

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, May 13, 2014

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
May 12 – May 19, 2014**

Monday, May 12

General Services Link Meeting.....1:00 pm
Caucus Room – 2nd Floor Government Center

Finance & Social Services Link Meeting.....1:00 pm
Conference Room – 5th Floor Government Center

Tuesday, May 13

Environmental Quality Committee - CANCELLED.....11:00 am
Council Chamber – 2nd Floor Government Center

General Government Link Meeting.....11:30 am
Conference Room – 5th Floor Government Center

Economic Development COW.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, May 14

Transportation Technical Committee.....9:00 am
Conference Room – 7th Floor Phoenix Building

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

Courthouse Area Design Review Board.....2:00 pm
Council Chamber – 2nd Floor Government Center

Thursday, May 15

Corridors Commission.....11:00 am
Conference Room – 5th Floor Government Center

General Services Link.....1:00 pm
Caucus Room – 2nd Floor Government Center

Friday, May 16

General Services Link.....1:00 pm
Caucus Room – 2nd Floor Government Center

Monday, May 19

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
May 6, 2014**

Mayor Gray called the meeting to order at 3:00pm. Council Members Gorton, Ellinger, Kay, Ford, Akers, Lawless, Beard, Farmer, Stinnett, Scutchfield, Myers, Clarke, Henson and Lane were present. Council Member Mossotti was absent.

I. Public Comment – Issues on Agenda

Mayor Gray opened a public hearing on Urban Services District changes at 3:05pm. No one was present to speak and the hearing was closed at 3:05pm.

II. Requested Rezonings/Docket Approval

Motion by Farmer to approve the docket for the May 8, 2014 Council meeting. Seconded by Gorton. Motion passed without dissent.

Motion by Henson to place on the docket for the May 8, 2014 Council meeting under first reading of ordinances, an ordinance creating a fine of \$250.00 for parking in designated Handicap Access Aisles. Seconded by Ellinger. Motion passed without dissent.

Motion by Stinnett to place on the docket for May 8, 2014 Council meeting, a resolution ratifying the unclassified civil service appointment of David Holmes, Commissioner of Environmental Quality and Public Works, Grade 211E, \$4,511.538 bi-weekly, effective June 2, 2014. Seconded by Beard. Motion passed without dissent.

Motion by Beard to place on the docket for the May 8, 2014 Council meeting a resolution to execute the Purchase of Service Agreement with the Bluegrass Area Development District for FY2014 in the amount of \$75,110. Seconded by Gorton. Motion passed without dissent.

III. Approval of Summary

Motion by Farmer to approve the summary. Seconded by Scutchfield. Motion passed without dissent.

IV. Budget Amendments

Motion by Beard to approve budget amendments. Seconded by Scutchfield. Motion passed without dissent.

V. New Business

Motion by Gorton to approve new business. Seconded by Myers. Motion passed without dissent.

VI. Continuing Business/Presentations

Motion by Henson to approve the LexTran budget for FY2015 and place it on the docket for the May 8, 2014 Council meeting. Seconded by Beard. Motion passed without dissent.

VII. Council Reports

Motion by Gorton to schedule a special meeting of the Urban County Council on Tuesday, May 27, 2014 at 3:00pm for the purpose of having a public hearing on the Mayor's proposed budget, the Municipal Aid Program Fund, the Coal Severance Fund, the County Road Aid Fund and the Mineral Severance Fund. Seconded by Scutchfield. Motion passed 10-0. Council Members Ellinger, Ford, Stinnett and Lane were absent for the vote.

Motion by Farmer to place the fiberoptic technology issue into the Planning & Public Works Committee. Seconded by Lawless. Motion passed 10-0. Council Members Ellinger, Ford, Stinnett and Lane were absent for the vote.

VIII. Mayor's Report

Motion by Gorton to approve the Mayor's report. Seconded by Scutchfield. Motion passed 10-0. Council Members Ellinger, Ford, Stinnett and Lane were absent for the vote.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Gorton to adjourn. Seconded by Kay. Motion passed 10-0. Council Members Ellinger, Ford, Stinnett and Lane were absent for the vote.

