



## General Government & Social Services Committee

June 9, 2020

### Summary and Motions

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Committee chair, Susan Lamb, called the meeting to order at 1:02 p.m. Committee members Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Bill Farmer, Angela Evans, Fred Brown, Jennifer Reynolds, and Kathy Plomin were present.

Lamb read the following statement: “Due to the COVID-19 pandemic, state of emergency and Governor Beshear’s Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.”

#### I. Approval of February 11, 2020 Committee Summary

A motion was made by Plomin to approve the February 11, 2020, General Government & Social Services Committee summary; seconded by Evans. The motion passed without dissent.

#### II. Homeless Camps

##### a. Homeless Service System COVID-19 Response

Polly Ruddick, Director of the Office of Homelessness Prevention, and Intervention provided an overview of the encampment standard operating procedures (SOP), pointing out the resolution approved in 2019 that supported the SOP. She said Community Action Council was awarded the street outreach grant in fall 2019, who assumed responsibilities under the adopted SOP. She pointed out minor changes to the definition of a *public health concern* since this was last in committee. Ruddick reviewed removed and active encampments, reporting six removed from LFUCG property, 23 from private property, and two from federal/state property, all of which were under the guidance of SOP. She said they have slowed down the removal of encampments due to COVID-19 and outlined the number of active sites.

Next Ruddick talked about being one of the first continuum of care groups to adopt a formal preparation, mitigation, and response plan at the beginning of the pandemic and highlighted steps they have taken over the last couple of months. She pointed out the limitations for folks experiencing homelessness to abide by CDC guidelines and how they had to place rules for entry into their system, for example, non-Fayette County residents were no longer accepted and people practicing “healthy at home” but at shelters. She talked about a high-risk hotel quarantine and isolation program created after the first positive COVID-19 case in a shelter but it was never used. She said the continuum of care system was working in 21 separate locations at the end of May versus the five shelters Lexington typically has. The system has had a total of three COVID-19 cases to date. Ruddick talked about the core response team (48 people) and the community support from partners. Last, she reviewed the changes they have made due to the pandemic regarding supplies, screening and intake, street outreach, quarantine and isolation, staffing, services, the emergency winter weather plan, medical, and mental health.

Plomin asked about shelters that may have turned people away, which Ruddick explained one private shelter closed its doors. She said anyone that was turned away could have gone to the Hope Center or

the Salvation Army. Moloney asked about the number of people in active encampments. Ruddick said it is usually small, between two to three people per camp.

Per Evan's request, Ruddick explained the street outreach program consists of several different teams that work together to engage those who aren't in our shelter system and provide them access to resources such as food, basic needs, mental health, and housing. She said the goal of each engagement is to get the person into permanent housing using an individualized case plan to coordinate services. Evans talked about the exhaustive list of community partners, pointing out businesses like Temper Sealy and the Lexington Brewing & Distilling Company.

J. Brown asked about the areas of town that are seeing people congregate, why that is happening, and when services might resume. Ruddick talked about the loss of two day-shelters due to COVID-19 and the respective services they. She pointed out the state restriction for people to gather increasing to 50 will allow one day-shelter to resume their normal operating hours. She hopes this will bring some relief to the community. J. Brown spoke about people congregating, keeping people safe, current restrictions that limit where people can go to receive services, and neighborhood concerns. He asked about people coming from outside Fayette County and any opportunities related to reimbursement for the resources we provide those individuals. Ruddick said they ask people what their last permanent address was and why they came to Lexington, which most people say is because of employment or the resources Lexington provides. She said there was an increase in people from northern Kentucky at the beginning of the pandemic but that stopped once the word spread that Lexington didn't have the capacity for people from outside the county. J. Brown said this may be something we want to put in committee.

Plomin asked about folks from northern Kentucky using services in Cincinnati and Ruddick said the Lexington system is really good. Lamb suggested they remove the item from committee.

A motion was made by Farmer to remove the item of *Homeless Camps* from committee; seconded by Plomin. The motion passed without dissent.

