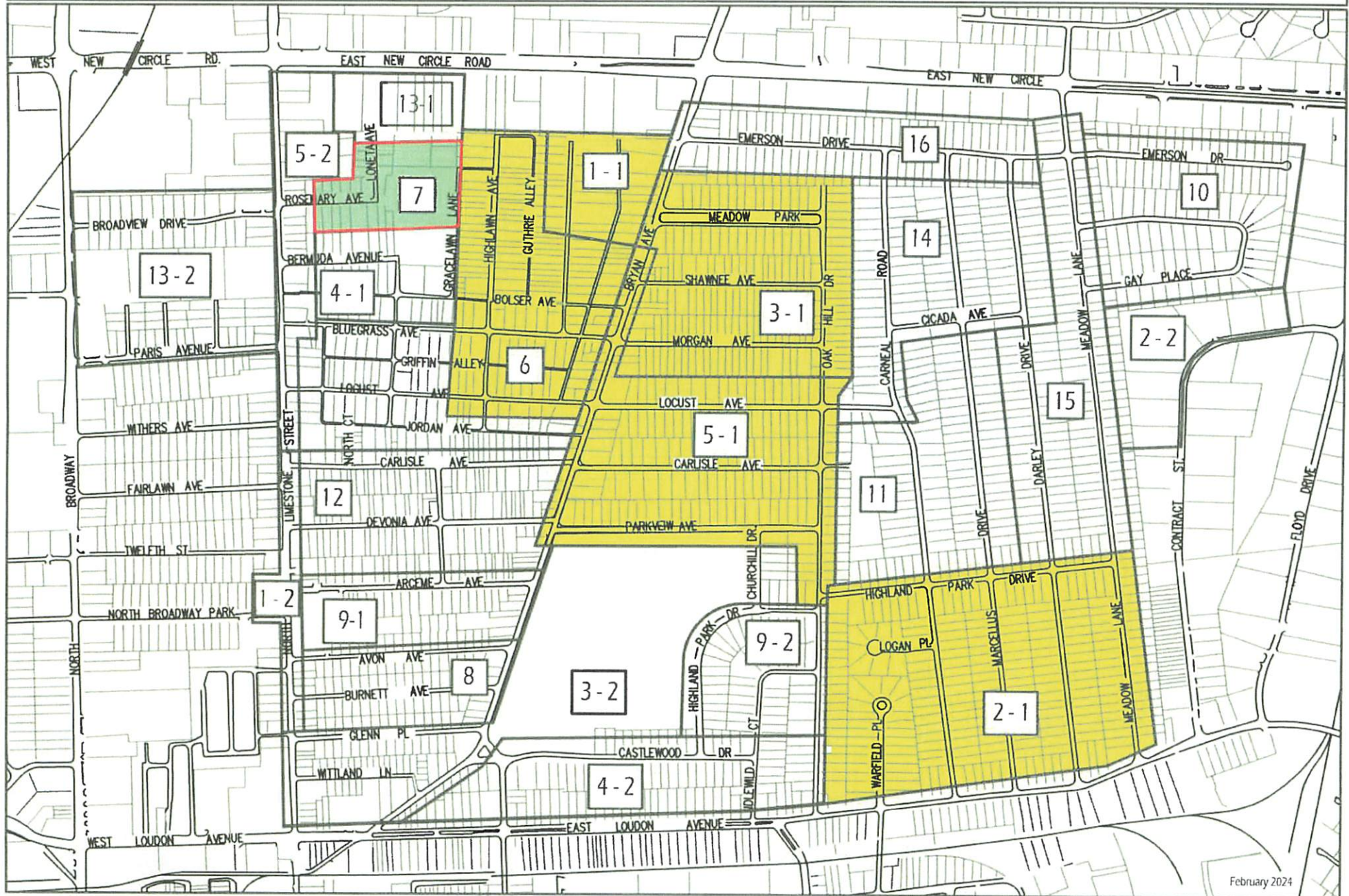
File Number: 0883-24

Director/Commissioner: Burton/Albright





Meadows - Northland - Arlington - Project Area



For Environmental Clearance...

- MNA-7 – **Rosemary Ave. & Loneta Ave.**, Rosemary Ave. beginning at its intersection with North Limestone to its intersection with Loneta Ave., continuing down Loneta Ave. to end of street;

Addresses included...

1426 North Limestone
1532 North Limestone
101-114 Rosemary Ave.
116 Rosemary Ave.
118 Rosemary Ave.
101 Loneta Ave.
103-110 Loneta Ave.
114 Loneta Ave.
116 Loneta Ave.
118 Loneta Ave.
121 Loneta Ave.
125 Loneta Ave.

-Reconstruction on Rosemary Ave. and Loneta Ave. will include installing curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way.

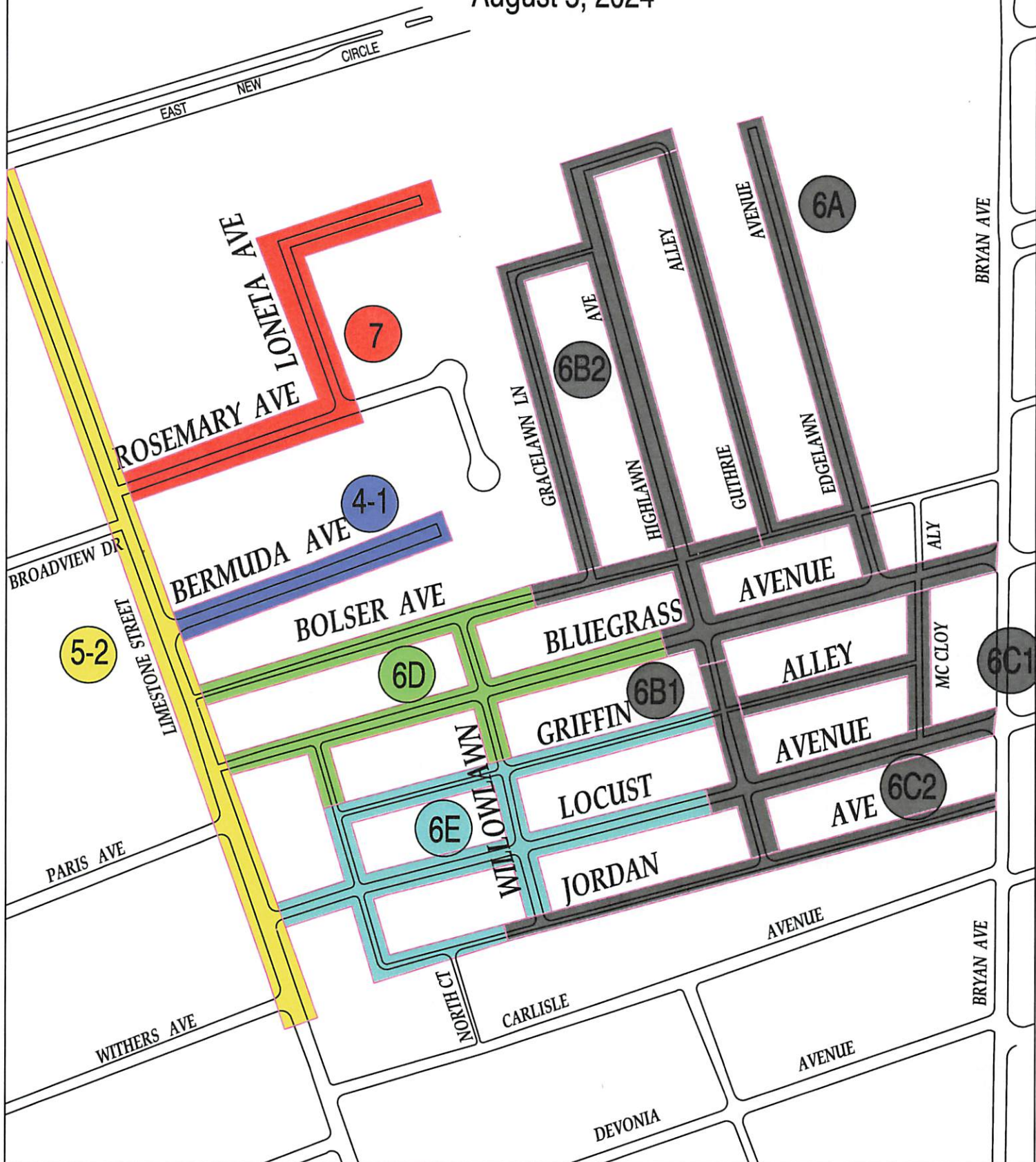
CDBG Estimated Cost: \$1,100,000 + \$400,000 Estimated Sanitary Sewer Cost

CDBG Capital Plan, 2025-2029

August 5, 2024

- | | |
|------|--|
| 2022 | - MNA-6A - Edgelawn Ave.
Completed |
| 2023 | - MNA-6B1&B2 - HighLawn Ave. & Bluegrass Ave. (Highlawn East to Bryan Ave.)
Completed |
| 2024 | - MNA-6C1&2 - Locust Ave. (Highlawn East to Bryan Ave.)
Completed |
| 2025 | - MNA-7 – Rosemary Ave. & Loneta Ave. , Rosemary Ave. beginning at its intersection with North Limestone to its intersection with Loneta Ave., continuing down Loneta Ave. to end of street;
-Reconstruction on Rosemary Ave. and Loneta Ave. will include installing curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way.
<i>CDBG Estimated Cost: \$1,200,000 + \$350,000 Estimated Sanitary Sewer Cost</i> |
| 2026 | - MNA-4-1 – Bermuda Ave. , Bermuda Ave. beginning at its intersection with North Limestone to the end of street;
-Reconstruction on Bermuda Ave. will include installing curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way.
<i>CDBG Estimated Cost: \$850,000 + \$250,000 Estimated Sanitary Sewer Cost</i> |
| 2027 | - MNA-5-2 – Limestone Street , from Withers Ave. to New Circle Road;
- includes replacement of curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way.
Roadway Design & Construction will utilize KYTC Funding (SLX)
<i>CDBG Estimated Cost: \$0 + \$690,000 Estimated Sanitary Sewer Cost</i> |
| 2028 | - MNA-6D – Bluegrass Ave. , from Highlawn Ave. to Limestone Street, Bolser Ave. from Gracelawn Lane to Limestone Street;
- on Bluegrass Ave. this includes replacement of curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way. On Bolser Ave. this includes reconstruction of the roadway and replacing sanitary sewer within the public right-of-way.
<i>CDBG Estimated Cost: \$1,850,000 + \$500,000 Estimated Sanitary Sewer Cost</i> |
| 2029 | - MNA-6E – Locust Ave. , from Highlawn Ave. to Limestone Street, Griffin Alley from Highlawn to Jordan Ave. and Jordan Ave. from Willowlawn Ave. to Bluegrass Ave.;
- on Locust Ave. this includes installing curbs, gutters and sidewalks, street reconstruction, storm sewer improvements and replacement of the sanitary sewer within public right of way. On Griffin Alley and Jordan Ave. this includes reconstruction of the roadway and replacing sanitary sewer within the public right-of-way.
<i>CDBG Estimated Cost: \$2,250,000 + \$620,000 Estimated Sanitary Sewer Cost</i> |

MEADOWS - NORTHLAND - ARLINGTON
PHASE - 6A, 6B1, 6B2, 6C1, 6C2, 6D, 6E, 4-1, 5-2 & 7
August 5, 2024



RESOLUTION NO. 202 -2016

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AGREEMENT WITH INTEGRATED ENGINEERING, PLLC, FOR THE DESIGN OF THE MEADOWS/ NORTHLAND/ ARLINGTON PUBLIC IMPROVEMENTS PROJECT, PHASE 6A - 6C, AT A COST NOT TO EXCEED \$319,000.00.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute the Agreement, which is attached hereto and incorporated herein by reference, with Integrated Engineering, PLLC, for the design of the Meadows/ Northland/ Arlington Public Improvements Project, Phase 6A - 6C.