**Lexington-Fayette Urban County Council
Work Session Agenda
May 13, 2014**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval**
- III. Approval of Summary – Yes, p. 1-2**
- IV. Budget Amendments – Yes, p. 8-10**
- V. New Business – Yes, p. 11-44**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, May 13, 2014, p. 45-46
 - b** Budget Committee of the Whole, April 22, 2014 Summary, p. 47-54
- VII. Council Reports**
- VIII. Mayor's Report - Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0413-14** Authorization to approve a change order to agreement with EC Matthews, Co., Inc. for replacement of the arch entryway at the Division of Community Corrections. (L0413-14) (Ballard/Mason)
This is a request to approve a change order to agreement with EC Matthews, Co., Inc. for an amount of \$19,420 for replacement of the arch entryway at the Division of Community Corrections. This increase brings the new total cost of the project to \$97,725. Funds are budgeted. p. 11-13
- b** **0414-14** Authorization to execute agreement with Siemens Industry, Inc., a sole source provider, for annual maintenance of the fire alarm at the Division of Community Corrections. (L0414-14) (Ballard/Mason)
This is a request to execute agreement with Siemens Industry, Inc., a sole source provider, for annual maintenance of the fire alarm at the Division of Community Corrections for a term of five (5) years beginning March 15, 2014. The cost for the first year is \$24,635. Funds are budgeted. p. 14
- c** **0433-14** Authorization to execute Amendment No. 1 to Lease Agreement with Alfalfa Restaurant, LCC, for annual rent increase for space within the Downtown Arts Center. (L0433-14) (Reed)
This is a request to execute Amendment No. 1 to Lease Agreement with Alfalfa Restaurant, LCC, to specify that all future payments for natural gas utility service to the restaurant shall be paid by the Tenant. Payments shall commence on July 1, 2014 and in exchange, the annual rental increases as specified in the Agreement shall be suspended for the next three fiscal years (2015, 2016, & 2017). Should the Tenant continue occupying the space beyond June 30, 2017, Tenant shall continue paying for their natural gas usage and annual rent increases shall again be applied. p. 15
- d** **0434-14** Authorization to submit application, and accept award if offered, to Kentucky Office of Homeland Security for funding under the Law Enforcement Protection Program for purchase of soft body armor vests. (L0434-14) (Gooding/Mason)
This is a request to submit application for an amount of \$13,750, and accept award if offered, to Kentucky Office of Homeland Security for funding under the Law Enforcement Protection Program for purchase of soft body armor vests. No matching funds are required. p. 16

- e **0435-14** Authorization to execute a Letter of Agreement with God's Pantry Food Bank, Inc. to allow for client referrals from the LFUCG to God's Pantry. (L0435-14) (Mills)
This is a request to execute a Letter of Agreement with God's Pantry Food Bank, Inc. to allow for client referrals from the LFUCG to God's Pantry. There is no budgetary impact. p. 17
- f **0437-14** Authorization to execute Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet accepting additional federal funds for utility phase of bike lane project on Rose Street. (L0437-14) (Gooding/Paulsen)
This is a request to execute Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet accepting additional federal funds in the amount of \$25,000 for utility phase of bike lane project on Rose Street. This increase brings the new total project cost to \$57,250. A local match of \$6,250 is required. Budget amendments are in process. p. 18
- g **0440-14** Authorization to execute agreement with Kentucky American Water Company for relocation of utilities on Rose Street between Euclid Avenue and Rose Lane for the Rose Street Bike Lane Project. (L0440-14) (Gooding/Paulsen)
This is a request to execute agreement with Kentucky American Water Company in the amount of \$25,910 for relocation of utilities on Rose Street between Euclid Avenue and Rose Lane for the Rose Street Bike Lane Project. Budget amendments are in process. p. 19
- h **0443-14** Authorization to amend Resolution #16-2013 to increase the funding amount for a supplemental environmental project at the Police Canine Facility. (L0443-14) (Plueger/Martin)
This is a request to amend Resolution #16-2013 to increase the funding amount for a supplemental environmental project at the Police Canine Facility from \$30,000 to \$47,037. Budget amendment in process. p. 20
- i **0449-14** Authorization to accept dedication of the private road located north of the Richmond Road Home Depot store in perpetuity to Public Use. (L0449-14) (Reed)
This is a request to accept dedication of the private road located north of the Richmond Road Home Depot store in perpetuity to Public Use. The section of road starts at the west end of the Woodhill Drive extension and ends at the Southland Christian Church property line. This road has been used by the general public for more than five consecutive years and will provide access to the new senior citizen's center. There is no immediate financial impact, however the city will assume responsibility for repair and maintenance. p. 21-22

