

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Packet

Tuesday, February 7, 2012

3:00 PM

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
FEBRUARY 6-FEBRUARY 13, 2012**

Monday, February 6

Fayette County Rural Land Management Board Meeting.....3:00 pm
Conference Room-12th Floor Government Center

Pension Task Force Meeting.....3:00 pm
Conference Room-3rd Floor Phoenix Building

Tuesday, February 7

General Government Committee Meeting.....11:00 am
Council Chambers-2nd Floor Government Center

Public Safety Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Council Work Session.....3:00 pm
Council Chambers-2nd Floor Government Center

Mayor's Youth Council Meeting.....5:30 pm
Conference Room-5th Floor Conference Room

Wednesday, February 8

MPO-Transportation Technical Coordinating Committee Meeting.....9:00 am
Conference Room-7th Floor Phoenix Building

Traffic Safety Coalition (TSC) Meeting.....10:30 am
Conference Room-3rd Floor Phoenix Building

Tree Board Meeting.....10:30 am
Conference Room-5th Floor Government Center

Congestion Management Committee/GLDG Meeting.....1:30 pm
Conference Room-7th Floor Phoenix Building

Thursday, February 9

Council Comprehensive Plan Goals & Objectives Work Group.....2:00 pm
Conference Room-5th Floor Government Center

Waste Management Task Force Meeting.....4:00 pm
Conference Room-5th Floor Government Center

Friday, February 10

Mayor's Task Force on Health & Wellness Meeting.....10:00 am
Conference Room-5th Floor Government Center

Monday, February 13

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS
January 31, 2012

Vice Mayor Gorton chaired today's Work Session meeting in Mayor Gray's absence. All Council Members were present except, CM Myers.

- I. Public Comment – Issues on Agenda – None
- II. Requested Rezoning / Docket Approval –None
- III. Approval of Summary – Yes

A motion by CM Ellinger to approve removing the last sentence of VM Gorton's Council Report, seconded by CM McChord, passed without dissent.

A motion by CM Henson to approve the summary of 1.24.12 Work Session was seconded by CM Farmer and passed without dissent.

- IV. Budget Amendments – None

A motion by CM Blues to return to the docket journal entry # 57575, seconded by CM Beard, passed without dissent.

- V. New Business

- A. Authorization to execute an Assistance Amendment to the award from the Environmental Protection Agency, under the Consolidated Appropriations Act of 2008, for the South Elkhorn Pump Station project. (L071-12) (Gooding/Bush)
- B. Authorization to accept 27 fee simple right of way and temporary construction easements from owners of record needed for the Tates Creek Road Sidewalk Improvements Project. (L077-12) (Gooding/Bush)
- C. Authorization to approve a Class A Incentive Grant with Martin Luther King Neighborhood Association, Inc. funded by the Water Quality Management Fee. (L082-12) (Martin/Bush)
- D. Authorization to execute a Treasury Consulting Services Agreement with PFM Asset Management, LLC to assist in the RFP and selection of a financial institution for primary banking services to LFUCG. (L081-12) (Driskell)

- E. Authorization to execute a Facility Usage Agreement with the Fayette County Board of Education for use of the Winburn Middle School Gymnasium for the Winburn Community Center Learning program. (L083-12) (Hancock/Hamilton)
- F. Authorization to execute Agreement with the Kentucky Office of Homeland Security for the continuation of the communications grant project. (L084-12) (Gooding/Mason)
- G. Authorization to approve a Consultant Service Agreement with GRW, Inc. to provide engineering design services to 3 elevators in the Phoenix Building and 4 elevators in the Police Headquarters building. (L085-12) (Hamilton)
- H. Authorization to approve the Alarm Contract and Addendum with Sonitrol of Lexington, Inc. for improvements to the alarm system at the Technical Services Unit facility. (L091-12) (Bastin/Mason)
- I. Authorization to execute a Paramedic Training Agreement between LFUCG Division of Fire and Emergency Services and Madison County Emergency Medical Services (MCEMS). (L095-12) (Jackson/Mason)
- J. Authorization to submit a grant application to the U.S. Department of Justice requesting federal funds under the Intellectual Property Theft Enforcement Program. (L098-12) (Gooding/Mason)

A motion by CM Ellinger to approve the new business items, seconded by CM Beard passed without dissent.