Section 2 - That an amount, not to exceed the sum of \$319,000.00, be and hereby is approved for payment to Integrated Engineering, PLLC, from account #3120-303202-91713, pursuant to the terms of the Agreement.

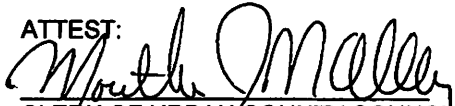
Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: April 21, 2016



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

273-16_MMM/k1_X:\Cases\COMDEV\16-LE0001\LEG\00529148.DOC

RESOLUTION NO. 452 - 2019

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE CHANGE ORDER NO. ONE (1) TO THE AGREEMENT WITH INTEGRATED ENGINEERING, PLLC, FOR DESIGN SERVICES OF MEADOWS/NORTHLAND/ARLINGTON PUBLIC IMPROVEMENTS PROJECT, PHASE 6A2, INCREASING THE CONTRACT PRICE BY THE SUM \$32,320.00 FROM \$319,000.00 TO \$351,320.00.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute Change Order No. One (1) to the Agreement, which is attached hereto and incorporated herein by reference, with Integrated Engineering, PLLC, for design of the Meadows/Northland/Arlington Public Improvements Project, Phase 6A2, increasing the Contract Price by the sum of \$32,320.00 from \$319,000.00 to \$351,320.00.

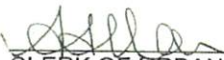
Section 2 - That an amount not to exceed the sum of \$32,320.00, be and hereby is approved for payment to Integrated Engineering, PLLC., from account #3120-303202-91713 pursuant to the terms of Change Order One (1).

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

PASSED URBAN COUNTY COUNCIL: August 29, 2019


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

0794-19_MMM_X:\CASES\COMDEV\19-LE0001\LEG\00663502.DOCX

RESOLUTION NO. 038 - 2021

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE CHANGE ORDER NO. TWO (2) TO THE AGREEMENT WITH INTEGRATED ENGINEERING, PLLC, FOR DESIGN SERVICES OF MEADOWS/NORTHLAND/ARLINGTON PUBLIC IMPROVEMENTS PROJECT, PHASES 6B1 AND 6B2, INCREASING THE CONTRACT PRICE BY THE SUM OF \$9,503.00 AND RAISING THE TOTAL CONTRACT PRICE FROM \$351,320.00 TO \$360,823.00.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute Change Order No. Two (2) to the Agreement, which is attached hereto and incorporated herein by reference, with Integrated Engineering, PLLC, for design services of the Meadows/Northland/Arlington Public Improvements Project, Phases 6B1 and 6B2, increasing the Contract Price by the sum of \$9,503.00 and raising the total Contract Price from \$351,320.00 to \$360,823.00.

Section 2 - That an amount, not to exceed the sum of \$9,503.00, be and hereby is approved for payment to Integrated Engineering, PLLC., from account #3120-303202-91713 pursuant to the terms of Change Order No. Two (2).

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

PASSED URBAN COUNTY COUNCIL: January 28, 2021



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

0027-21:BGS:X:\CASES\COMDEV\21-LE0001\LEG\00717491.DOCX

MAYOR LINDA GORTON



LEXINGTON

DOUG BURTON
DIRECTOR
ENGINEERING

MEMORANDUM

TO: Theresa Reynolds
Director Grants and Special Programs

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

SUBJECT: Recommendation of Contract Amendment #3
Contract #89-2016 - Meadows-Northland-Arlington
Neighborhood Improvement Projects Phases 6A – 6C

DATE: August 19, 2024

Enclosed please find Contract Amendment #3 for the MNA-Phase 6A – 6C Project. The purpose is to amend Prime AE (previously Integrated Engineering) contract to include Design Services for Rosemary Ave. This Design is necessary to complete the remaining Area's of Phase 6.

There is no additional design work needed for Sanitary Sewers associated with this amendment. The total amount for Contract Amendment #3 is \$44,300 bringing the new total to \$405,123.

C: Mark Feibes, P.E.
Andrew Grunwald, P.E.

24.CO#3-Design Services MNA-6.doc



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CONTRACT MODIFICATION #2

Date: August 7, 2024

55

Project: Meadows-Northland-Arlington Phase 6

0883-24

Location: Rosemary Ave.

To : Integrated Engineering (Now Prime AE)
651 Perimeter Drive, Suite 300
Lexington KY 40517

Resolution No: 202-2016

Contract Modification No: 3

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	Phase 6C-1 Construction Administration	LS	1	\$ 8,000.00	\$ 8,000.00	\$ -
2	DEL	Phase 6C-2 Final Design	LS	1	\$ 24,000.00	\$ 24,000.00	\$ -
3	ADD	Phase 7 - Rosemary Ave - Survey	LS	1	\$ 17,500.00	\$ -	\$ 17,500.00
4	ADD	Phase 7 - Rosemary Ave - Preliminary and Final Design	LS	1	\$ 49,000.00	\$ -	\$ 49,000.00
5	ADD	Phase 7 - Rosemary Ave - Construction Administration	LS	1	\$ 9,800.00	\$ -	\$ 9,800.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -

Total decrease

\$ 32,000.00

Total increase

\$ 76,300.00

Net (increase) in contract price

\$ 44,300.00

Current Contract Amount = \$360,823.00

New Contract Amount = \$405,123.00

Recommended by Andrew Carroll (Proj. Engr.)

Date 8/7/24

Accepted by Stephen Carroll (Consultant)

Date 8/7/24

Approved by [Signature] (Urban Co. Engr.)

Date 8/19/24

Approved by Pray Albright (Commissioner)

Date 8/19/24

Approved by _____ (Mayor or CAO)

Date _____

CONTRACT HISTORY FORMProject Name: MNA Neighborhood Improvements Project Phases 6A - 6C Engineering ServicesContractor: Integrated EngineeringContract Number and Date: 89-2016 April 21, 2016Responsible LFUCG Division: Division of Engineering**CONTRACT AND CHANGE ORDER DETAILS**

A. Original Contract Amount:	\$	<u>319,000.00</u>	
Next Lowest Bid Amount:			
<u>N/A</u>			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>319,000.00</u>	
D. Amended Contract Amount:	\$	<u>319,000.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>41,823.00</u>	<u>13.1%</u> (Line E / Line D)
F. Amount of This Change Order:	\$	<u>44,300.00</u>	<u>13.9%</u> (Line F / Line D)
G. Total Contract Amount:	\$	<u>405,123.00</u>	

SIGNATURES

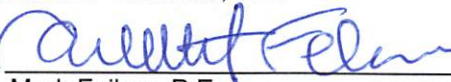
Project Manager:


Andrew Grunwald, P.E.

Date:

8/7/24

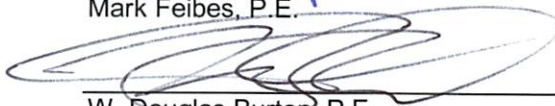
Reviewed by:


Mark Feibes, P.E.

Date:

08/07/24

Division Director:


W. Douglas Burton, P.E.

Date:

8/19/24



Lexington
651 Perimeter Drive, Suite 300
Lexington KY 40517
859.368.0145

March 7, 2024

Andrew Grunwald, PE
LFUCG Engineering
101 East Vine Street; 4th Floor
Lexington, KY 40507

Subject: *Civil Engineering Services Proposal
Meadows-Northland-Arlington (MNA) Rosemary Avenue - Lexington, KY*

Dear Andrew,

PRIME AE Group, Inc. (PRIME AE) would like to thank you for the opportunity to submit a proposal for the needed professional civil engineering services associated with the development of plans for replacement and addition of curb and gutter and sidewalk, pavement replacement, replacing existing sanitary sewer and addition of storm sewer structures and piping for the designated areas delineated in Exhibit A along Rosemary Avenue and Loneta Avenue in Lexington, Kentucky of this proposal. Based on our understanding and design experience working on similar projects in the region we offer the following scope of services and associated fees:

Survey

\$17,500

- Corridor Survey: PRIME AE will provide a new topographic survey of the corridor as shown in the exhibit including roadway, curb and gutter, sanitary sewers, and storm sewers in the area. The limits are to the back of sidewalk/right of way.
- Right of way / Deed Research: PRIME AE Group, Inc. will obtain plat and deed information as listed on the PVA and County Clerks office to reconcile properties with found field items (fences, hedges, property pins, etc). This will not be to the levels of a boundary survey but will supplement GIS information provided by LFUCG.
- Existing Conditions Plan: PRIME AE will utilize the new topographic survey and create an Existing Conditions plan for the Civil Package.

Improvement Plans Civil Package (Preliminary and Final Design)

\$49,000

PRIME AE will prepare The Improvement Plans Civil Package that will be utilized for the construction of the project. Our scope of services will include the following:

- Preliminary Plan / Profile: The preliminary plans will be provided at an accelerated schedule for early review and comment.
- Demolition Plan: The Demolition Plan will include any necessary demolition plans and notes as needed in preparation of the new construction.
- Overall Road Plan, Road Plan and Profile, Storm Sewer Plan and Profile, Sanitary Sewer Plan and Profile, and Erosion Control Plans: A complete Civil Package Plan set will be created for the bidding and construction of this project. The plan sheets may be individual sheets or may be combined if appropriate.
 - Overall Road Plan
 - Road Plan and Profiles (20 scale)
 - Storm Sewer Plan and Profiles
 - Sanitary Sewer Plan and Profiles, including lateral connections
 - Erosion Control Plan
 - Erosion Control Notes and Details





Lexington
651 Perimeter Drive, Suite 300
Lexington KY 40517
859.368.0145

- **Construction Details:** The Detail Sheet(s) will include pavement details based upon input and design recommendations by the project geotechnical engineer (if applicable). If a pavement design is not provided by the geotechnical engineer, PRIME AE Group, Inc. will select standard pavement design provided by LFUCG standards. The detail sheet will include curb, sidewalk, entrance aprons, and retaining wall details (if needed).
- **Preparation of Contract Documents:** PRIME AE will prepare a full set of contract documents to include the advertising of the bid, information for bidders, form of proposal, general and special conditions, the contract agreement, sections for performance and payment bonds and the technical specifications for the project.
- **Meetings:** PRIME AE will attend any needed coordination meetings associated with our preparation of the Improvement Plans Civil Package

Bidding and Construction Administration

\$9,800

PRIME AE will provide the needed administration services during the bidding and construction phases of this project. Our services will include the following:

- Bidding Phase Contractor Coordination (i.e., Q&A, addendum preparation, etc.)
- Pre-Construction Meeting Assistance & Attendance
- Shop Drawing Review (2 Reviews per Submittal)
- Assistance & Attendance at Monthly Construction Progress Meetings
- Up to 5 As-Need Site Visits During Construction
- Answer Contractor Questions (RFI's, etc.)
- Punch List / Final Walk Through Meeting with Contractor

Total Lump Sum Base Fee	\$76,300
-------------------------	----------

ADDITIONAL SERVICES

Additional Services Rates:

Easement Plats: \$3,500 Each

Any additional services defined in this proposal will be billed according to the following rates:

Project Manager	\$190.00 per hour
Project Engineer (PE)	\$180.00 per hour
Professional Land Surveyor (PLS)	\$160.00 per hour
Project Engineer (EIT)	\$125.00 per hour
Senior Engineering Technician	\$125.00 per hour
2 Person Field Crew (Party Chief & Instrument Person)	\$185.00 per hour
1 Person Robotic Crew / GPS	\$145.00 per hour
Clerical	\$95.00 per hour





Lexington

651 Perimeter Drive, Suite 300

Lexington KY 40517

859.368.0145

Exclusions to Scope of Work:

It is understood that PRIME AE shall not be providing any of the following services as part of this project unless specifically directed by the Client and authorized by an amended agreement: PRIME AE can solicit sub-consultants for these tasks, or if selected by the Client; we will incorporate their information into our plans.