- j **0452-14** Authorization to execute an amended agreement with EOP Architects to include design services for Phase B, C and D of the Replacement Senior Citizen Center. (L0452-14) (Reed)
This is a request to execute an amended agreement with EOP Architects to include an additional amount of \$604,555 for design services for Phase B, C and D of the Replacement Senior Citizen Center. This amount plus \$158,965 for Phase A brings the new total cost to \$763,520. Funds are budgeted. p. 23
- k **0454-14** Authorization to amend Section 22-5 of the Code of Ordinances by transferring one (1) position of Chief Information Officer (Grade 212E) and its incumbent from the Office of Chief Administrative Officer to the Office of the Chief Information Officer. (L0454-14) (Maxwell/Graham)
This is a request to amend Section 22-5 of the Code of Ordinances by transferring one (1) position of Chief Information Officer (Grade 212E) and its incumbent from the Office of Chief Administrative Officer to the Office of the Chief Information Officer. There is no budgetary impact. p. 24
- l **0459-14** Authorization to execute Change Order No. 1 to agreement with Hazen and Sawyer Environmental Engineers and Scientists for the Annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM) Implementation Services. (L0459-14) (Martin)
This is a request to execute Change Order No. 1 to agreement with Hazen and Sawyer Environmental Engineers and Scientists for the Annual Sanitary Sewer CMOM Implementation Services for an amount of \$52,000. This increase brings the new contract total amount to \$397,000. The change order will modify the second annual renewal to extend the contract term from June 30, 2014 through August 31, 2014. Funds are included in Mayor's proposed FY 2015 budget. p. 25-27
- m **0462-14** Authorization to execute a change order to agreement with the Kentucky Transportation Cabinet/Division of Maintenance for provision of traffic signal equipment for the Tates Creek Road Sidewalk Improvements Project. (L0462-14) (Gooding/Paulsen)
This is a request to execute a change order for an amount of \$2,053.06 to agreement with the Kentucky Transportation Cabinet/Division of Maintenance for provision of traffic signal equipment for the Tates Creek Road Sidewalk Improvements Project. This increase brings the new total cost to \$56,086.54. Funds are budgeted. p. 28-29

- n** **0467-14** Authorization for closure of Prospect Ave. and a portion of Simpson Ave. (L0467-14) (Martin)
This is a request to close Prospect Ave. and a portion of Simpson Ave. from 118 Simpson through 1100 Prospect, as requested by Anderson Communities, Inc. There is no budgetary impact. p. 30-40
- o** **0468-14** Authorization to execute Funding Approval/Agreement with the U.S. Department of Housing and Urban Development under the Section 108 Loan Guarantee Program for the 21c Hotel Museum Project. (L0468-14) (Gooding/Hamilton)
This is a request to execute Funding Approval/Agreement with the U.S. Department of Housing and Urban Development under the Section 108 Loan Guarantee Program in the amount of \$6,000,000 for the 21c Hotel Museum Project, to satisfy all conditions of the loan, and to execute subsequent loan documents with 21c Lexington LLC. Budget amendment is in process. p. 41-42
- p** **0472-14** Authorization to execute Statement of Agreement awarding fifteen (15) Sustainability Grants. (L0472-14) (Plueger/Martin)
This is a request to execute Statement of Agreement awarding fifteen (15) Sustainability Grants for a total of \$30,260. A 100% match is required and may come from donations, materials, services, documented use of vehicles or machinery, tipping fees, and volunteer hours. Funds are budgeted. p. 43-44

BUDGET AMENDMENT REQUEST LIST

JOURNAL	77621-22	DIVISION	Streets and Roads	Fund Name	General Fund
				Fund Impact	147.91
					147.91CR
					.00

To provide funds for overtime by recognizing reimbursement for special event - Fest of Ale.