### **III. Bluegrass Area Development District**

Keith Horn, Managing Attorney, summarized the settlement between the BGADD and the Kentucky Economic Workforce Development Cabinet explaining the state audit covered operations, expenditures, and federal grants between May 2010 and September 2013. The EWDC issued a final determination in 2016, including \$898,525 in disallowed costs. Horn said the US Department of Labor accepted the settlement terms (payment of \$315,000), which was executed in May 2019.

J. Brown asked how the settlement relates to member dues. Horn said the dues are through an agreement between LFUCG and BGADD; BGADD is a grant sub-recipient and director service provider for workforce dollars, a separate function from dues. Horn clarified the city has not paid dues FY18 through FY20; Kevin Atkins, Chief Development Officer, said the dues were held while waiting on unanswered questions, a presentation on the settlement from BGADD, as well as an update that is expected from the city's other economic development partner agencies. J. Brown confirmed the city does not anticipate COVID-19 response funds coming through BGADD.

F. Brown asked about a list of demands to get back on track with BGADD. Atkins said we have always remained a part of the BGADD and this would be discussed through a purchase service agreement. They established Chris Ford is an executive committee member and Mayor Gorton and former Council

Member Kevin Stinnett are on the at-large board. F. Brown spoke about BGADD being a regional effort and how Lexington only has one vote, which he said should take into consideration population size. He mentioned more Lexington representation and the relationship suffering. Atkins explained the administration would like to move forward with BGADD but that they have to meet the same standards we ask of other city partner agencies.

Per the administration, Atkins recommended that FY18 and FY19 member dues (a total of \$98,701), and FY20 dues (a total of \$58,600) are not paid and instead to redirect those funds to the Chief Information Officer to purchase equipment that could be filed under the CARES Act as a COVID-related expense. If the city received the full reimbursement (\$157,301), it would need to be allocated for other purposes. Melissa Lueker, Director of Budgeting, said a walk-on budget amendment is needed today at work session for the FY20 funds to allow two readings before the end of the fiscal year. She said the FY18 and FY19 dues are encumbered and do not require action today.

Moloney made a motion, seconded by Farmer, not to pay FY20 and FY21 dues but to provide another opportunity for BGADD to present to the committee. F. Brown confirmed funds are budgeted for the respective years, which Atkins explained is because the mayor hopes to move this relationship forward. F. Brown talked about BGADD being in compliance. Lamb explained FY21 budgeted funds of \$107,000 includes \$58,600 for member dues and \$48,400 for the home program, which has always been funded. Atkins said they recommend FY18-20 dues not be paid and said they could present a draft PSA to the committee but a presentation from BGADD to the committee would be required before the PSA could be executed. Moloney talked about the chances LFUCG has provided BGADD to work with the city. Moloney and Farmer withdrew their motion and second, respectively.

A motion was made by Moloney to let the administration come back with a PSA after BGADD presents to committee, to move forward with the payment of \$58,600 in FY21 following a presentation; seconded by Farmer. The motion passed without dissent.

Discussion on the motion included the following. Farmer said this motion speaks to policy and Lamb suggested the budgetary component be addressed after. She talked about the BGADD declining the invitation to present to the committee and how Mayor Gorton has worked hard to engage with BGADD.

Moloney suggested the funds remain budgeted as they have been for the last few years and noted how BGADD was told that they must come back and do a presentation addressing their status of compliance in relation to the settlement before the city would release the funds but they didn't come back. Lueker said FY18 and FY19 dues will automatically roll into FY21 unless another action is taken. FY20 dues will drop into fund balance unless the council directs the funds to a specific allocation.

Plomin recalled the presentation to committee last year and talked about her work with the organization on a couple of different projects. Atkins confirmed they presented but mentioned how the committee requested BGADD to come back and provide an update on the settlement.

F. Brown said what the city expects from BGADD for payment of member dues remains unanswered. He talked about seeing a list of items that aren't in compliance because he felt they were. Moloney said they were out of compliance a couple of years ago and they never came back to tell us they are in good standing after they were asked to. He talked about seeing official notification from the state that they are back in compliance. Susan Speckert, Commissioner of Law, said they did receive letters from two of

the three state agencies contacted last year that the issues raised in the settlement have been resolved. F. Brown said this says they are in compliance and that the administration needs to outline what the city is comfortable with to move forward.