VI. Continuing Business / Presentations – Yes

A. NDF Motion

A motion by CM McChord to approve the NDF list, seconded by CM Blues, passed without dissent.

B. 1.10.12 General Government Committee Update

This update was given by Chair CM Lane. There were no motions to come forward.

C. 1.17.12 Social Services & Community Development Committee Update

This update was given by Vice-Chair CM Henson. CM McChord asked to speak so he could clarify the golf management report out. There were no motions to come forward.

VII. Council Report

CM Martin- Stated that today at 4pm was the deadline for filing to run for Council and that he will not be running again; 4 years was plenty for him; he said that he has a new level of respect for the CMs who do this; also said that it was a sincere privilege and honor to serve with these CMs; mentioned that Judge Shepherd has issued an injunction on the filing deadline for legislative offices. Asked Comm. Mason about the director position of Community Corrections; *requested that Comm. Graham come back and discuss if the Dir of Community Correction can be under the mayor –like a commissioner position-what has to happen?*

CM Henson- Stated that we have an excellent Council and those who are not hanging in there will be missed; stated that she has a concern about Community Corrections and their recently passed collective bargaining agreement and the hiring of a director; Comm. Mason answered her questions

CM Lawless- Asked questions about Community Corrections also; reminded everyone who lives in the Imperial precinct that was in Dist. 11 area is now in District 3 along with those in the Triangle Park precinct.

CM Kay- Invited colleagues to Cosmic Charlie- he will be judging whiskers contest.

CM McChord- Stated that next week there will be an opportunity to gain ground on the Clays Mill project by closing it down for maybe a day or two.

VM Gorton- *Requested a presentation on 2.14.12 for the Community Correction bargaining agreement*

VIII. Mayor's Report –None

IX. Public Comment – Issues not on the agenda – None

X. Adjournment

A motion by CM Stinnett to adjourn, seconded by CM Crosbie, passed without dissent.

Work Session adjourned at 3:36 pm.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
WORK SESSION AGENDA
February 7, 2012

- I. Public Comment – Issues on Agenda
- II. Requested Rezoning / Docket Approval – None
- III. Approval of Summary – Yes, January 31, 2012, pp. 1-3
- IV. Budget Amendments –None
- V. New Business – Yes, pp.6-11
- VI. Continuing Business / Presentations – Yes
 - A. NDF List, p.12 (motion needed)
 - B. 1.24.12 Planning & Public Works Committee Update-CM Farmer, pp.13-15
 - C. 1.31.12 Environmental Quality Committee Update-CM Blues, pp.16-17
 - D. 1.31.12 Budget & Finance Committee Update-CM Ellinger^(separate)
 - E. Marathon Health Update-Melissa Luecker, CAO Office, pp.18-19
 - F. Parking Garage Proposal Presentation-Comm. Hamilton, pp.20-29
- VII. Council Reports
- VIII. Mayor’s Report – None
- IX. Public Comment – Issues Not on Agenda
- X. Adjournment