JOURNAL	77623	DIVISION	Streets and Roads	Fund Name	General Fund
				Fund Impact	2,934.00
					2,934.00CR
					.00

To provide funds for energy management projects by recognizing half of the total utility savings demonstrated over a 12 month period within Traffic Engineering and Streets and Roads.

JOURNAL	77629	DIVISION	Environmental Policy	Fund Name	General Fund
				Fund Impact	67,029.00
					67,029.00CR
					.00

To provide funds for energy management projects by recognizing half of the total utility savings demonstrated over a 12 month period within Corrections, Police and Fire.

JOURNAL	77772-73	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	17,951.96
					17,951.96CR
					.00

To provide funds for overtime by recognizing a reimbursement from Bluegrass Sports Commission for overtime at Bluegrass State Games.

JOURNAL	77781-82	DIVISION	Special Programs	Fund Name	Donation Fund
				Fund Impact	3,510.00
					3,510.00CR
					.00

To recognize contribution from Kentucky High School Athletic Association and the Committee of 101 for the Sweet 16 food cost.

JOURNAL	77777	DIVISION	Community Corrections	Fund Name	Energy Improvement Fund
				Fund Impact	15,720.00
					15,720.00CR
					.00

To provide funds for the temporary kitchen necessary during the kitchen floor remodeling project by reducing capital funds for the project.

JOURNAL	77575	DIVISION	Traffic Engineering	Fund Name	Urban Fund
				Fund Impact	2,931.00
					2,931.00CR
					.00

To provide funds for energy management projects by recognizing half of the total utility savings demonstrated over a 12 month period within Traffic Engineering.

JOURNAL	77563	DIVISION	Engineering	Fund Name	Municipal Aid Program
				Fund Impact	6,250.00
					6,250.00CR
					.00

To budget match for Rose Street Bike Lane Project - FY 2008 Utility Phase.

JOURNAL	77770	DIVISION	Parks and Recreation	Fund Name	2007 Bond Projects Fund
				Fund Impact	3,000.00
					3,000.00CR
					.00

To provide funds in the appropriate account code for Bell House Boiler improvements.

JOURNAL	77774-75	DIVISION	Grants and Special Projects	Fund Name	US Dept HUD
				Fund Impact	6,000,000.00
					6,000,000.00CR
					.00

To amend CDBG - FY 2012 to provide for acceptance of a Section 108 loan for 21C Lexington LLC.

JOURNAL	77557-58	DIVISION	Grants and Special Projects	Fund Name	US Dept Labor
				Fund Impact	10,500.00
					10,500.00CR
					.00

To amend Workforce Investment Act (WIA) Youth FY 2014 to decrease eligible base amount of award.

JOURNAL	77561-62	DIVISION	Grants and Special Projects	Fund Name	US Dept Transportation
				Fund Impact	31,250.00
					31,250.00CR
					.00

To amend Rose Street Bike Lane Project - FY 2008 to add funding for the Utility Phase.

JOURNAL	77559-60	DIVISION	Grants and Special Projects	Fund Name	US Dept Homeland Security
				Fund Impact	990,000.00
					990,000.00CR
					.00

To eliminate funding for Suburban Mobile Home Park Shelter Project which could not be executed.

JOURNAL	77630-31	DIVISION	Grants and Special Projects	Fund Name	US Dept Homeland Security
				Fund Impact	2,360.00
					2,360.00CR
					.00

To budget additional funds for Versailles Road Shelter project.