Boundary & Topographic (ALTA Survey)

Permitting

Stormwater Management Plan and Stormwater Detention

Traffic Engineering Services ((i.e., Traffic Impact Studies & Traffic Micro-Simulations)

Geotechnical Exploration

Construction Inspection and Staking

Environmental Assessments

Recording Fees

Any item not specifically outlined above in our scope of services.



CONNECTING. CREATING. CONSERVING. COMMUNITY.

www.primeeng.com



Lexington
651 Perimeter Drive, Suite 300
Lexington KY 40517
859.368.0145

Closure

Our work under this Proposal shall be performed in accordance with PRIME AE's Standard Terms and Conditions, attached hereto and hereby incorporated herein and made a part of this Proposal for all purposes as if fully set forth herein. If you agree with this Proposal, please return an executed copy of this Proposal. This fee is good for 90 days from the date of signature.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Stephen Garland".

Stephen Garland, PE
PRIME AE Group, Inc.

Enclosures: Exhibit A (Project Limits)
PRIME AE Group, Inc. Standard Terms & Conditions

Cc: Bill Lester, PE (PRIME AE Group, Inc.)

AGREED TO BY CLIENT:

NAME:

TITLE:

DATE:

AGREED TO BY PRIME AE GROUP, INC.:

NAME:

TITLE:

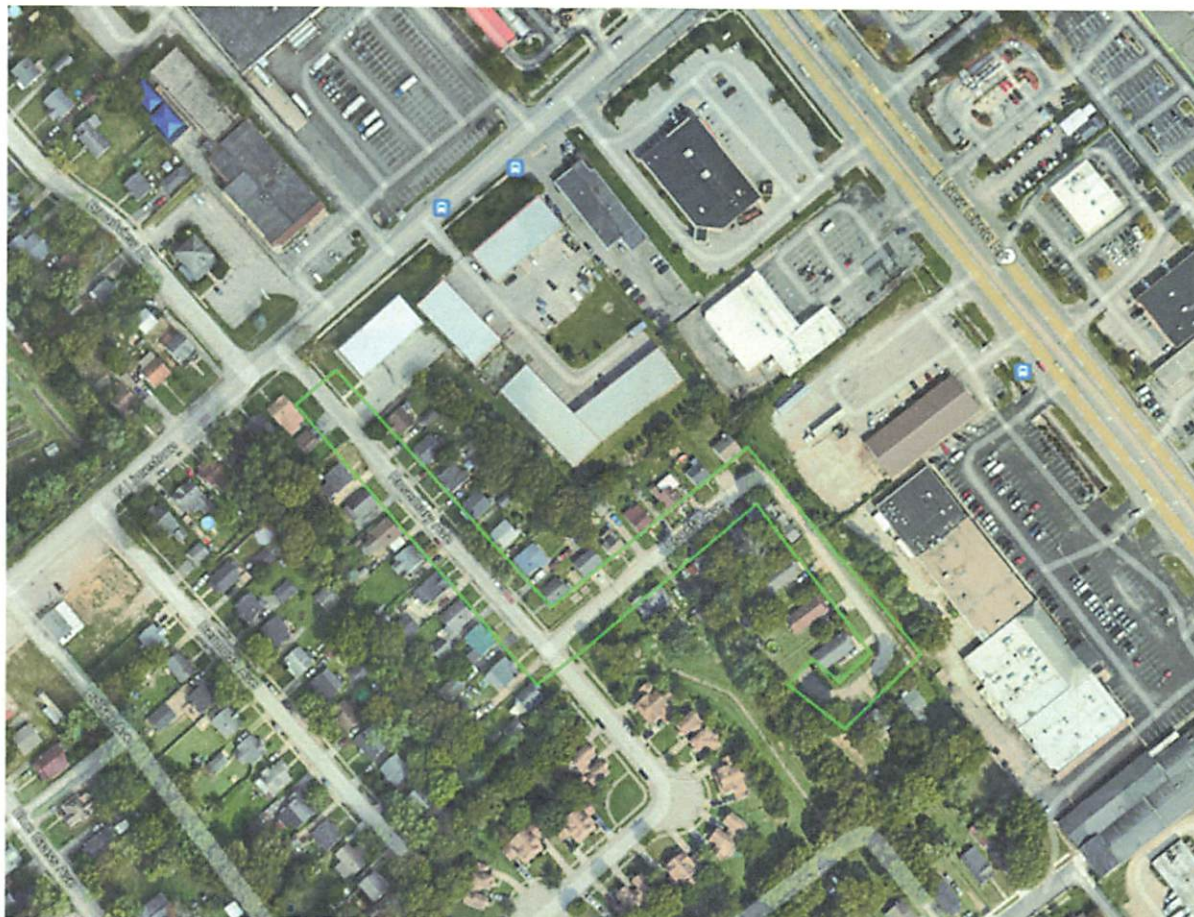
DATE:

A handwritten signature in blue ink that reads "Stephen Garland".
A handwritten title in blue ink that reads "Director".



Lexington
651 Perimeter Drive, Suite 300
Lexington KY 40517
859.368.0145

Exhibit A



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

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

DATE: AUGUST 30, 2024

SUBJECT: Execute Grant Assistance Agreement for the Kentucky Cleaner Water Round 2 Grant from American Rescue Funds for the East Hickman Pump Station Expansion and Rehabilitation Project (21CWS142)

Request: Council authorization to execute a Grant Assistance Agreement for the federal award from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) awarded in the amount of \$2,780,000 for the East Hickman Pump Station Expansion and Rehabilitation project. No matching funds are required.

Purpose of Request: On March 21, 2024 (Resolution 150-2024), Council approved a Conditional Commitment Letter to accept an additional award of \$2,780,000 in ARPA federal funds from the Kentucky Cleaner Water Round 2 Grant 21CWS142 for the East Hickman Pump Station Expansion and Rehabilitation Project. Approval of this recommendation finalizes the Grant Assistance Agreement required to draw the project funds.

This grant is for the construction of increased pumping capacity, force main odor control, and improved screening management facilities. This project is included in the Consent Decree Remedial Measures Plan (RMP) schedule approved by the Commonwealth and the U.S. Environmental Protection Agency (EPA). The project is scheduled to complete construction by December 31, 2026.

What is the cost in this budget year and future budget years? No impact on FY25 budget. Future budget year's funds are dependent upon availability of grant funds.

Are the funds budgeted? Yes, grant funds are budgeted in 3230-303408-3466-92811 EHPSP2_2024 FED_GRANT 2024.

File Number: 0884-24

Director/Commissioner: Martin/Albright





East Hickman
Pump Station

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

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

DATE: AUGUST 30, 2024

SUBJECT: Execute Grant Assistance Agreement for the Kentucky Cleaner Water Round 2 Grant from American Rescue Funds for the Blenheim Way Trunk Sewer Project (21CWS143)

Request: Council authorization to execute a Grant Assistance Agreement for the federal award from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) awarded in the amount of \$2,220,000 for the Blenheim Way Trunk Sewer project. No matching funds are required.

Purpose of Request: On March 21, 2024 (Resolution 149-2024), Council approved a Conditional Commitment Letter to accept an additional award of \$2,220,000 in ARPA federal funds from the Kentucky Cleaner Water Round 2 Grant 21CWS142 for the Blenheim Way Trunk Sewer Project. Approval of this recommendation finalizes the Grant Assistance Agreement required to draw the project funds.

This grant is for the construction of a replacement sanitary trunk sewer that has experienced documented Recurring Sanitary Sewer Overflows (SSOs). This project will be included in the Consent Decree Remedial Measures Plan (RMP) schedule pending submission to the Commonwealth and the U.S. Environmental Protection Agency (EPA). The project is scheduled for construction beginning in early 2025.

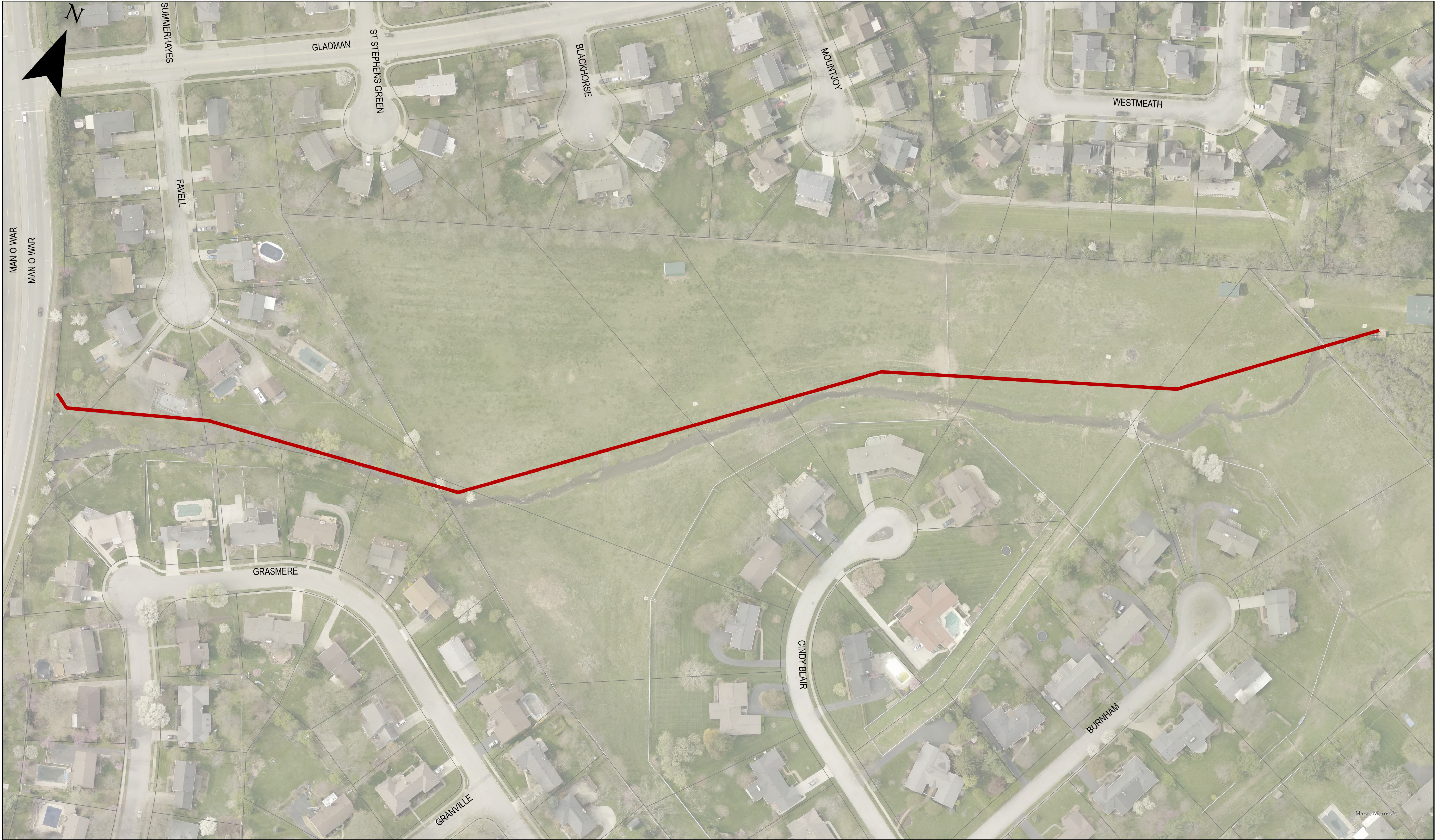
What is the cost in this budget year and future budget years? No impact on FY25 budget. Future budget year's funds are dependent upon availability of grant funds.