Lamb suggested the August committee meeting could include a draft PSA and that she and Atkins would talk with the interim director. She would like the PSA to include: BGADD would be required to present a progress report outlining its activities; failure to present to committee would require withholding of payment; dues would not carry over from the previous fiscal years if requirements aren't met; there be no pending state or federal actions for unethical misspending, or disallowed cost. Atkins confirmed they could return to committee in August and that Chris Ford would follow up with the interim director, Bob Casher, adding that all are in agreement with a goal for both sides to work together. Moloney said the past member dues should not be paid.

A motion was made by Lamb to not go forward with the payment of FY18, FY19, and FY20 BGADD member dues, seconded by Moloney. The motion passed without dissent.

Discussion on the motion included the following. Per F. Brown's request, Lueker said they could close the PO for FY18 and FY19 dues, and make one budget amendment directing FY18, FY19, and FY20 dues to the Division of Computer Services for laptops or other things needed for teleworking. She said FY20 dues need to be dealt with at work session today. F. Brown said it would be okay to discuss the funds later and that this committee doesn't have the authority to deal with FY20 dues. Bill O'Mara, Commissioner of Finance, confirmed that the budget amendment just described needs to be dealt with at work session. J. Brown asked about the impact on the relationship with BGADD if we don't pay the past dues. Ford explained LFUCG is an active and engaged member, working on several initiatives, and this a matter of tying up loose ends. J. Brown talked about supporting the payment of past dues when this was discussed last year but that he supported this motion now, noting the council's concern of disproportionate representation at BGADD. He said he sees opportunity to add to Fayette County's workforce and economic development initiatives with BGADD and their resources.

A motion was made by Farmer to report the motion to not pay member dues for FY18, FY19, and FY20 to the full council at work session today and make the appropriate budget amendments; seconded by Evans. The motion passed without dissent.

#### **IV. Examination and Creation of an Employee Organ & Bone Marrow Donor Leave Program**

Moloney talked about the state passing legislation during the 2020 General Assembly to implement a donor leave program for employees that was used as an example for this proposal. John Maxwell, Director of Human Resources, said the program outlined in the draft ordinance would provide employees 240 hours (six weeks) of leave time to donate an organ and 40 hours to donate bone marrow. It would be available to all full-time employees. He said there wouldn't be a lot of employees using the leave time, citing a total of 43 living organ donations in the state last year. He recommended approval of the ordinance.

A motion was made by Moloney to create a leave category related to organ or bone marrow donation and define benefits provided under such leave category; seconded by Evans. The motion passed without dissent.

A motion was made by Moloney to remove the item of *examination and creation of an employee organ and bone marrow donor leave program* from committee; seconded by Plomin. The motion passed without dissent.

#### **V. Review of Council Rules & Procedures as it relates to Robert's Rules**

Lamb talked about some of the council rules that conflicted with Roberts Rules, which were highlighted in the council's parliamentary training last year. She would like to form a subcommittee to review potential changes and expects this can be done in two or three meetings. She said Plomin and Ellinger have volunteered. Farmer said he would serve on the subcommittee and asked about *orders of the day* but said this could be taken up in the subcommittee.

#### **III. Items Referred to Committee**

A motion was made by Plomin to remove the item of *DLP family friendly events* from committee; seconded by Evans. The motion passed without dissent.

A motion was made by F. Brown to remove the item of *city golf course analysis* from committee; seconded by Farmer. The motion passed without dissent.

A motion was made by F. Brown to remove the item of *sale/transfer of LFUCG properties and buildings* from committee; seconded by Plomin. The motion passed without dissent.

A motion was made by Ellinger to remove the item of *historic preservation* from committee; seconded by F. Brown. The motion passed without dissent.

A motion was made by Evans to adjourn (at 2:35 p.m.); seconded by Reynolds. The motion passed without dissent.

Link to video of the meeting: [http://lfucg.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=5146](http://lfucg.granicus.com/MediaPlayer.php?view_id=4&clip_id=5146)  
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