ADMINISTRATIVE SYNOPSIS

February 7, 2012

New Business Items

- A. Authorization to accept a donation from the United Way of the Bluegrass to support the Central Kentucky Empowerment Project (CKEEP) for tax preparation for the 2011 tax year. (L104-12) (Mills)
This is a request to accept a donation in the amount of \$2,705.58 from the United Way of the Bluegrass to support the Central Kentucky Empowerment Project (CKEEP) for tax preparation for the 2011 tax year.**p.6**
- B. Authorization to approve the Department of Environmental Quality and Public Works sponsoring the Lexington Philharmonic's concert, "The Planets." (L111-12) (Bush)
This is a request to approve the Department of Environmental Quality and Public Works sponsoring the Lexington Philharmonic's concert, "The Planets", in the amount of \$2,500.00. Funds are budgeted.**p.7**
- C. Authorization to approve a payment adjustment owed to employees of Tobacco Rose Farm due to prevailing-wage requirements. (L118-12) (Martin/Bush)
This is a request to approve a payment adjustment in the amount of \$117,481.38 owed to employees of Tobacco Rose Farm due to prevailing-wage requirements (SSA Group 1 sewer shed field activities - manhole raising). Actual payment will be made to the Kentucky State Treasurer. Funds are budgeted.**pp.8-9**
- D. Authorization to execute an agreement with Judy Construction for West Hickman WWTP Improvements Clarifier #8 Modifications/Repairs. (L119-12) (Martin/Bush)
This is a request to execute an agreement with Judy Construction for West Hickman WWTP Improvements Clarifier #8 Modifications/Repairs at a cost in the amount of \$231,500.00. Funds are budgeted.**p.10**
- E. Authorization to execute an Airspace Agreement with Earthman, LLC (for the benefit of Alltech) for installation of a pipe bridge over the right-of-way of Cross Street. (L134-12) (Rayan/Bush)
This is a request to execute an Airspace Agreement with Earthman, LLC (for the benefit of Alltech) for placement of an overhead pipe bridge over the right-of-way of Cross Street at no cost to LFUCG.**p.11**

L104-12



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

TO: Mayor Jim Gray
Richard Maloney, COA
Members of the Council

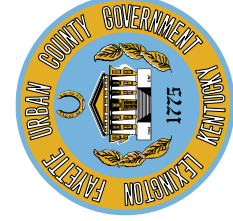
FROM:

Beth K. Mills
Beth K. Mills, Commissioner of Social Services

DATE: January 24, 2012

RE: United Way of the Bluegrass Donation

Request Council authorization to accept a donation from the United Way of the Bluegrass in the amount of \$2,705.58 to support the Central Kentucky Empowerment Project (CKEEP) in tax preparation for the 2011 tax year. Council approved an MOA with IRS for this program on December 6, 2011.



Jim Gray
Mayor

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Susan Bush
Acting Commissioner

MEMORANDUM

To: Jim Gray , Mayor
Richard Moloney, CAO
Urban County Council

From: Susan Bush, Acting Commissioner
Department of Environmental Quality & Public Works

Date: January 25, 2012

Re: Sponsorship of “The Planets” Concert by Lexington Philharmonic

The Department of Environmental Quality and Public Works seeks approval to provide \$2,500 in funding to the Lexington Philharmonic to support the concert, “The Planets.” If approved, this sponsorship will provide for a Live Green Lexington display, as well as a venue for citizens to see projects completed by EcoArts grant recipients. The concert is scheduled for May 11, 2012.

This support is in keeping with our overall program of environmental education and outreach. Funding for this request is available under the following account: 4002-313103-3152-71299-2012.

SB:db



Jim Gray
Mayor

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL QUALITY

Susan Bush
Acting Commissioner

Memorandum

To: Mayor Jim Gray
Urban County Council

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

Date: January 25, 2012

Re: Kentucky Labor Cabinet – Tobacco Rose Farm Payroll audit (SSA Group 1)

The purpose of this memorandum is to request a resolution authorizing the acceptance of a payment adjustment, in the amount of \$117,481.38, owed to employees of Tobacco Rose Farm, due to prevailing wage requirements (SSA Group 1 sewershed field activities-manhole raising). An audit conducted by the Kentucky Labor Cabinet determined that LFUCG erroneously awarded the SSA Group 1 contract as a professional services contract when it should have been classified as a skilled labor contract, which requires prevailing wage rates when the contract value exceeds \$250,000.

Actual payment should be made to the Kentucky State Treasurer. Funds are budgeted in 4003-303401-3425-71205 Project: SSAGROUP1_2009 and Activity: CONSENT_DE.

