

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Tuesday, November 29, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

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

- a [1227-22](#) Table of Motions: Council Work Session, November 15, 2022

Attachments: [ws 11 15 22 motions.pdf](#)

IV. Budget Amendments**V. New Business****VI. Continuing Business/ Presentations**

- a [1228-22](#) Neighborhood Development Funds: November 29, 2022

Attachments: [NDF List 11 29 22.pdf](#)

- b [1230-22](#) Summary: Special Budget, Finance and Economic Development Committee, October 25, 2022

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

Administrative Synopsis - New Business Items

- a [1067-22](#) Authorization to amend Sections 25.52.1 and 25.55.1 of the Code of Ordinances related to Constables to address changes in state law that become effective January 1, 2023. The amendments: 1) increase and establish the amount of the bond for Constables and Deputy Constables at \$25,000.00 and \$10,000.00, respectively; 2) require authorization from the Mayor for the appointment of Deputy Constables and allow the Mayor to rescind the appointment of Deputy Constables at any time; 3) require Constables to timely file monthly activity reports; and 4) prohibit Constables and Deputy Constables from equipping vehicles with certain emergency equipment and establishing a penalty for violation. This ordinance, if passed, would take effect January 1, 2023. (L1067-22) (Ross/Speckert)
- Attachments:* [BLUESHEET.PDF](#)
 [00769395.DOCX](#)
- b [1072-22](#) Authorization to execute agreements between the LFUCG and Fayette County Public Schools (FCPS) for facility usage of Fayette County schools to provide Extended School Programs (ESP) and Recreational Enrichment and Learning Programs (REAL) for the 2022-2023 school year, at a cost of \$58,500. Funds are budgeted. (L1072-22) (Conrad/Ford)
- Attachments:* [Memo ESP Facilitron Contracts - 2022 Signed](#)
 [ESP - Stonewall Elementary - FCPS Facility Usage Contract](#)
 [ESP - Yates Elementary - FCPS Facility Usage Contract](#)
 [REAL- EJ Hayes Middle School - FCPS Facility Usage Contract](#)
 [REAL- Jessie Clark Middle School - FCPS Facility Usage Contract](#)
 [ESP - Athens Chilesburg Elementary - FCPS Facility Usage Contract](#)
 [ESP - Garrett Morgan Elementary - FCPS Facility Usage Contract](#)
 [ESP - Athens Chilesburg Elementary - Facilitron Permit](#)
 [ESP - Garrett Morgan Elementary - Facilitron Permit](#)
 [ESP - Stonewall Elementary - Facilitron Permit](#)
 [ESP - Yates Elementary - Facilitron Permit](#)
 [REAL- EJ Hayes Middle School - Facilitron Permit](#)
 [REAL- Jessie Clark Middle School - Facilitron Permit](#)
- c [1158-22](#) Authorization to approve the building lease agreement with James R. Kemper for operational and office space located at 951 Enterprise Drive, the Pump Station Maintenance Facility. Initial lease term is three years, with three one-year renewals. For the

current period through December 16, 2023, the annual cost is \$93,262.44. Funds are budgeted for FY 2023. (L1158-22) (Martin/Albright)

Attachments: [Blue Sheet Memo](#)
[Blue Sheet Memo Map](#)
[951 Enterprise - Resolution and Lease](#)
[Agreement Final Edit 11082022](#)

- d** **1163-22** Authorization to execute an amendment to an agreement with Community Action Council for the operation of expanded Intensive Street Outreach Services in the amount of \$449,162.55. Budget Amendment in process. (L1163-22) (Reynolds/Lanter)

Attachments: [23-Blue Sheet OHPI Intensive Street Outreach](#)
[First Amendment to Subrecipient Agreement \(Draft\) \(00768416xAFB4D\)](#)
[Executed Agreement](#)
[Resolution 510-2021](#)
[RFP Pkg 30-2019](#)
[Organization's Formal Proposal to RFP 30-2019](#)
[Resolution 618-2019](#)
[Contract 240-2019](#)

- e** **1165-22** Authorization to amend and restate Ordinance No. 51-217, which created the Public Infrastructure Program, in its entirety, to provide for its purpose, Program fund protection, priorities, limitations, criteria, an application process, administration by the Mayor's Chief Development Officer with oversight by the Economic Development Investment Board, and a Program fund budgeted in FY 2023 in the amount of \$3,000,000. (L1165-22) (Atkins)

Attachments: [Blue Sheet Public Infrastructure Fund Program Ordinance](#)
[INFRASTRUCTURE Policy and Guidelines - Final 11142022](#)
[INFRASTRUCTURE PROGRAM Application for Infrastructure Fund - Formsta](#)
[Ordinance 51-2017 Amendment - Public Infrastructure Program - Final \(00766](#)