Are the funds budgeted? Yes, grant funds are budgeted in 3230-303408-3466-92811 BWTRUNK_2024 FED_GRANT 2024.

File Number: 0885-24

Director/Commissioner: Martin/Albright





Path: C:\proj\impr\wrt\wolf_run\wolf_run.aprx

REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	KURT ZEHNDER
DESIGNED BY:	KURT ZEHNDER
DRAWN BY:	EVAN FIELDS
CHECKED BY:	BOB PETERSON
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	



LEGEND
Blenheim Alignment
Parcels
SCALE: 1"= 75'



Hazen

HAZEN AND SAWYER
230 LEXINGTON GREEN CIRCLE
LEXINGTON, KY 40503

BLENHIM TRUNK
AREA MAP

LFUCG DIVISION OF WATER QUALITY

DATE:	02/12/2024
HAZEN NO.:	50005-353
CONTRACT NO.:	X
DRAWING NUMBER:	BLENHIM TRUNK

MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS

CHIEF DEVELOPMENT OFFICER

TO: Linda Gorton, Mayor
Urban County Council

FROM: Kevin Atkins
Chief Development Officer

DATE: August 30, 2024

SUBJECT: FY2025 Economic Development Partner PSA – Jubilee Jobs

Request:

Authorization to execute Purchase of Services Agreements (PSAs) with economic development partner agency Jubilee Jobs.

Why are you requesting:

The Lexington-Fayette Urban County Government annually contracts with economic development partner agencies to provide economic development services for the government. The Lexington Economic Development Investment Board at their meeting on July 16, 2024 approved the recommendation of the Request for Proposal (RFP) scoring committee for RFP 35-2024 "Economic Development Partnership Services."

Jubilee Jobs was recommended as an economic development partner agency for FY2025 to assist the Director of Business Engagement in coordination and work to enhance and connect individuals with the WORK-Lexington program. The recommended funding level for Jubilee Jobs in FY2025 is \$62,718.42.

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

The cost for FY2025 is:	\$62,718.42
The cost for future FYs is:	N/A

Are the funds budgeted?

Yes
Account Number: 1101-900351-0001-71101

Director/Commissioner

Amy Glasscock/Kevin Atkins



MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS

CHIEF DEVELOPMENT OFFICER

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

**FROM: Kevin Atkins
Chief Development Officer**

DATE: August 30, 2024

SUBJECT: FY2025 Economic Development Partner PSA – Community Ventures Corporation

Request:

Authorization to execute Purchase of Services Agreement (PSA) with economic development partner agency Community Ventures Corporation.

Why are you requesting:

The Lexington-Fayette Urban County Government annually contracts with economic development partner agencies to provide economic development services for the government. The Lexington Economic Development Investment Board at their meeting on July 16, 2024 approved the recommendation of the Request for Proposal (RFP) scoring committee for RFP 35-2024 "Economic Development Partnership Services."

Community Ventures Corporation was recommended as an economic development partner agency for FY2025 to assist Lexington-Fayette Urban County Government with Small Business Owner Connections and Networking; Entrepreneurial Development/Start-Up Assistance; Minority Owned Business Development; and Women Owned Business Development. The recommended funding level for Community Ventures Corporation in FY2025 is \$63,220.17.

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

The cost for FY2025 is: \$63,220.17

The cost for future FYs is: N/A

Are the funds budgeted?

Yes

Account Number: 1101-900204-0001-71101

Director/Commissioner

Amy Glasscock/Kevin Atkins



MAYOR LINDA GORTON

**LEXINGTON**

SALLY HAMILTON

CHIEF ADMINISTRATIVE OFFICER

Communications from the Mayor

Donations Recommendations

Urban County Council Meeting: September 12, 2024

Pursuant to CAO Policy 48 – *Donations*, the following donation recommendations will be placed on the Mayor's Report for approval at the Council Meeting:

- (1) Accepting and approving the following donations for the following departments and divisions:
 - (a) Division of Parks and Recreation – accepting a donation from Masterson Equestrian Trust: \$2,438.00 to purchase and install a memorial bench at Masterson Station Park in memory of Carol Jones for public use. (Budget amended 13260)





Urban County Council Council Meeting August 22, 2024

The following procurement recommendations will be placed on the Mayor's Report for approval at the September 12, 2024 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) Division of Fleet Services – Electrician Van Shelving – 116-2024 – Dukes A & W Enterprises LLC
 - (b) Division of Fleet Services – Carpenter Van Shelving – 117-2024 – Dukes A & W Enterprises LLC
 - (c) Division of Fleet Services – Roadcall Tire Truck Body – 126-2024 – Meyer Truck Equipment
 - (d) Division of Streets & Roads – Tactile Warning Tiles – 115-2024 – Core & Main LLP dba Foster Supply
 - (e) Division of Fleet Services – Auto & Truck Parts OEM – 122-2024 – Alton Blakely Ford, Bachman Auto Group, Inc., Bluegrass International Trucks, Buses, RV & Idealease, Paul Miller Ford and Worldwide Equipment

- (2) Accepting and approving the following vendors as sole source providers:
 - (a) Fayette County Clerk – Harp Enterprises Inc – Primary and General Election Materials and Services
 - (b) Department of General Services – Burdine Security Group – Service and parts for electronic access systems in LFUCG owned facilities





General Government and Planning Committee

June 11, 2024

Summary and Motions

Chair Worley called the meeting to order at 1:03 p.m. Vice Mayor Wu and Committee Members J. Brown, Ellinger, Lynch, LeGris, Sheehan, Reynolds, and Plomin were in attendance. Council members Fogle, Monarrez, Gray, F. Brown, and Sevigny were present as non-voting members. Council member Baxter was absent.

I. May 7, 2024 General Government and Planning Committee Summary

Motion by Wu to approve the May 7, 2024, GGP Committee Summary. Seconded by Ellinger. Motion passed without dissent.

II. Public Input Subcommittee Partial Report-Out

Jennifer Sutton, Council Research Analyst presented on behalf of the item. The purpose of the Public Input Subcommittee is to review, update, and improve the public input process for the Council making it easier for residents to access information and engage with Council. The scope of work includes reviewing and modernizing the current public input process, review and update public input resident guidelines, research and select an engagement platform, create a marketing/education plan, and provide periodic updates to the GGP Committee.

Sutton shared updates on the new Public Information Officer position, public input technology, events, and an update to the Council Rules and Procedures. The Public Information Officer has managed the electronic sign-in process, social media campaigns, council comment newsletter, and creates resources for Council Offices.

A public input annual report shows that from April 2023 to April 2024, 371 unique individuals gave public comment while only 80% of those individuals signed in on time. Council Meeting attendance reflected 183 participants across 26 meetings; 18% of participants yielded their time. New technology includes Engage Lexington which was launched on April 22, 2024 with two projects: STRs and FY2025 Budget. The site has had over 3,000 visits, over 300 contributions, almost 500 registrants, and an engagement rate of 11%.

The subcommittee recommended amending the Council Rules and Procedures to modify the USB policy and clarify that public comment is a time for residents' spoken comment to Council.

A motion by Baxter to approve the proposed changes to the Council Rules and Procedures, seconded by Wu, passed unanimously.

A motion by Baxter to report this item at the 6/11/2024 work session, seconded by Reynolds, passed unanimously.

III. Short Term Rentals Policy Review

Wes Holbrook, Director of Revenue, and Jennifer Sutton, Council Research Analyst, presented on behalf of this item. The Short Term Rental (STR) ordinance was passed on July 11, 2023. There was a six month grace

period of STR operators to register existing units. In January 2024, Division of Revenue began identification, investigation, and enforcements of non-compliant operators. Granicus was selected through the RFP process to be the software solution that will support efforts to enforce the ordinance.

The Engage Lexington platform was launched on April 22, 2024. When it launched, there was a STR survey for Lexington residents to provide additional feedback on STRs. The survey on Engage Lexington for STR received 353 total responses. 71% of respondents were aware of an STR in their neighborhood, 29% of respondents were not aware. 56% of respondents had no complaints or issues with STRs in their neighborhood while 44% had complaints. The top 5 complaints were noise, parking, parties, public safety concerns, and trash. Sutton shared additional results from the survey.

There have been 625 licensed STRs through Revenue, 339 first notices of violation sent, 154 second notices, and 21 citations issued. Holbrook shared additional policy recommendations which included require approval from an owners' association as part of the application for attached units/condos, require that the use be commenced in a certain time period, establish spacing requirements for un-hosted STRs, review requirements for verification of hosted STRs, and examine license requirements for STRs that rent by room.

Next steps include presenting a revised ordinance to GGP, advance the revised ordinance to Council and to the Planning Commission. Then the ordinance will return to Council for review and adoption.

No action was taken on this item.

IV. Items Referred to Committee

A motion by Plomin to remove item #1: *Study of Consent Agenda Process for Council Meetings*, seconded by Baxter, passed unanimously.

A motion by Plomin to remove item #10: *Study of Conditional Use Permits and Related Zone Text Amendments in the Rural Service Area*, seconded by J. Brown, passed unanimously.

A motion by Plomin to remove item #12: *A Review of RLMB Recommendation Process to Planning Commission*, seconded by Baxter, passed unanimously.

V. Adjournment

The Committee adjourned at 2:18 pm.



General Government and Planning Committee

August 29, 2024

Summary and Motions

Chair Worley called the meeting to order at 3:01 p.m. Vice Mayor Wu and Committee Members J. Brown, Ellinger, Lynch, LeGris, Sheehan, and Reynolds were in attendance. Council members Monarrez, Gray, F. Brown, and Sevigny were present as non-voting members. Council member Plomin was absent.

I. June 11, 2024 General Government and Planning Committee Summary

Motion by Baxter to approve the June 11, 2024, GGP Committee Summary. Seconded by Sheehan. Motion passed without dissent.