JOURNAL	77633	DIVISION	Grants and Special Projects	Fund Name	US Dept Homeland Security
				Fund Impact	14,667.86
					14,667.86CR
					.00

To amend Chemical Stockpile Emergency Preparedness Program (CSEPP) to provide for purchase of software.

JOURNAL	77618	DIVISION	Environmental Policy	Fund Name	PFC - General Fund
				Fund Impact	3,055.00CR
					3,055.00CR

To remove funds for Energy Management projects that were incorrectly budgeted in the PFC Fund. These funds should have been budgeted in the Landfill Fund.

JOURNAL	77619	DIVISION	Environmental Policy	Fund Name	Landfill Fund
				Fund Impact	3,055.00
					3,055.00

To provide funds for Energy Management projects that were incorrectly budgeted in the PFC Fund. These funds should have been budgeted in the Landfill Fund.

JOURNAL	77634	DIVISION	Waste Management	Fund Name	Landfill Fund
				Fund Impact	47,037.00
					47,037.00CR
					.00

To provide funding for Police Canine facility Sewer Connection project per agreed order between Lexington and the State Energy and Environment Cabinet.

JOURNAL	77626	DIVISION	Emergency Management/ E911	Fund Name	Enhanced 911 Fund
				Fund Impact	511,000.00
					511,000.00CR
					.00

To provide funds for transfer to CKy911 based on current expenditures by decreasing funds for radio equipment.

JOURNAL	77627-28	DIVISION	Emergency Management/ E911	Fund Name	CKY 911 Fund
				Fund Impact	511,000.00
					511,000.00CR
					.00

To provide funds for CKy911 (fund 4205) based on current expenditures by recognizing a transfer from the E911 fund.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1103	Donation Fund	.00
Fund	1105	Council Capital Projects Fund	.00
Fund	1115	Full Urban Services District Fund	.00
Fund	1136	Municipal Aid Program Fund	.00
Fund	2516	2007 Bond Projects Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3150	US Department of Labor	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00
Fund	4022	PFC – General Fund	3,055.00CR
Fund	4121	Landfill Fund	3,055.00
Fund	4204	Enhanced 911 Fund	.00
Fund	4205	Central KY 911 Fund	.00



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Sally Hamilton, CAO
Mayor Jim Gray
Councilmembers

From: Rodney Ballard, Director *RB*
Division of Community Corrections

Date: April 24, 2014

Subject: Change Order – EC Matthews Co, Inc (R30-2014)

Requesting approval of a change order to the original agreement with EC Matthews, Co, Inc approved with R30-2014 for the replacement of the arch entryway at the Division of Community Corrections. The change order is to replace additional cast stone with precast that is beyond the original scope of work. The change order has been reviewed by Purchasing (Todd Slatin) and Risk Management (Ton Sweeney) and both have agreed with the change order request. This is for Risk Management claim #286501.

The change order request is for \$19,420. The original contract was for \$78,305. The change order request brings the total cost of the project to \$97,725. This is still lower than the second lowest bidder on the original contract.

The request is fully funded, 6021-160906-0001-73204 Claims_2014 Casualty

cc: Clay Mason, Commissioner
Department of Public Safety

E.C. Matthews Co., Inc.

2265 Harrodsburg Road
Lexington, Kentucky 40504
Phone: 859.278.3131
Fax: 859.277.7903
E-Mail: tmattthews@ecmatthews.com

April 22, 2014

Division Central Purchasing
200 East Main Street Room 338
Lexington, Kentucky 40380

Attn: Sondra Stone

Re: Arch & Column Replacement – Community Corrections Entrance
Additional Precast elements

This quotation is for the replacement of additional cast stone with precast that is beyond the original scope of work for the captioned project.

The project drawings indicate (with arrows) specifically which pieces of cast stone were to be replaced with precast, and the “returns” are not indicated. We understand that this was an oversight by the plan preparer and that the intent of the UCG was to have the returns included in the project. The quotation from suppliers upon which our bid was based did not include these elements.