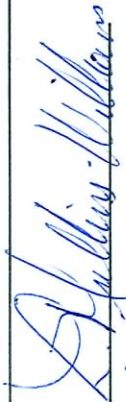
Questions regarding this agreement should be directed to LaJoyce Mullins-Williams at 425-2580.

Cc: Susan Bush, Acting Commissioner, Department of Environmental Quality
Rodney Chervus, P.E., Collection and Conveyance Manager, Division of Water Quality
Brian Marcum, Director, Central Purchasing
LaJoyce Mullins-Williams, Project Engineering Coordinator, Division of Water Quality

L118-12

CONTRACT HISTORY FORMContractor: Stantec Consulting Services (Tobacco Rose Farm payroll audit - SSA G1)Project Name: Sewer System Assessment (SSA) Group 1Contract Number and Date: 518-2008Responsible LFUCG Division: Division of Water QualityCHANGE ORDER DETAILS

<u>Summary of Previous Orders To Date</u>	<u>Change</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:		\$ 5,297,896.10	
B. Cumulative Amount of Previous Change Orders:		\$ 0.00	0% (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:		\$ 5,297,896.10	
<u>Current Change Order</u>			
D. * Amount of This Change Order:		\$ 117,481.38	2% (Line D / Line A)
E. New Contract Amount Including this Change Order:		\$ 5,415,377.48	102% (Line E / Line A)

SIGNATURE LINESProject Manager:  Date: 1/25/12Reviewed by:  Date: 1.25.12

Division Director: _____ Date: _____

* Please note that the Kentucky Labor Cabinet determined that a payment adjustment in the amount of \$117,481.38 was owed to employees of Tobacco Rose Farm, due to prevailing wage requirements.



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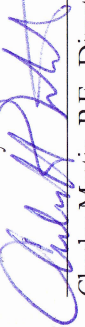
L119-12

Jim Gray
Mayor

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Susan C. Bush
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles Martin, P.E., Director

Date: January 23, 2012

Re: Request authorization to execute an agreement with Judy Construction for West Hickman WWTP Improvements Clarifier #8 Modifications/Repairs per the attached Settlement Agreement and Release.

Clarifier #8 at the West Hickman Wastewater Treatment Plant was damaged in a flood in September 2006. Through mediation, completed in September 2011, this claim was settled with Judy Construction and Tetra Tech per the Settlement Agreement and Release attached. Judy Construction has agreed to complete the modifications/repairs of Clarifier #8 for \$231,500.00.

This mediation agreement provides for an \$85,000 lump sum payment from Judy Construction and Tetra Tech to FM Global for final settlement of LFUCG's claim. The mediation also concluded that the LFUCG claims-fund was responsible for damage equaling \$101,038. Lastly, the Division of Water Quality is recommending additional measures that include:

- Extra pressure relief valves (PRVs)
- Ground water monitoring wells

These additional measures will decrease the likelihood of future damage to the clarifier. The cost of these additional measures is \$45,462, which will be paid from the division's capital account.

Because the LFUCG claim fund does not cover the additional measures described above, two accounting streams are shown below.

DWQ Accounting	4002 303403 0001 91017	\$45,462.00
Claims Accounting	6021 160906 0001 73204	<u>\$186,038.00</u>
Total		\$231,500.00

Questions regarding this agreement should be directed to Tiffany Rank, P.E. at 425-2406.

pc: Susan Bush, Acting Commissioner, Department of Environmental Quality
Ed Gardner, Department of Law
Thomas Sweeney, Department of Law
Tiffany Rank, P.E., Division of Water Quality



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT

Jim Gray
Mayor

Susan Bush
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: 
Marwan A. Rayan, P.E.
Urban County Engineer

VIA: _____
Susan C. Bush
Acting Commissioner

DATE: January 30, 2012

RE: Requesting Authorization to Execute an Airspace Agreement between LFUCG and Earthman, LLC for the use of the airspace over Cross Street.

The agreement between LFUCG and Earthman, LLC will allow Alltech to install a pipe bridge over Cross Street. This agreement will require the Mayor's signature.