- f** **1166-22** Authorization to amend Ordinance 203-80, to provide oversight of the Lexington Public Infrastructure Program by the Lexington Economic Development Investment Board. (L1166-22) (Atkins)

Attachments: [Blue Sheet Public Infrastructure Fund EDIB Oversight](#)
[INFRASTRUCTURE Draft Ordinance Amending EDIB Oversight Final 111420](#)
[INFRASTRUCTURE Oct 2022 Changes to EDIB Bylaws Final11142022](#)

- g** **1167-22** Authorization to execute a Letter of Intent with ETJ Holdings Incorporated for the sale of 1526 McGrathiana Parkway, Coldstream Research Campus, in the amount of \$1,155,000.00;

and authorization to execute a Purchase and Sale Agreement that materially complies with the Letter of Intent, as well as all other necessary and related documents; and authorization of other necessary actions related to the transfer of property. Half of the proceeds from the sale of this property (\$577,500.00) are to be utilized by the LFUCG for infrastructure improvements for the Legacy Business Park and the remaining half of the proceeds are to be transferred to the University of Kentucky. (L1167-22) (Atkins)

Attachments: [Lot 21 Coldstream - Blue Sheet - Nov 2022 \(revised\)](#)
[DRAFT Resolution - Letter of Intent and PSA ETJ Holdings Coldstream \(0076 Letter of Intent -- Lot 21 20221107](#)
[PSA Lot 21 Coldstream \(Draft\) \(00768204-2xAFB4D\)](#)

- h** **1186-22** Authorization to execute an agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. to serve as the fiscal agent for the ONE Lexington Gun Violence Prevention Grant Programming for FY2023, at a total cost not to exceed \$100,000.00, inclusive of a fiscal agent administrative fee (\$11,000.00). Funds are budgeted. (L1186-22) (Carama/Scott)

Attachments: [ONE Lexington Amended BS Memo 11.14.22](#)
[Exhibit A \(Scope of Work\) \(00768906xAFB4D\)](#)
[REVISED One Lexington Fiscal Agent PSA 11.9.22 \(00768904xAFB4D\)](#)

- i** **1187-22** Authorization to accept a Tactical Diversion Squad (Lexington) Task Force Agreement with the Drug Enforcement Administration (DEA), to allow one Lexington Police Department Officer to be assigned to the task force for the period of October 1, 2022 through September 30, 2026. No budgetary impact. (L1187-22) (Weathers/Armstrong)

Attachments: [Cover Memo - DEA Agreement- Tactical Diversion Squad \(Lexington\) Task I](#)
[DEA - Tactical Diversion Squad \(Lexington\) Task Force Agreement](#)

- j** **1188-22** Authorization to execute an agreement with the Drug Enforcement Administration (DEA), Program Funded State & Local Task Force to allow for one Lexington Police Department officer to be assigned to the DEA Program Funded State & Local Task Force for the period of October 1, 2022 through September 30, 2026. No budgetary impact. (L1188-22) (Weathers/Armstrong)

Attachments: [Cover Memo - DEA Agreement - Program Funded State and Local Task For](#)
[DEA - Program-Funded State and Local Task Force Agreement](#)

- k** **1189-22** Authorization to establish Flock Group Inc., as a sole source

vendor and execute a Government Agency Agreement and Services Agreement Order Form for the expansion of the Flock Safety Automatic License Plate Reader (ALPR) program for an additional 75 ALPR's to be installed throughout the city under a one-year agreement, at a cost of \$236,250. Funds are budgeted. (L1189-22) (Weathers/Armstrong)

Attachments: [Cover Memo - Flock Group Inc](#)
[Flock Group Inc](#)
[SOLE SOURCE CERTIFICATION - Flock Group Inc.](#)

- I** **1190-22** Authorization to execute a Memorandum of Understanding between CASA of Lexington, Inc. and the Department of Social Services, the Fayette County Family Courts, and the Fayette County Attorney's Office (FCAO) to provide statutorily required services for children in Fayette County. No budgetary impact. (L1190-22) (Allen-Bryant)

Attachments: [Bluesheet Memo CASA MOU- kab 11.9.22](#)
[CASA Family Court County Attorney Memorandum of Understanding](#)

- m** **1191-22** Authorization to approve the building lease agreement with FRM Lawson LLC for operational and office space located at 900 Enterprise Drive, the Sewer Line Maintenance facility. Initial lease term is four years, with three one-year renewals. For the period January 15, 2023, through January 14, 2024, the annual cost is \$201,286.08. Funds are budgeted for FY 2023. (L1191-22) (Martin/Albright)

Attachments: [BlueSheet Memo](#)
[900 Enterprise - Resolution and Lease](#)
[900 Enterprise Drive Lease Renewal 2022.docx](#)
[Blue Sheet Memo Map](#)
[Exhibit A 900 Enterprise lease](#)