II. Digital Billboards

Jennifer Sutton, Council Research Analyst and Traci Wade, Planning Manager, presented on behalf of this item. The topic was originally brought to Council in 2017 and presented to EQPW in 2018. A subcommittee was formed in 2019 and presented to the Planning and Public Safety Committee in August of 2020. The work was paused due to pending litigation. Digital billboards have a screen and are lit internally where static billboards have one message and are lit externally. Digital billboards do not contain video footage, flashing lights or animation. The State of Kentucky's current billboard regulations were updated in 2022 and governs the size, number of faces, angles, sensor requirements, the way messages must be displayed, and the location of billboards. The regulations currently have an exchange policy; 6 billboards for 1 new digital device or 5 devices for 1 conversion of an existing static device.

Currently, the billboard regulations in Lexington do not address digital billboards. Billboards are currently only allowed in B-3, B-4, I-1, and I-2 zones. There are 137 billboard structures in Lexington. Wade shared the proposed ZOTA which covers the location, maximum size, minimum spacing, duration of digital billboard messages, and luminance of digital billboards. It also defines the terms for standard billboard, digital billboard and flashing. The next steps include a Council initiated ZOTA, then it will advance to the Planning Commission where they will have 60 days to conduct their work, for it to then return to Council. There were some concerns regarding distracted driving, energy consumption, light pollution, and impact to quality of life.

A motion by Worley to approve and refer the Digital Billboards ZOTA as presented today to the Planning Commission, seconded by Ellinger, passed 7-2 (Yes: Wu, J. Brown, Ellinger, Lynch, Worley, Baxter, Reynolds. No: LeGris, Sheehan).

III. Short-Term Rentals Policy Review

Evan Thompson with the Division of Law presented on behalf of this item. The Short-Term Rental (STR) ordinance was passed on July 11, 2023. As of last week, the Division of Revenue has approved 686 special fees licenses. Thompson gave an overview of the Code of Ordinance changes. There is a change to the proof of residency required documents. Expiration of STR license and renewals will expire upon a change in use from one form to the other. Section 13-79 lays out certain duties of a licensee and the proposed changes include a change in occupancy limit, which decreases the total possible amount to 10 occupants. An

operator can only have one contract per STR at a time and licensees can't book whole house rentals for hosted rentals. In addition, there are other various clean-up changes.

Thompson explained the ZOTA changes which includes an addition of the Corridor Node Zone and the decrease of total possible occupants. Additional considerations for the Board of Adjustment have also been added. They should also consider whether the property being considered is in a high demand area for STRs and whether the property being considered is within a neighborhood that may be vulnerable to involuntary displacement. There are now spatial limitations for Un-Hosted STRs; no STRs requiring a Conditional Use Permit can be located within 500 feet of another Un-Hosted STR that has already received a Conditional Use Permit or otherwise grandfathered in previously. The number of STRs requiring a Conditional Use Permit cannot exceed 3% of all dwelling units within any given 1000' in residential zones. An operator can apply to the Board of Adjustment for possible relief for the following reasons: it is adjacent to nonresidential zones that allow for Un-Hosted STRs, separation from other Un-Hosted STRs within the buffer area, perimeter of the buffer area and located partially outside the buffer area, or a neighborhood plan encourages and supports Un-Hosted STRs in the subject area.

The areas that are at risk for displacement are determined by the ten census tracts identified in the Neighborhoods in Transition Report. They also examine areas that have tourism designations to determine if it is in area of high demand. The occupancy limit was changed because of conversations with constituents. The Division of Revenue is in the process of implementing their new software.

Next steps include advancing the revised ordinance to Council and to the Planning Commission. Then the ordinance will return to Council for review and adoption.

A motion by J. Brown to approve the proposed Short-Term Rental Ordinances and refer the proposed ZOTA to the Planning Commission, seconded by Sheehan, passed unanimously.

IV. Items Referred to Committee

No action was taken on this item.

V. Adjournment

The Committee adjourned at 4:44 pm.

Article 17 - SIGN REGULATIONS

Sec. 17-5. - Nonconforming signs.

A legal, nonconforming sign may continue in existence as long as it is properly maintained in good condition.

These provisions shall not prevent the repair or restoration to a safe condition of any sign, but a nonconforming sign shall not be:

- (a) Changed to another nonconforming sign except where only the face or copy is changed;
- (b) Structurally altered so as to increase the degree of nonconformity of the sign;
- (c) Expanded or enlarged;
- (d) Reestablished after its removal; or
- (e) Moved to a new location on the building or lot.

Sec. 17-8. - General requirements.

All signs in all zones shall meet the following requirements:

- (a) Illuminated signs shall be located in a fashion which prevents all direct rays of light from shining beyond the property lines of the lot on which the sign is located.
- (b) No light, sign, billboard or other advertising device shall be designed or erected to imitate or resemble any official marker erected by a government entity or any official traffic sign, signal, or device or use any words, phrases, symbols, or characters implying the existence of danger, or the need to stop or maneuver the vehicle.
- (c) No sign shall be attached to or painted on the surface of any tree, utility pole, or street light.
- (d) Projecting signs shall have at least 8 feet of clearance above a road or sidewalk.
- (e) Neon lighting and other lighted tubing signs may be used on signs where signs are permitted to be directly illuminated as defined in this Article.
- (f) No sign, except for government signs, shall be located within the sight triangle of any intersection.
- (g) No sign shall be placed in or project into the public or private street right-of-way, except as specifically permitted herein.
- (h) Every sign, including those for which a permit is not required, shall be maintained in good and safe structural condition at all times.

- (i) The immediate premises occupied by a sign shall be maintained by the owner in a clean, sanitary and healthful condition. The premises shall be kept free and clear of weeds, debris, trash and refuse.
- (j) Electronic message display systems shall be inspected by the Division of Building Inspection upon installation to ensure compliance with approved plans, permits and requirements of Article 17.

Sec. 17-11. - Signs permitted by specific zone.

Any sign not specifically permitted shall be prohibited.

(g) Highway Service Business, Warehouse/Wholesale, and Industrial Zones (B-3, B-4, I-1, I-2). Permitted signs may be free-standing or wall mounted, as specified; signs may be non-illuminated, indirectly illuminated, internally illuminated or directly illuminated unless specified otherwise; no free-standing sign shall exceed twenty-five (25) feet in height; no free-standing billboard shall exceed forty (40) feet in height.

(1) Signs shall be permitted as follows:

- (a) The total surface area of signs shall not exceed two (2) square feet per linear foot of street or building frontage, whichever is greater; or thirty-two (32) square feet, whichever is greater.
- (b) One free-standing sign per lot shall be permitted per street frontage, with a maximum of two (2) free-standing signs; not exceeding seventy-five (75) square feet per sign; minimum setback shall be ten (10) feet.
- (c) The surface area of wall-mounted sign(s) shall not exceed fifteen percent (15%) of the wall area to which it is attached or thirty-two (32) square feet, whichever is greater, each wall to be considered separately. Only one sign shall be permitted per wall. In the case of a building containing two or more separate uses, these requirements shall be applied separately to the wall area of the building space leased, rented or owned by the individual tenant.
- (d) Window signs shall be limited to no more than twenty-five percent (25%) of the total window area.

(2) Traffic directional signs and signs on or under a canopy or awning shall be permitted as regulated in the B-1 zone.

(3) In conjunction with an indoor theater: one marquee, not to exceed twenty-four (24) square feet per theater; such marquee shall project no more than eight (8) feet from the building face to which it is attached and shall have a minimum clearance of eight (8) feet. In addition, one attraction board attached to one free-standing sign, not to exceed twenty-four (24) square feet per theater. The area of the marquee and attraction board shall be included in the computation of the maximum permitted sign area. (Note: Where an attraction board attached to a free-standing sign is not

utilized, a second marquee, mounted on a different building face, shall be permitted as regulated above.)

(4) One attraction board, wall mounted or attached to a permitted free-standing sign, the area of the attraction board to be included in the maximum permitted sign area.

(5) Menu boards as permitted and regulated in the B-1 zone.

(6) In addition, billboards shall be permitted as follows:

(a) Location.

(i) The lot on which the billboard is constructed must abut a federal or state highway.

(ii) Billboards shall be required to be set back from any street right-of-way twenty (20) feet, or at the same setback as any principal building on the lot, whichever is less.

(iii) Billboards shall not project over the public or private right-of-way.

(iv) No billboard shall be permitted within one hundred fifty (150) feet of any residential zone.

(b) Maximum Size.

(i) No billboard shall exceed four hundred (400) square feet in area.

(ii) Temporary embellishments may be attached, but are limited to ten percent (10%) of the maximum sign area.

~~(c) Minimum Spacing. No billboard shall be permitted within one hundred fifty (150) feet of any residential zone.~~

~~(d) (i) No Standard billboards shall be located at least within five hundred (500) feet of from another standard billboard.~~

(ii) Digital billboards shall be located at least two-thousand five hundred (2,500) feet from another digital billboard.

~~(e) Billboards shall be required to be set back from any street right-of-way twenty (20) feet, or at the same setback as any principal building on the lot, whichever is less.~~

(d) Duration of message for digital billboard: The sign shall remain static for a period of not less eight (8) seconds. The transition from one (1) message or image to the next shall be direct and immediate.

(e) Luminance for digital billboard: Between sunrise and sunset, the maximum luminance shall be five thousand (5,000) nits, and between sunset and sunrise, the maximum luminance shall be five hundred (500) nits. Sunrise and sunset shall be determined by the National Oceanic and Atmospheric Administration

(NOAA), US Department of Commerce, for Lexington-Fayette Urban County. The sign must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's luminance.

Sec. 17-12. - Advertising on interstate highways.

No billboard shall be permitted adjacent to interstate or limited-access highways except in conformance with the ~~setback~~ all requirements established by the Federal Highway Administration, the Kentucky Transportation Cabinet, and the requirements of this Zoning Ordinance with respect to the zoning district involved.

Sec. 17-18. - Definitions.

The following definitions unique to this Article are listed below.

- (h) Billboard: Signage intended for lease to a variety of businesses, organizations, and/or individuals. In such case, the sign itself shall be an income generator and a commercial use of the property.

Standard Billboard: A billboard erected using traditional materials such as metal, wood, plastic and/or vinyl without internal illumination.

Digital Billboard: A billboard erected using an electronic message display system. Such sign shall have no moving or scrolling messages, special effects, animations, or video display.

NOTE: These are other definitions that are related to billboard regulation

- (p) Electronic Message Display System: A sign with copy or images which includes, but is not limited to reflective disc, direct illumination, rotating veils, light emitting diodes (L.E.D.s), or liquid crystal diodes (L.C.D.s), and is controlled by means of a central computer or video control system and which has no audible sound.
- (q) Flashing or Blinking: Intermittent or sequential illumination for the purpose of attracting attention to the sign. Flashing includes scintillation, light bursts, sparkling, and twinkling.
- (aa) Luminance: The light that is emitted by or reflected from a surface, measured in nits.
- (gg) Nit: A photometric unit of measurement describing luminous intensity (candelas) per unit area. Expressed in SI units, one nit is equal to one cd/m².
- (ll) Rotating or Moving Sign: Any portion of which moves by mechanical means or the wind; does not refer to changing copy with an electronic message display system.

(mm) Sign: Any copy, including material used to differentiate the copy from the background, which is applied to a surface as a means of identifying, advertising, announcing, or illustrating products, services, and/or events.