MAR:MYS

c: Susan Bush, Acting Commissioner, EQ & PW
Ed Gardner, Department of Law

Eng/Rayan/MemoMayorAirspaceAgreement

Neighborhood Development Funds
February 7, 2012
Work Session

Amount	Recipient	Purpose
\$ 50.00	March Madness Marching Band 125 Edgemoor Drive Lexington, KY 40503 Lori Houlihan	Funding to assist with transportation to the HonkTX festival in Austin, Texas
\$ 325.00	Forest Ridge Maintenance Association, Inc. 3410 Spangler Drive, #22 Lexington, KY 40517 Pat Lacovara	Funding for the repair of a storm drainage pipe
\$ 500.00	Lansdowne Neighborhood Association, Inc. 3289 Bellefonte Drive Lexington, KY 40502 Sonny Wray	Funding for neighborhood history project and beautification efforts
\$ 325.00	Belleau Wood Neighborhood Association, Inc. 3805 Forest Green Drive Lexington, KY 40517 Judy Simpson	Funding for publishing of newsletter and other neighborhood projects
\$ 650.00	Beaumont Residential Association, Inc. 3249 Sebastian Lane Lexington, KY 40513 Wendell Followell	Funding for trail signage project
\$ 700.00	American Lung Association of Kentucky, Inc. 1950 Arlington Lane Columbus, OH 43228 Bill Cole	Funding to assist cycling group Team One with fundraising
\$ 50.00	Lexington Citizen Police Academy Alumni Association, Inc. 150 East Main Street Lexington, KY 40507 Debbie Wagner	Funding to sponsor officers attendance to the 2012 Police Awards Banquet



URBAN COUNTY COUNCIL

Planning & Public Works Committee Summary/Table of Motions January 24, 2012 1:00 p.m.

Committee Chair, CM Farmer called the meeting to order at 1:03 p.m. Committee members Vice Mayor Gorton, CMs Ellinger, Kay, Ford, Blues, Martin, Henson and Beard were all present. CM Lawless was absent.

Also present were Chris King, Keith Horn, Rick Curtis, Paul Schoninger and Bill Lear.

1. Design Excellence Task Force—Tom Blues (1-17)

CM Tom Blues presented an interim report from the Design Excellence Task Force, which included a proposed outline and principles for a Downtown Design Excellence Program. Blues stated that several reports and studies led toward the formation of the task force, whose charge was to work on form-based and/or design-based codes, primarily focusing on the downtown area.

Since September 2010, the task force met and determined there is a need to permit, encourage and inspire design and infill of existing space using consistency to “build a great American city.” Blues stated that creativity should not be limited by government guidelines; guidelines should not stifle creativity. Blues presented a video in which several of the task force members expressed their desire to encourage development.

Chris King followed CM Blues with a Power Point presentation that detailed the focus area of the task force. King stated that there are design mechanisms already in place for infill development: Existing H-1 Districts; Existing Courthouse Design Overlay; and Existing Newtown Park Overlay. King said there needs to now be exploration into areas of potential for infill as business zones.

King stated that some of these existing zones overlap, and H-1 Districts will take precedence over anything implemented in the future. King said that there is potential to the Courthouse Design Overlay to make applicable a larger portion of the downtown area. For the next step in the process, King described

Phase 1 of the program as one designed to address this area and the permitting process that goes with it.

King discussed the proposed principles and guidelines for a Downtown Design Review Program with emphasis that the guidelines should promote flexibility in achieving excellence and should not force architectural conformity to any particular stylistic preferences. He stated that the guidelines should be tested before implementation and staff driven rather than by the public with exceptions made only on a case-by-case basis. Some exceptions will have public vetting.

Task force member Bill Lear distributed a document titled, *Downtown Walking Tour; Greenville, South Carolina* citing Greenville, S.C. as a city that Lexington should emulate in regard to development. Lear expounded upon the merits of public/private partnerships, “fronting the cost of structures” and government assistance during the development process. He suggested that tax relief could come through waste management provisions during construction projects.