- n** **1192-22** Authorization to enter into a License of Agreement with Transylvania University for Lexington Parks & Recreation to hold its annual Kiddie Kapers Holiday Show at Haggin Auditorium. (L1192-22) (Conrad/Ford)

Attachments: [Kiddie Kapers Haggin Auditorium Blue Sheet Memo Signed](#)
[221217-License Agreement_Mindy Stone Kiddie Kapers_vNov14](#)

- o** **1193-22** Authorization to approve an amendment to two agreements with Commerce Lexington, Inc. related to the Regional Economic Development Collective and the Accelerate Lexington program to reallocate \$142,000.00 from Accelerate Lexington to the Regional

Economic Development Collective. (L1193-22) (Atkins)

Attachments: [Blue Sheet CLEX Regional Funding 2022](#)

[Amendment to CLEX Agreements \(Accelerate and Regional Economic Devel](#)

- p** **1199-22** Authorization to execute an extension to agreement with the University of Kentucky Research Foundation (UKRF) through December 30, 2022, for the provision of evaluation services for Year 4 of the First Responders and Community Partners Overdose Prevention Project funded under the U.S. Department of Health and Human Services First Responders - Comprehensive Addiction and Recovery Act Grant Program, at no additional cost. (L1199-22) (Allen-Bryant)

Attachments: [22 - Bluesheet Memo UKRF Extension](#)

[Extension of Agreement - UKRF - Unsigned](#)

[Year 4 UKRF SAMHSA Grant contract for evaluation-Fully Executed](#)

- q** **1200-22** Authorization to execute an extension to agreement with the Lexington-Fayette County Health Department through December 30, 2022, for the First Responders and Community Partners Overdose Prevention Project funded under the U.S. Department of Health and Human Services First Responders - Comprehensive Addiction and Recovery Act Grant Program, at no additional cost. (L1200-22) (Allen-Bryant)

Attachments: [22-bluesheet memo LFCHD Extension](#)

[Extension of Agreement - Health Dept - Unsigned](#)

[Year 4 LFCHD contract to provide naloxone - Fully Executed](#)

- r** **1201-22** Authorization to execute an agreement in the amount of \$99,997 with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for Year 1 of the Expanded First Responders and Community Partners Overdose Prevention Project (EFCPOPP) funded under the U.S. Department of Health and Human Services First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA). Budget Amendment in process. (L1201-22) (Allen-Bryant)

Attachments: [23 - Bluesheet Memo UKRF](#)

[Evaluation Services Agreement UKRF EFCPOPP Year 1 \(Draft\) \(00768999x/](#)

[BA 11983 to move funds](#)

- s** **1202-22** Authorization to execute Contract Modification No. 5 with CDP Engineers, Inc. in the amount of \$86,000 for additional design services of Town Branch Trail Phase III Project, increasing the contract total to \$223,880. Funds are budgeted. (L1202-22)

(Burton/Albright)

Attachments: [23-bluesheet memo CDP CO #5](#)

[TBT 3 CO No. 5 \(For Mayor's Signature\)](#)

[Area Map TBT 3](#)

- t** **1203-22** Authorization to execute Change Order No. 2 with Gresham Smith for design services to include an emergency shower in the mechanical room for Splash! at Charles Young Park for a contracted cost of \$12,300; increasing the contract from \$182,000 to \$194,300. Funds are budgeted. (L1203-22) (Pecher/Scott)
- Attachments:** [23-Bluesheet Memo CYP Splash CO #2 Gresham](#)
[CM2_Splash_council_form_Gresham for approval](#)
[45335 Project Change Notice2_2022_9_1](#)
- u** **1204-22** Authorization to execute Change Order No. 2, with Pace Contracting, for the Splash! at Charles Young Park construction project to include changes to the emergency eye wash and shower within the mechanical pump room, increasing the contract price by the sum of \$49,447.95 from \$1,411,863.18 to \$1,461,311.13. Funds are budgeted. (L1204-22) (Pecher/Scott)
- Attachments:** [23-Bluesheet Memo CO #2 Splash!](#)
[Splash CO2 LFUCG for approval - PACE](#)
[5523 - Splash! - CO#02 Breakdown - Revised](#)
- v** **1205-22** Authorization to submit an application to the Kentucky Office of Homeland Security requesting federal funds in the amount of \$387,094 for FY 2023 from the Law Enforcement Protection Program to purchase body armor kits for all sworn officers. No matching funds required. (L1205-22) (Weathers/Armstrong)
- Attachments:** [23-BlueSheet Memo- LE Protection Program](#)
- w** **1206-22** Authorization to execute Contract Modification No. 3 to the professional services agreement with CDP Engineers in the amount of \$26,542.00 for Clays Mill Road Section 1 Improvements for additional construction administration engineering design services over and above the original scope of services, increasing the total contract price to \$844,001. Funds are budgeted. (L1206-22) (Burton/Albright)
- Attachments:** [23 - Bluesheet Memo CDP Engineering](#)
[2022 11 09 CMR1 - Contract Mod 3 - Signed](#)
- x** **1207-22** Authorization to execute an agreement with HDR Engineering, Inc. in the amount of \$249,802 for the design of Citation Boulevard