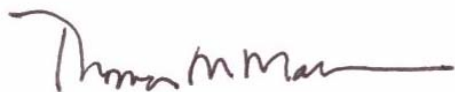
Our bid was lower than our competition because we used a less expensive precaster, and it is our belief that if the others had quoted the added precast the bid spread would have been proportionately greater. One vendor we contacted had been asked for a price last August and quoted the same price to us as they did back last summer, although we are purchasing from a different (lower cost) vendor.

E. C. Matthews Co., Inc. proposes to furnish all labor, material, and equipment to add the removal of the returns on each side of the two columns at each end of the arch and replace them with precast concrete material matching the dimensions of the cast stone being removed.

The cost of this work is Nineteen thousand four hundred twenty dollars (\$19,420.00).

Sincerely,

E.C. Matthews Co., Inc.



Thomas M. Matthews

CONTRACT HISTORY FORMContractor: EC Matthews CoProject Name: Detention Center ArchContract Number and Date: R30-2014 2/13/2014Responsible LFUCG Division: Community Corrections**CHANGE ORDER DETAILS**

	<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A.	Original Contract Amount:	\$ <u>78,305.00</u>	
B.	Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	\$ <u>78,305.00</u>	
	<u>Current Change Order</u>		
D.	Amount of This Change Order:	\$ <u>19,420.00</u>	<u>25%</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order:	\$ <u>97,725.00</u>	<u>125%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: *Neal Giffitt*Date: 5-5-2014

Reviewed by: _____

Date: _____

Division Director: *Rodney Ballard*Date: 5-5-2014



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Sally Hamilton, CAO
Mayor Jim Gray
Councilmembers

From: Rodney Ballard, Director *RB*
Division of Community Corrections

Date: April 24, 2014

Subject: Agreement with Siemens Industry, Inc for Fire Alarm Maintenance at the
Division of Community Corrections

Requesting approval of an agreement with Siemens Industry, Inc for the annual maintenance for the fire alarm at the Division of Community Corrections. This is a sole source provider due to proprietary software installed. The terms of the agreement are for five years beginning March 15, 2014. The FY14 impact is \$24,635.

Funds are fully budgeted in 1101-505401-5412-76101

cc: Clay Mason, Commissioner
Department of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council
Sally Hamilton, CAO

FROM: 
Geoff Reed
Commissioner of General Services

DATE: April 29, 2014

RE: Amendment to Lease Agreement with Alfalfa Restaurant, LLC, for annual rent increase for space within the Downtown Arts Center located at 141 – 143 East Main Street.

I am requesting Urban County Council approval to amend the lease agreement (Contract #5203; R-212-2004) with Alfalfa Restaurant, LLC to specify that all future payments for the natural gas utility service to the restaurant shall be paid by the tenant. In exchange, the annual rental increases as specified in the agreement shall be suspended for the next three fiscal years (2015, 2016 & 2017). Should the tenant continue to occupy the space beyond the end of FY 2017, they shall continue to pay for their natural gas usage and annual rent increases shall again be applied thereafter as specified in the agreement.



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

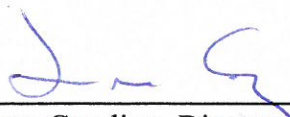
DATE: APRIL 29, 2014

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION, AND ACCEPT AWARD IF OFFERED, TO
KENTUCKY OFFICE OF HOMELAND SECURITY FOR
FUNDING UNDER THE LAW ENFORCEMENT PROTECTION
PROGRAM FOR PURCHASE OF SOFT BODY ARMOR VESTS**

The Division of Police has prepared a grant application for submission to the Kentucky Office of Homeland Security requesting funds in the amount of \$13,750 from the Law Enforcement Protection Program. If approved, these funds will be used for the purchase of 25 soft body armor vests.

The Law Enforcement Protection Program is a fund established by Kentucky Revised Statutes 16.220 to assist local government police departments and county sheriffs with body armor and other equipment needs. This program is a joint collaboration between the Kentucky Office of Homeland Security and the Kentucky State Police. Matching funds are not required.