(Ord. No. [015-2021](#), § 1, 3-18-2021 Ord. No. [126-2023](#), § 3, 11-2-2023)

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 13-76 OF THE CODE OF ORDINANCES TO REQUIRE CERTAIN DOCUMENTS TO PROVE PRIMARY RESIDENCY; AMENDING SECTION 13-77 OF THE CODE TO CLARIFY THAT APPROVAL BY THE DIVISION OF PLANNING IS NECESSARY TO APPLY FOR A SPECIAL FEE LICENSE AND TO PROVIDE THAT A LICENSE SHALL AUTOMATICALLY EXPIRE UPON A CHANGE IN USE FROM ONE FORM OF SHORT-TERM RENTAL (HOSTED OR UN-HOSTED) TO THE OTHER; AMENDING SECTION 13-79 OF THE CODE TO AMEND THE MAXIMUM OCCUPANCY OF A SHORT-TERM RENTAL, TO LIMIT THE NUMBER OF CONTRACTS OR BOOKINGS A SHORT-TERM RENTAL MAY HAVE AT ONE TIME, AND TO REQUIRE THAT ONLY A PORTION OF THE DWELLING UNIT NOT OTHERWISE OCCUPIED MAY BE RENTED AT ONE TIME; ALL EFFECTIVE UPON PASSAGE OF COUNCIL.

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

Section 1 – That Section 13-76 of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is amended to read as follows:

Sec. 13-76. - Definitions.

For the purposes of this Article, the following definitions shall apply:

- (a) *Director* shall mean the Director of the Lexington-Fayette Urban County Government, Division of Revenue.
- (b) *Hosted short-term rental* shall mean a short-term rental in which the dwelling unit utilized as the short-term rental, or another dwelling unit on the subject property, is a primary residence, and the primary resident continues to occupy the property while the short-term rental is being rented to a transient guest.
- (c) *Hosting platform* shall mean an internet-based platform that generally facilitates the rental of the short-term rental accommodations by brokering, coordinating, or in any other way arranging for the rental of the accommodations.
- (d) *Licensee* shall mean any person who owns a short-term rental that possesses a short-term rental special fees license pursuant to this Article.
- (e) *Person* shall have the same meaning as provided in Section 13-1 of the Code.

- (f) *Primary residence* shall mean the permanent residence or the usual place of return for housing of the owner of the short-term rental, the operator of the short-term rental, or an individual who otherwise consents to be an agent of the owner or operator for the purposes of this article, as documented by ~~at least two (2)~~ of the following:

- (1) One of the following:
 - a. Un-expired driver's license; or
 - b. Current voter registration; and
- (2) One of the following, dated within the past year:
 - a. Tax document showing the premises as the individual's residence; or
 - b. Bank statement; or
 - c. Motor vehicle registration; or
 - d. Utility bill.

~~(1) Motor vehicle registration;~~

~~(2) Driver's license;~~

~~(3) Voter registration;~~

~~(4) Tax documents showing the premises as the individual's residence;~~

~~(5) Utility bill.~~

An individual may only have (1) primary residence and must reside there for a minimum of two hundred and seventy-five (275) days during the calendar year.

- (g) *Primary resident* shall mean the owner of the short-term rental, the operator of the short-term rental, or an individual who otherwise consents to be the agent of the owner or operator for the purposes of this article, whose primary residence is the dwelling unit utilized as the short-term rental, or another dwelling unit on the subject property.
- (h) *Rent* shall have the same definition as provided in Section 2-172 of the Code.
- (i) *Short-term rental* shall mean a dwelling unit that is rented, leased, or otherwise assigned, in whole or in part, for temporary occupancy by

transient guests for a tenancy of less than thirty (30) consecutive days, where no meals are served. This term does not include hotel or motel rooms, extended stay hotels, bed and breakfast facilities, or boarding and lodging house rooms.

- (j) *Short-term rental advertisement* shall mean any method of soliciting another to use a dwelling unit or portion thereof as a short-term rental.
- (k) *Transient guest* shall mean an individual who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement for a period of less than thirty (30) consecutive days. This term shall not be construed to include individuals who rent their primary residence on a weekly basis.
- (l) *Un-Hosted short-term rental* shall mean a short-term rental in which the dwelling unit utilized as the short-term rental, or another dwelling unit on the subject property, is not a primary residence, or a primary resident fails to occupy the subject property while the short-term rental is being rented to a transient guest.

Section 2 – That Section 13-77 of the Code of Ordinances be and hereby is created to read as follows:

Sec. 13-77. – Short-term rental special fee license.

- (a) No person shall own a short-term rental in Lexington-Fayette County unless the person possesses a valid special fee license for the short-term rental issued by the Lexington-Fayette Urban County Government, Division of Revenue, as provided in Section 13-13 of the Code and this Article.
- (b) The Director may promulgate such forms and procedures as reasonably necessary for the orderly and efficient processing of short-term rental special fee license applications and renewals. Provided, however, that an applicant shall be required to provide the following information as part of its application for a special license and renewal:
 - (1) Address of the proposed short-term rental;
 - (2) Name, address, phone number, and email address of the applicant;
 - (3) Name, address, phone number, and email address of the operator of the short-term rental, if different from the applicant;
 - (4) Name, address, phone number, and email address of an emergency contact that resides or is otherwise located in Lexington-Fayette County, Kentucky, or within twenty-five (25) miles of the proposed short-term rental;

- (5) Approval by the Division of Planning ~~that the short-term rental is a hosted short-term rental or is otherwise a legal nonconforming hosted or un-hosted short-term rental under Section 3-13(i) and (j) of the Zoning Ordinance; that the un-hosted short-term rental has a conditional use permit issued by the Board of Adjustment if applicable; that the hosted short-term rental with an occupancy greater than twelve (12) individuals has a conditional use permit issued by the Board of Adjustment, if applicable; or that the short-term rental otherwise~~ complies with the Zoning Ordinance;
 - (6) The maximum number of occupants requested for the short-term rental, which shall ~~not be greater than~~ be no greater than ~~be consistent with~~ the number permitted by Section 13-79(a)(7);
 - (7) A site plan and floor plan depicting the short-term rental, including the number of vehicles that can be legally parked on the property, without encroaching onto the street, sidewalks, alleys, public rights of way or public property;
 - (8) A certificate of insurance or other valid proof of general liability insurance in the amount not less than one million dollars (\$1,000,000.00) per occurrence, which shall remain in effect at all times while engaged in the licensed activity;
 - (9) An affidavit confirming that the health and safety requirements of Section 13-79(a)(1)-(6) of the Code of Ordinances have been satisfied for each short-term rental;
 - (10) An affidavit confirming that the applicant complies and shall continue to comply with all aspects the applicable building codes, fire codes, and all other applicable state, federal, and local laws or regulations; and
 - (11) For short-term rentals utilizing septic tanks, evidence indicating that the septic tank is of sufficient size to accommodate the occupancy requested in subsection (6).
- (c) All applications for a special fee license and renewal shall be accompanied by the fee referenced in Section 13-13 of the Code for short-term rental special fee licenses.
 - (d) The operator of the short-term rental may apply on behalf of the owner of the short-term rental, with the express written permission of the owner. However, the owner of the short-term rental shall remain the Licensee.
 - (e) A short-term rental special fee license shall cover all short-term rentals owned by the Licensee holding the license.

- (f) All short-term rental special fee licenses and renewals shall expire upon the earlier of (1) December 31st following the most recent application or renewal; (2) a change in Licensee or ownership of a dwelling unit used as a short-term rental; 3) a change in use from one form of short-term rental (hosted or un-hosted) to the other; or ~~34~~) the revocation of a conditional use permit.
- (g) Upon receipt of the short-term rental special fee license, each Licensee shall be issued a unique Local Registration Number, by which the short-term rental may be identified.
- (h) The Director may refuse to issue a license or renew the license of a Licensee in the following circumstances:
 - (1) When the applicant intentionally or knowingly makes a false statement as to a material matter in an application;
 - (2) When the applicant fails to complete any part of the application;
 - (3) When the Licensee has failed to pay any fee, tax, fine, or penalty related to a violation of Sections 13-76 through 13-82;
 - (4) When the property submitted for registration or renewal as a short-term rental is subject to unsatisfied penalties, fines, or liens assessed or levied by the Government for any reason;
 - (5) When the Licensee fails to maintain a conditional use permit, if applicable; or
 - (6) When the Licensee or short-term rental is not in compliance with any applicable federal, state, or local law or regulation, including, without limitation, mandatory zoning, building, safety, maintenance, health, sanitation, fire, electrical, plumbing, and mechanical codes.
- (i) The Director may revoke the registration of any short-term rental for any of the following reasons:
 - (1) When any one of the circumstances provided in section (h), above, occurs;
 - (2) When the Licensee or the short-term rental has been found to be in violation of Sections 13-76 through 13-82 two (2) or more times during the relevant license term.

A Licensee whose special fees license is revoked is not eligible to apply for another short-term rental special fees license for the dwelling unit in which the license was revoked for a period of one (1) year.

- (j) The Director may revoke, suspend, or refuse to renew or issue a license on a dwelling unit basis.
- (k) Relevant divisions and departments with necessary information for the Director to perform his or her responsibilities under this article should provide such information to the Director at his or her request. Members of the public may also provide complaints and relevant evidence indicating violation of this article to the Director.

Section 3 – That Section 13-79 of the Code of Ordinances be and hereby is created to read as follows:

Sec. 13-79. – Duties of a Licensee.

It is the duty of a Licensee under this Article to ensure that:

- (a) Every short-term rental owned by the Licensee meets and complies with the following at all times:
 - (1) Contains sufficient smoke detectors installed and in working order as required in Section 12-1 of the Code of Ordinances;
 - (2) Contains at least one (1) functional carbon monoxide detector installed in an appropriate location as set forth in the Kentucky Residential Code;
 - (3) Contains at least one (1) maintained and charged fire extinguisher located in an open and easily accessible location on each habitable floor of the short-term rental;
 - (4) Contains at least one (1) operable emergency and rescue opening in every sleeping room, as set forth in the Kentucky Residential Code;
 - (5) Has posted, in a conspicuous location in the short-term rental, the following:
 - a. the name, email address, and telephone number of the Licensee or operator of the short-term rental, if different from the Licensee;
 - b. the name, email address, and telephone number of the registered emergency contact for the short-term rental referenced in the Licensee's application for a special fees license;

- c. the emergency and non-emergency telephone numbers for police, fire, and emergency medical service providers;
 - d. trash and recycling pickup information;
 - e. a clearly marked emergency evacuation plan for the premises showing exit routes, exits, and fire extinguisher locations;
 - f. the maximum number of occupants permitted in the short-term rental;
 - g. a copy of the conditional use permit, if applicable; and
 - h. the website address of the Lexington-Fayette Urban County Government where the guest may review the locally-required duties of a Licensee and file a complaint;
- (6) Contains no outdoor signage identifying the dwelling unit as a short-term rental;
- (7) May be occupied by a maximum of two (2) individuals per bedroom, plus an additional two (2)~~four (4)~~ individuals, up to a maximum of ten (10)~~twelve (12)~~ individuals; or as otherwise allowed in the Licensee's conditional use permit or the Zoning Ordinance. Any permanent resident of the dwelling unit present during the short-term rental period shall count toward the maximum occupancy; and
- (8) May not become the location where a violation of the laws governing assault, sexual offenses, prostitution, controlled substances, weapons, gambling on the premises, or any felony has occurred. Instances in which the Licensee or primary resident is the victim of the crime and had no control over the criminal act, including domestic violence, shall not be considered.
- (b) Short-term rentals shall not be utilized for private events, such as weddings or parties, in which the number of participants exceeds the maximum occupancy limit described in this section. No private events, such as weddings or parties, shall occur between the hours of 11:00 p.m. and 7:00 a.m. Special events for a commercial purpose shall be prohibited at all times;
- (c) The Licensee shall abide by all requirements contained within the conditional use permit, if applicable;
- (d) There shall be no more than one contract per short-term rental at a time;
- (e) The Licensee of a hosted short-term rental shall not allow "entire (or whole) house," "entire (or whole) home," or "entire (or whole) dwelling unit" rentals

for those short-term rentals occupied by someone other than the transient guest.