CM Blues concluded the presentation with an explanation of the next steps as referenced in the presentation packet and stated that the committee could expect a final report by the end of the year. **CM Farmer requested that another report be made to the committee before that time.**

CM Martin asked if demolition rules and regulations will be addresses by the task force. Blues answered in the affirmative.

2. **Harboring Animals—Beard (18)**

CM Beard explained that the item is before the committee due to a horse formerly stabled by constituent in the 4th District on land inadequate for proper care and maintenance of the animal. Beard stated that the change in ordinance was a co-effort with CM Kay. CM Kay stated that enabling urban agriculture did present limitations, but exceptions were to be allowed.

Keith Horn was asked to provide the reasoning behind the changes. Horn stated that the original draft of the ordinance was “looked at” by the Community Advisory Committee, and the language seemed to address a problem that did not exist. The Lexington Humane Society provided some input for the changes, with language prohibiting all farm animals other than Pygmy breeds.

CM Farmer asked what jurisdiction requested that horses be prohibited. Horn responded that Animal Care and Control had concerns about their ability to care for animals that would be removed under the revised ordinance.

VM Gorton asked Horn if he had crafted the language in the ordinance. He responded that he did not. VM Gorton suggested that hogs versus pigs as well as fines should be addressed.

CM Stinnett questioned the necessity to address the ordinance, considering that the language mainly concerns Pygmy breeds. CM Kay responded that the need stems from increased interest in urban agriculture.

CM Beard asked Rick Curtis for an update on the horse removed from the property in the 4th District. Curtis stated that the horse has been relocated and the property continues to be monitored. He added that the Lexington Humane Society has limited resources and a solution must be found as or if this ordinance moves forward.

CM Farmer stated that the item should remain in committee and under advisement from the Department of Law for the time being. CM Beard stated that discussion should continue to thwart the release of Pygmy breeds that are released once the owner no longer wishes to assume responsibility, referencing Pygmy pythons as a potential problem.

3. Comprehensive Plan Work Group Update—Farmer

CM Farmer advised the committee that the Comprehensive Plan Work Group has been going through the Comprehensive Plan Goals and Objectives line by line adjusting verbiage to best fit the needs of the City of Lexington for the next five years. The work group plans to finish its assessment of the plan by March.

4. Valley View Ferry—Environmental Quality Committee

Paul Schoninger told the committee that he has been in discussion with the Valley View Ferry Authority regarding the future of the program, and without funding from LFUGG the ferry will “cease to exist.” He stated that the administration made an error in its recommendation to exclude funding from the FY12 Budget based on incorrect or a lack of information. **Both VM Gorton and CM Beard requested that CAO Richard Maloney present revenue numbers and ridership information at the next committee meeting.**

No items were referred to committee.

Motion to adjourn by VM Gorton; seconded by CM Blues.

The meeting was adjourned at 2:25 p.m.

ENVIRONMENTAL QUALITY COMMITTEE
January 31, 2012
Summary

Chair Blues called the meeting to order at 1:05 PM. All members were present except, Myers & Martin. Kay was also present and part of the quorum.

1. Stormwater Program Update

Charles Martin provided an update on the stormwater program. He discussed the performance standards and the supplemental environmental program both the Consent Decree as well as Fund 4051 financial data and other water quality initiatives.

Mr. Martin discussed the stormwater flooding priority list. He stated that there are still 52 outstanding uncompleted projects with an estimated capital cost of \$ 122 million. He stated that the consent decree mandated that LFUCG spend \$ 30 million by January 2021 on the priority list projects,

Mr. Martin also discussed the litter collection initiative and its impact on water quality. He also discussed the incentive grant projects awarded to community groups and commercial entities used to support water quality initiatives.

Vice Mayor Gorton asked about Fund 4051 (Water Quality Fund) and what makes up the 29% of the budget that is not under the direct control of the Division of Water Quality.