Phase III-B. Grant funds are budgeted. (L1207-22)
(Burton/Albright)

Attachments: [23-Blue Sheet Memo HDR Engineering](#)
[ESA - Citation Blvd Phase III-B 11-10-2022 - For Council](#)
[Citation Blvd Phase III-B Fee Proposal 11-4-2022 - For Council](#)

y [1208-22](#) Authorization to execute a renewal agreement with Anthem Health Plans of Kentucky, Inc. for administrative services, rates and fees within the agreement for the period beginning January 1, 2023 through December 31, 2023. Funds are budgeted. (L1208-22) (Walters/Hamilton)

Attachments: [Bluesheet Memo 23.0020](#)
[Anthem Renewal 2023](#)

z [1209-22](#) Authorization to abolish one (1) unclassified position of Engineering Technician (Grade 515N) and re-fund an existing unfunded classified civil service position of Municipal Engineer Sr. (Grade 528E) in the Division of Engineering, effective upon passage of Council. This has a 12-month future impact of a cost of \$122,149.55. The remainder of FY 23 will be funded from the division's professional services accounts. (L1209-22) (Walters/Hamilton)

Attachments: [Blue Sheet Memo 23.0019](#)
[Fiscal Impact](#)
[From To 23.0019](#)

aa [1210-22](#) Authorization to execute an Engineer Service Agreement with Strand Associates, Inc., pursuant to RFQ No. 37-2022, in the amount of \$103,652 for design engineering services for Brighton Trail Connection. Funds are budgeted. (L1210-22) (Burton/Albright)

Attachments: [23-Blue Sheet Memo Brighton Trail Connection](#)
[2022-11-16 ESA \(For Mayor's Signature\)](#)
[RFQ Pkg 37-2022](#)
[Brighton Trail Connection - Concept Map](#)

bb [1211-22](#) Authorization to execute an amendment to the agreement with Explorium of Lexington to move Community Development Block Grant program CARES Act funds to travel and supplies from salaries and fringe benefits in the amount \$9,220, to extend the period of performance to July 15, 2023, and to execute any other agreements or amendment related to the use of these funds. (L1211-22) (Reynolds/Lanter)

Attachments: [23- Blue Sheet Amendment Explorium](#)
[Amendment to CDBG-CV Agreement \(Explorium\) - Unsigned](#)

- cc** **1212-22** Authorization to accept a direct reallocation of federal Emergency Rental Assistance grant funds in an amount not to exceed \$30,000,000.00 from the U.S. Department of the Treasury and to execute sub-recipient agreements with Community Action Council and Legal Aid of the Bluegrass as necessary for continued administration of the Housing Stabilization Program. (L1212-22) (Lanter)
- Attachments:** [Bluesheet ERA2 Reallocation Acceptance](#)
- dd** **1213-22** Authorization to execute an agreement with Saint Joseph Health System in the amount of \$3,000 for use of the emergency room as a clinical practice area for the Sexual Assault Nurse Examiner Program-FY 2023. Funds are budgeted. (L1213-22) (Weathers/Armstrong)
- Attachments:** [23- Blue Sheet Amendment St Joe Health](#)
[SJHS - LFUCG SANE Agreement - Signed](#)
[SANE Data Usage Agreement Signed](#)
- ee** **1214-22** Authorization to enter into an agreement with Tyler Technologies in the amount of \$38,420 to provide a fire-driven mobile client software for the dispatching of all fire and emergency apparatus. Funds are budgeted. (L1214-22) (Wells/Armstrong)
- Attachments:** [Tyler Technologies Blue Sheet Memo](#)
[Tyler Technologies Division of Fire Contract](#)
- ff** **1226-22** Authorization to adopt a resolution amending the following sections of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council: Section 1.102 to update the initial term of appointment for certain council office staff; section 3.103 to update the time and manner of introduction; section 4.103 to remove redundant clause; and section 4.104 to update the order of business; and creating part seven (7) of the rules to formally adopt the Council Capital Project Expenditure Policy.
- Attachments:** [Rules Update Memo 11 18 22.pdf](#)
[-22 - Resolution Council Rules Amendment \(Draft\) \(00768653xAFB4D\).pc](#)