- (f) The Licensee shall submit a true and accurate report annually to the Division of Revenue, in the manner and form specified by the Director, identifying:
 - (1) The address of each short-term rental owned or operated by the Licensee;
 - (2) The Local Registration Number of each short-term rental owned or operated by the Licensee; and,
 - (3) The number of contracts to which each short-term rental owned or operated by the Licensee was subject in the preceding year, and the duration of each contract;
- (g) Every short-term rental operated by the Licensee complies with all applicable planning and zoning rules, ordinances, and regulations.

Section 4 – That the Division of Revenue be and hereby is authorized to amend the Lexington-Fayette Urban County Government, Division of Revenue, License Fee Regulations (5th Edition) as necessary to implement this Ordinance.

Section 5 – That if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 6 – 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:
0699-23:EPT:
4863-5501-5119, v. 4

Sec. 3-13. General regulations for Short Term Rentals (STRs).

(a) All short term rentals shall be licensed by the Division of Revenue and subject to the regulations of Section 13 of the Code of Ordinances.

(b) Except as limited by subsections (k) and (l), nNumber of Dwelling Units allowed to be utilized as Short Term Rentals per Property:

Zones Allowed	Hosted (Occupancy up to <u>10</u> 12)	Hosted (Occupancy > <u>10</u> 12)	Un-Hosted	# of <u>Dwellings on</u> <u>Property allowed as</u> <u>Short Term Rental Units</u>
<u>Single Family Lots¹</u>				
R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, <u>R-2, R-3, R-4, R-5, EAR-1, EAR-2, EAR-3</u>	Accessory Use	Conditional Use	Conditional Use	Hosted: 1 dwelling unit and 1 ADU Un-Hosted: 1 dwelling unit or 1 ADU
<u>Multi-Family and Group Residential Lots²</u>				
<u>R-1T, R-2, R-3, R-4, R-5, EAR-1, EAR-2, EAR-3, CN</u>	Accessory Use	Conditional Use	Conditional Use	For Single Family Lots: Hosted: 1 dwelling unit and 1 ADU Un-Hosted: 1 dwelling unit or 1 ADU For Multi Family and Group Residential Lots: 10% max or 1, whichever is greater 25% max. or 1, whichever is greater
B-1, P-1, MU-1, MU-2, MU-3	Accessory Use	Accessory Use	Principal Use	<u>25% max. or 1, whichever is greater</u>
B-2, B-2A, B-2B, B-4*, I-1*, I-2*, CC, B-6P, MU-3*	Principal Use	Principal Use	Principal Use	No max.

¹ Single Family Lots may include either a detached dwelling unit or a subdivided attached dwelling unit as a principal structure.

² Multi-Family and Group Residential Lots may include condominiums and attached single family dwelling units on one lot.

*When part of an Adaptive Reuse Project, Industrial Reuse Project, or Entertainment Mixed Use Project

(c) Maximum Occupancy Limit (for principal and accessory uses~~accessory uses in residential zones~~): A maximum of two (2) individuals per bedroom, plus an additional two (2) ~~four (4)~~ individuals; or a total of 10 ~~12~~ individuals, whichever is less. Any host or other permanent residents of the dwelling unit present during the short-term rental period shall count toward the maximum occupancy. Occupancy for accessory dwelling units used as short-term rentals shall be in accordance with Section 3-12(m).

(d) Maximum Occupancy Limit (for conditional uses): The Board shall establish a maximum occupancy for the short term rental use in accordance with the above provision, except the Board

may allow additional occupants when there is sufficient evidence that a greater occupancy will not result in overcrowding or create a nuisance.

(e) Detached accessory structures may be used as a Short Term Rental only in a permitted Detached Accessory Dwelling Unit.

(f) Short Term Rentals shall not be utilized for private events, such as weddings or parties, in which the number of participants exceeds the maximum occupancy limit. No private events shall occur between the hours of 11:00 p.m. and 7:00 a.m. Special events for a commercial purpose shall be prohibited at all times.

(g) For Short Term Rentals regulated as conditional uses, the Board of Adjustment shall take into consideration:

~~1. The number of STRs, if any, in proximity of the property being considered for such use.~~

2.1. The demonstrated compliance record of the applicant, if they operate other STRs in Lexington.

~~32. The occupancy rate of other STRs in the general vicinity, including those operated by the applicant. Whether the property being considered is located in an area containing a mixture of land uses and/or zoning categories that may create a high demand for Short Term Rentals.~~

43. Whether other STRs in the general vicinity have been cited as a nuisance, including those operated by the applicant

~~54. Whether the property being considered is located within a neighborhood that may be vulnerable to involuntary displacement based upon socio-economic demographics.~~

(h) For any conditional use permit approved by the Board of Adjustment for a short term rental, the conditional use permit shall become null and void if the applicant's short-term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

(i) Any Short Term Rental operating in a principal dwelling unit prior to July 11, 2023, that would hereafter be regulated as a conditional use shall be allowed to continue its operation per Article 4-7, but shall utilize the new regulations provided in Sections A, C, E, F, and H above. Such uses shall obtain the license required above from the Division of Revenue and be subject to the regulations of Section 13 of the Code of Ordinances. A change in ownership shall require a conditional use permit to be approved by the Board of Adjustment.

(j) Any Short Term Rental operating in a principal dwelling unit prior to July 11, 2023 that is located in a zone that would hereafter prohibit Short Term Rentals shall be allowed to continue its operation as a non-conforming use per Article 4-3, and shall continue to operate in accordance with the definition of a dwelling unit occupied by one family or housekeeping unit, having no more than one rental contract per week, for a total of no more than 52 rentals per year and with an occupancy of no more than 4 unrelated individuals. Such uses shall obtain the license required above from the Division of Revenue and be subject to the regulations of Section 13 of the Code of Ordinances.

(k) No Short Term Rental regulated as a conditional use shall be located within 500' of another Short Term Rental that has either received a Conditional Use Permit from the Board or is otherwise a legal non-conforming use pursuant to subsection (i), above.

(l) The number of Short Term Rentals regulated as a conditional use shall not exceed 3% of all dwelling units within 1000' in residential zones.

(m) Relief from subsections (k) and (l) may be provided by the Board on a case-by-case basis for the following reasons; however, relief may be denied upon consideration of other factors and the burden is on the applicant to demonstrate that the subject Short Term Rental would not contribute to an overconcentration of Short Term Rentals regulated as a conditional use in the immediate area and/or adversely affect the affordable housing stock in the immediate area:

(1) The property is adjacent to nonresidential zones that allow Short Term Rentals as a principal or accessory use;

(2) There is a significant environmental feature or primary collector or higher classification road that separates the proposed Short Term Rental from other Short Term Rentals regulated as a conditional use within the buffer area;

(3) A Short Term Rental regulated as a conditional use within the buffer area is located on the perimeter of the buffer area, with part of the property being located outside of the buffer area; or

(4) A neighborhood plan encourages and supports Short Term Rentals regulated as a conditional use in the subject area.

(Ord. No. [074-2023](#), § 3, 7-11-2023; Ord. No. [148-2023](#), § 3, 12-7-2023)

Sec. 8-5. - Single-Family Residential (R-1A) Zone.

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Single-family detached residences.
2. Parks and playgrounds operated by government.
3. Temporary real estate sales offices for the sale of lots, located only within the subdivision in which said lots are located; to be removed at the end of two (2) years or when all the lots are sold, whichever comes first.

(c) Accessory Uses. (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

11. Hosted Short Term Rentals for ~~42~~ 10 or fewer occupants, as regulated in Article 3-13 of the Zoning Ordinance.

(d) Conditional Uses. (Permitted only with Board of Adjustment approval.)

14. Hosted Short Term Rentals as regulated in Article 3-13 of the Zoning Ordinance for greater than 10 occupants.

~~14. The short-term rental (defined in the Code of Ordinances) of Accessory Dwelling Units, as regulated in Article 3-12 of the Zoning Ordinance. The Board of Adjustment, in considering approval of such conditional use, shall consider and make a finding that the number of rooms granted shall not have an adverse effect on surrounding properties. In addition, in considering such a conditional use, the Board of Adjustment shall take into consideration the number of short-term rental facilities, if any, within the general neighborhood of the property being considered for such use.~~

15. Un-Hosted Short Term Rentals and Hosted Short Term Rentals for more than ~~42~~ 10 occupants, as regulated by Article 3-13 of the Zoning Ordinance.

Sec. 8-9. - Single-Family Residential (R-1E) Zone.

(a) Intent. The intent of this zone is to provide for low density, single family detached residences and supporting uses. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. This zone may be used for zero-lot-line houses, patio houses, and other compact housing types. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

(b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Single-family detached residences.
2. Parks and playgrounds operated by government.
3. Temporary real estate sales offices for the sale of lots, located only within the subdivision in which said lots are located; to be removed at the end of two (2) years or when all the lots are sold, whichever comes first.

(c) Accessory Uses. (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Private garages, storage sheds and parking areas.
2. Swimming pools and tennis courts.
3. Agricultural uses, excluding commercial stock raising.
4. Private, non-commercial parks and open space.
5. Home offices and home occupations.
6. A ground, roof or pole-mounted satellite dish antenna, as regulated by Section 15-8.
7. Family childcare home.
8. Hiking and bicycling trails.
9. Accessory Dwelling Units, as regulated in Article 3-12 of the Zoning Ordinance.
10. Hosted Short Term Rentals for ~~12~~ 10 or fewer occupants, as regulated in Section 3-13 of the Zoning Ordinance.

Sec. 8-10. - Townhouse Residential (R-1T) Zone.

(a) Intent. The intent of this zone is to provide for low density, single family residences, emphasizing the incorporation of attached single family dwellings (townhomes) and supporting uses. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. Attached single family dwellings should be located along road frontage and should not adversely impact the associated pedestrian system. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

(c) Accessory Uses. (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Private garages, storage sheds and parking areas.
2. Swimming pools and tennis courts.
3. Agricultural uses, excluding commercial stock raising.
4. Private, non-commercial parks and open space.
5. Home offices and home occupations.
6. A ground, roof or pole-mounted satellite dish antenna, as regulated in Section 15-8.
7. Family childcare home.
8. Hiking and bicycling trails.
9. Accessory Dwelling Units, as regulated in Article 3-12 of the Zoning Ordinance.

10. Hosted Short Term Rentals for ~~42~~ 10 or fewer occupants, as regulated in Section 3-13 of the Zoning Ordinance.

Sec. 8-25. – Corridor Node (CN) Zone.

(d) Accessory Uses. (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Wholesale, warehouse, and storage facilities.
2. Parking structures.
3. Swimming pools.
4. Satellite dish antennas, as further regulated by Section 15-8.
5. Electric Vehicle (EV) charging facilities located within a structured parking facility.
6. Home based businesses.