Councilmember Stinnett asked about the Fund Balance in the Water Quality Fund. Stephen Mullins attempted to address the questions and stated that he would get additional information to the Committee.

Councilmember Stinnett also asked about the bonding capacity within the Water Quality Fund.

Councilmember Stinnett asked about the Coldstream project and how that project was started when others with a higher priority have not been completed.

Councilmember Henson asked about litter control education.

Councilmember Kay asked about the Coldstream Supplemental Environmental Project. He asked about sustainability and long term maintenance issues.

Councilmember Farmer asked about the Lexington Mall property.

Councilmember Blues asked about the Water Quality fund balance.

2. Greenway Program Responsibilities

Susan Bush discussed the greenway program. She addressed the maintenance budget, planning & acceptance policies, greenway coordination, the Greenway Manual update, and provided Administration recommendations for the future.

Councilmember Stinnett asked about the maintenance budget. He recommended that it be one line item rather than spread over several divisional budgets.

Vice Mayor Gorton asked about the number and scope of trails. She also asked about master plan status.

Councilmember Farmer asked about the policy to defer accepting new greenways. In response Keith Lovan stated that the property is being held by the developer or the homeowner association.

Vice Gorton stated that she was in favor of that new policy.

Councilmember Blues asked about next steps. In response Ms Bush stated that the appointment of a Greenway Coordinator and formalizing the greenway coordinating committee were the top priorities.

3. Financial Reports

Councilmember Lane asked a question about the financials and wanted greater detail on some of the categories.

CAO Moloney stated that the Finance representative had to leave the meeting but the Administration will get the requested data.

Mr. Martin addressed his division's budget component of the Water Quality Fund.

4. Public Comment

Edward Kuske spoke about the water quality fee.

The meeting was adjourned at 2:25 PM.

The next Environmental Quality Committee meeting is scheduled for February 28, 2012.

Marathon Update

February 7, 2012

Marathon Update

- Grand Opening January 11, 2012
- 266 Patient Encounters
- Retiree Eligibility
- Setting an Appointment

Dr. Samuel Brown Health Center
for City of Lexington Employees

100 Trade Street
Suite 155
Lexington, KY 40511

M, W, F 8 – 5
T, Th 8 – 7
Sat 8 – 12



To schedule an appointment call
(859) 425-2555 or go online:
www.marathon-health.com/myphr

Parking Garage Proposal: Transfer Ownership and Management to the Lexington Parking Authority

LFUCG Council Work Session
February 7, 2012

City Owned Parking Garages



Transit Center
Age 17, 777 spaces



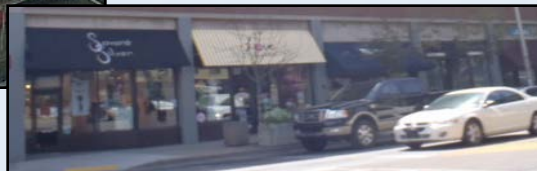
Annex
Age 45, 380 spaces



Government Center
Age 50+, 130 spaces



Victorian Square
Age 27, 380 spaces



Broadway Shops
Five Store Fronts



District Courthouse
Age 15, 518 spaces

Benefits of the Transfer to the Lexington Parking Authority

- Overdue capital maintenance and repairs cannot be addressed without a plan and proper funding. LFUCG doesn't have the necessary resources to make these structures whole.
- Public safety comes first. The existing potential liabilities of the garages far exceed the property values.
- The Lexington Parking Authority was established to manage, maintain/repair, and operate the city's parking facilities. It's business is garages. LFUCG's responsibility is to deliver basic services to all citizens in the most efficient and cost effective manner.
- The fundamental goal is to offer good parking downtown to support downtown businesses and events.

23 Lexington Parking Authority History

- LFUCG passes Resolution 300-80 allowing for a parking authority in 1980.
- In 2005, LFUCG empowers authority through Ordinance 329-2005 and later in 2006, approves a five member board.
- Purpose - acquire, own, maintain, operate, repair, and manage new and existing parking facilities.
- Mission - provide, maintain and operate adequate, high quality, customer-focused public parking and encourage economic growth for the benefit of the residents, businesses and visitors of Lexington-Fayette County.

24 Capital Maintenance & Repair Cost

Garage	Age	Initial	2011	Increase
Annex	45	\$2,152,000 (2006)	\$3,410,000	\$1,258,000 or 36%
Victorian	27	\$637,000 (2006)	\$318,000	Cost reduction reflects repairs made in 2007.
Transit	17	\$880,000 (2007)	\$1,296,000	\$416,000 or 32%
Courthouse	15	\$372,000 (2008)	\$558,000	\$186,000 or 33%
Government	50+	\$1,396,000 (2006)	\$2,145,000	\$749,000 or 35%
Total:		\$5,437,000	\$7,727,000	\$2,290,000 or 42 %

**Garages listed in the order of planned repairs. 2011 cost based on evaluations to achieve 15-20 year life cycle.*

Estimated Replacement Cost

Facility	Total # of Parking Spaces	Total Sft.	Estimated Construction Cost	Estimated Infrastructure Cost	Estimated Demolition Cost:	Estimated Soft Costs @ 18 %	Estimated Project Cost
Annex	380	171,600	\$5,700,000	\$514,800	\$1,029,600	\$1,026,000	\$8,270,400
Victorian	382	152,400	\$5,730,000	\$457,200	\$914,400	\$1,031,400	\$8,133,000
Transit	777	280,000	\$11,655,000	\$840,000	\$1,680,000	\$2,097,900	\$16,272,900
Courthouse	518	218,120	\$7,770,000	\$654,360	\$1,308,720	\$1,398,600	\$11,131,680
Government	130	69,540	\$1,950,000	\$208,620	\$417,240	\$351,000	\$2,926,860
Total:	2,187	891,600	\$32,805,000	\$2,674,980	\$5,349,960	\$5,904,900	\$46,734,840

Note: The estimated project costs are based on cast-in-place, post-tensioned concrete slabs supported by post-tensioned beams & reinforced columns system.

The estimate does not include any potential environmental remediation costs.

The cost estimate assumes that the new structures are constructed on the same location and footprint (no additional land acquisition).

Proposed Transfer of Ownership of Garages to the Lexington Parking Authority

Memorandum of Agreement

- Transfers ownership, management, repair, and/or maintenance of parking facilities “**as is**” to the Lexington Parking Authority.
- Transit, Annex, and Victorian transfer occurs concurrent with execution of management agreement. Courthouse transfers after final debt service payment (2032).
- Real property or “Broadway Shops” transfer with the Victorian Garage.
- Transfer includes leases, subleases, management agreements, contracts, and any other documents which restrict use or operation of any of the facilities or parking spaces.

Memorandum of Agreement

- Parties work together on financing repairs. The Lexington Parking Authority is primarily responsible for payment of debt issued for repairs.
- Repairs planned in the following order: Annex, Victorian, Transit, Courthouse, and Government Center.
- Public parking spaces will be repaired first.
- LFUCG's Commissioner of Finance added as voting member to the Parking Authority's Board prior or concurrent with execution of management agreement.

Memorandum of Agreement

- All current employees will continue to park at no cost. Employees hired or transferred downtown after the agreement may pay the Lexington Parking Authority 50% of the current market parking rate for their space.
- The Lexington Parking Authority will work with users on the operations, cost and management of spaces, including validated parking.
- Anyone providing services to LFUCG as a board or commission member will be provided parking at no cost.
- The Lexington Parking Authority carries liability insurance for itself, its employees and all structures.

Memorandum of Agreement

- LFUCG has right of first refusal on the sale or transfer of each of the parking facilities.
- LFUCG can reacquire each parking facility based on payment or assumption of any outstanding debt related to the payment of any improvements or repairs mutually agreed upon.
- The Lexington Parking Authority will report annually to the Urban County Council.
- Finally, the Lexington Parking Authority Board has approved this MOA.