7. Hosted Short Term Rentals for 10 or fewer occupants, as regulated in Article 3-13 of the Zoning Ordinance.

(e) Conditional Uses. (Permitted only with Board of Adjustment approval.) Required conditions for any conditional use permitted herein shall be as follows:

15. Un-hosted Short Term Rentals and Hosted Short Term Rentals for greater than 10 occupants as regulated in Article 3-13 of the Zoning Ordinance.

Sec. 23A-5. Expansion Area Residential 1 (EAR-1) Zone.

(c) Accessory Uses.

1. Private garages and parking areas.
2. Accessory Dwelling Units, as regulated in Article 3-12.
3. Swimming pools and tennis courts, which may include a clubhouse, as approved by the Planning Commission on a final development plan, for the use and enjoyment of the surrounding neighborhood, which may also include weight training and exercise rooms, restrooms, meeting rooms, or similar facilities.
4. Home offices and home occupations.
5. Family childcare home.
6. The keeping of not more than two (2) roomers or boarders by a resident family.
7. Childcare facilities and schools for academic instruction when accessory to a place of religious assembly on the same property.
8. Non-commercial hiking and bicycling trails.

9. Hosted Short Term Rentals for ~~42~~ 10 or fewer occupants, as regulated in Section 3-13 of the Zoning Ordinance.

(d) Conditional Uses.

1. Home-based businesses.
2. Type II Childcare Center. A fenced outdoor play area shall be provided, which shall contain not less than twenty-five (25) square feet per child.
3. Temporary Real Estate Sales Offices for the sale of lots located only within the subdivision in which the sales office is located, to be removed at the end of two (2) years or when all the lots are sold, whichever comes first.
4. Clubhouse, with sale of food and merchandise, when accessory to a golf course.
5. Historic house museums.
6. Schools for academic instruction, except as permitted herein, but only when located on a lot adjacent to a street that has the functional classification of collector/boulevard or arterial.
7. Equine trails.
8. Seasonal activities.
9. Market gardens.
10. Un-Hosted Short Term Rentals and Hosted Short Term Rentals for more than ~~42~~ 10 occupants, as regulated in Section 3-13 of the Zoning Ordinance.



**American Rescue Plan Act (ARPA)
State and Local Fiscal Recovery Funds (SLFRF)**

Impact Report
Urban County Council Work Session
September 2024



LEXINGTON

www.lexingtonky.gov/ARPA
200 East Main Street Lexington, Kentucky 40507

The American Rescue Plan Act State and Local Fiscal Recovery Funds

On March 11, 2021, the ARPA SLFRF was signed into law, providing the Lexington-Fayette Urban County Government (LFUCG) funding in the amount of \$121,178,058.

Since that time, the LFUCG has invested millions of dollars into the improvement of public assets, including various facilities, parks, greenspaces, trails, roads and vehicles. The LFUCG also made unprecedented programmatic and people investments internally and with community partners.

Commitment to Our Community

The City of Lexington solicited community input to determine community need. Through community meetings, a community survey and project idea forms, the LFUCG received more than 3,200 survey responses and 970 project ideas. Community input informed funding decisions and prioritization.

Expenditure Categories

EC 1: Public Health

EC 2: Negative Economic Impacts

EC 3: Public Health - Public Sector Capacity

EC 4: Premium Pay

EC 6: Revenue Replacement

EC 7: Administrative

Total Obligated **\$113,445,244**

Total Expensed **\$91,479,869**

Projects Completed **60**

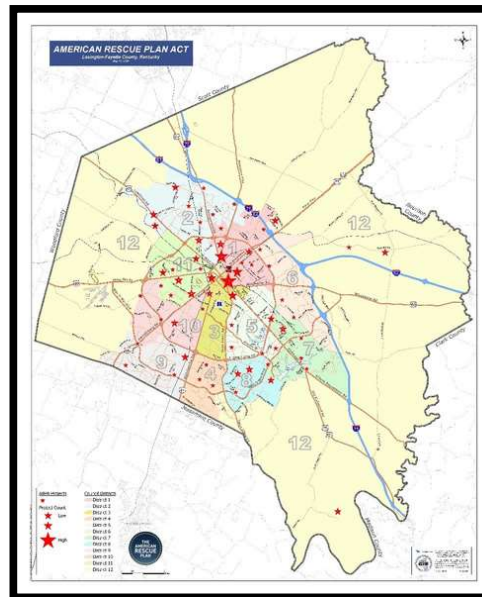
Total Projects ***86**

INVESTING IN LEXINGTON



\$121,178,058

LOCAL IMPACT



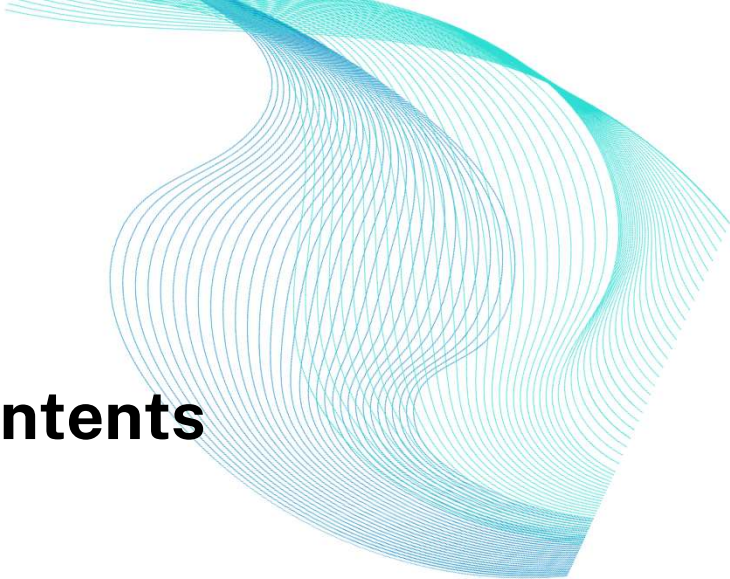


Table Of Contents



Affordable Housing



Economic Development



Non-Profits



Parks and Recreation



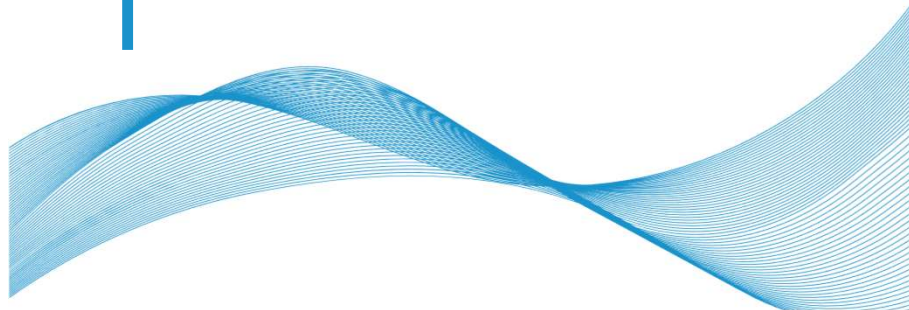
People



Programs



Public Infrastructure





Investments in Affordable Housing



***696 Units**

- Alexandria Drive Apartments
- Briarwood Lexington Housing
- Davis Park Station
- Elm Tree Lane Apartments
- Main Street Baptist Manor
- Oakdale Apartments
- Pemberton St. Apartments
- Richwood Bend Apartments
- The Flats at Woodland
- Wellington Park Apartments

INVESTING IN LEXINGTON



Investments in Economic Development

**LEGACY
BUSINESS
PARK** 

PROUDLY MADE IN LEXINGTON, KY



-
- Coldstream/Legacy Park Economic Development Grants
 - Development

INVESTING IN LEXINGTON



Investments in Nonprofit Infrastructure



-
- BCTC Dental Hygiene Clinic
 - Hope Center Transitional Housing
 - Lexington Community Land Trust Community Center
 - Marksbury Branch Lexington Public Library
 - Non-Profit Capital Grants

INVESTING IN LEXINGTON



Investments in Nonprofit Programs



- CommerceLex Minority Business Accelerator/ReflectLEX
- Explorium/Lexington Children's Museum
- Greenhouse17
- Jubilee Jobs Re-Entry Program
- LexArts
- NAMI Mental Health Court
- RadioEye
- The Lyric Theatre
- VisitLEX
- Workforce Grants



Investments in Parks and Recreation - Aquatics



-
- Castlewood Pool
 - Douglass Pool
 - Shillito Pool
 - Southland Pool
 - Tates Creek Pool
 - Woodland Pool



Investments in Parks and Recreation - Sports Courts



-
- Berry Hill Park
 - Constitution Park
 - Dogwood Park
 - Landsdowne-Merrick Park
 - Marlboro Park
 - Mary Todd Park
 - Meadowbrook Park
 - Mount Tabor Park
 - Picadome Park
 - Pine Meadows Park
 - River Hill Park
 - Shillito Park
 - Woodland Park



Investments in Parks and Recreation - Playgrounds



-
- Duncan Park
 - Elizabeth Street Park
 - Gardenside Park
 - Marty Todd Park
 - Masterson Station Park
 - Meadowthorpe Park
 - Northeastern Park
 - Pine Meadows Park
 - Trailwood Greenway
 - Woodland Park



Investments in Parks and Recreation - Maintenance



- ADA Improvements
- Carter Center
- Highlands Neighborhood Center
- Hisle Park House
- Lakeside Golf Course Irrigation
- Lou Johnson Neighborhood Center
- Masterson Station Fairgrounds
- Oakwood Neighborhood Center
- Picadome Administration Building
- Shillito Park Parking
- Southland Park Parking
- Tates Creek Community Center
- Woodhill Neighborhood Center



Investments in Parks and Recreation - Trails



-
- Buckhorn Park
 - Jacobson Park
 - Masterson Station Park
 - Raven Run Nature Sanctuary
 - Wildwood Park
 - Whitney Young Park

INVESTING IN LEXINGTON



Investments in Parks and Recreation - Facility Development and Renovation



-
- Black and Williams Gymnasium
 - Cardinal Run North Park
 - Dunbar Community Center
 - Pam Miller Downtown Arts Center
 - Phoenix Park Design
 - Valley Park Community Center
 - Woodland Park Restrooms



Investments in People



-
- ARPA Administration
 - City of Lexington Pay Supplements
 - It Takes a Village Personnel
 - Premium Pay
 - Public Sector Capacity
 - Summer Youth Job Training Program



Investments in Programs and Projects



- ADA Transition Plan
- Broadband Study
- Code Enforcement Grants
- Emergency Financial Assistance (EFA)
- Family Care Center
- Office of Homelessness Prevention and Intervention (OHPI)
- PPE Supplies
- Public Safety Investments
- Recovery Supportive Living Assistance (RSLA)
- Solarize Lexington
- Transitional Shelter
- Winter Warming Shelter

INVESTING IN LEXINGTON



Investments in Public Infrastructure



- Brighton Trail Design
- Harrodsburg Trail Design
- Jefferson Street Viaduct
- Shropshire Street Development
- Town Branch Trail Design



LEXINGTON



Upcoming

All funds encumbered by December 31, 2024.

- Council will be presented with budget amendments over coming months to ensure compliance to deadline.
- Continued financial and programmatic reporting on www.lexingtonky.gov/ARPA.
- Continued quarterly and annual reporting to the Department of the Treasury.

All funds expended by December 31, 2026.