Council authorization to submit the application and accept the award if offered is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Craig Bunce
for Beth Mills, Commissioner of Social Services

DATE: April 29, 2014

SUBJECT: God's Pantry Food Bank – Letter of Agreement for Participating Agency

This is a request for Council approval of a Letter of Agreement with God's Pantry Food Bank, Inc. to allow for client referrals to God's Pantry from the LFUCG.

There is no budgetary impact associated with this request.



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: APRIL 29, 2014

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
SUPPLEMENTAL AGREEMENT NO. 2, ACCEPTING
ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$25,000
FROM THE KENTUCKY TRANSPORTATION CABINET, FOR
UTILITY PHASE OF BIKE LANE ON ROSE STREET**

On October 18, 2007 (Ordinance No. 236-2007), Council approved acceptance of federal funds in the amount of \$12,800 for the design of a bike lane on Rose Street from Rose Lane to Euclid Avenue.

On August 21, 2008 (Ordinance No. 196-2008), Council approved Supplemental Agreement No. 1 accepting additional federal funds in the amount of \$8,000 from the Transportation Cabinet for completion of design work.

Kentucky Transportation Cabinet has offered the LFUCG Supplemental Agreement No. 2 providing \$25,000 in federal funds for the utility phase of the project. An additional local match in the amount of \$6,250 is required. Local match will come from the Municipal Aid Program (Fund 1136). Total project cost is now \$57,250 (\$45,800 in federal funds and \$11,450 in local match).

The source of federal funds for this project is Surface Transportation Lexington (SLX).

Council authorization to accept additional federal funding, approving the execution of the Supplemental Agreement No. 2 is hereby requested.

Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: APRIL 30, 2014

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH KENTUCKY AMERICAN WATER COMPANY IN
THE AMOUNT OF \$25,910 FOR RELOCATION OF UTILITIES ON
ROSE STREET BETWEEN EUCLID AVENUE AND ROSE LANE FOR
THE ROSE STREET BIKE LANE PROJECT**

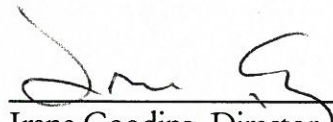
Kentucky Transportation Cabinet has offered LFUCG a Supplemental Agreement No. 2 to provide federal funding for the utility relocation phase of the Rose Street Bike Lane Project.

Division of Engineering has negotiated agreement with Kentucky American Water Company in the amount of \$25,910 providing for the necessary adjustments to its facilities to accommodate the proposed project. Kentucky Transportation has approved execution of this agreement.

Funds are in process of being budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY
3160	303202	3225	90313	2008	ROSESTBK 2008	UTILITY

Council authorization to execute utility relocation agreement with Kentucky American Water Company is hereby requested.


Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department for Planning, Preservation, and Development



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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Susan L. Plueger
Susan L. Plueger, P.E., Director
Division of Environmental Policy

DATE: April 30, 2014

RE: **Requesting authorization to amend Council Resolution #16-2013 to increase the funding amount for a supplemental environmental project at the Police Canine Facility from \$30,000 to \$47,037.**

The Division of Environmental Policy seeks approval to amend Council Resolution 16-2013 to increase the funding amount for a project to connect the Division of Police Canine Unit Training Facility, located at 1313 Old Frankfort Pike, to the sanitary sewer system. Currently, sewage at the facility is stored in a holding tank on site and hauled to the wastewater treatment plant on a routine basis. The original resolution referenced a cost not to exceed of \$30,000, however, the lowest construction bid received was \$47,037.

This project is being conducted under the terms of an Agreed Order between LFUCG and Kentucky's Energy and Environment Cabinet. This agreed order resolves an issue related to water quality violations at the Haley Pike Landfill. Given the nature of the violation, the funding for this work will be provided by the Landfill Fund. This is a "supplemental environmental project" that allows the LFUCG to conduct the work at the Canine Facility in lieu of paying a fine for the water quality violations.

Separate to this request, a budget amendment has been requested to reassign funding for the project to the Division of Environmental Policy, where the project management will occur. The budget amendment would move FY14 unspent capital funds from Division of Waste Management to the Division of Environmental Policy as follows:

4121-303501-0001-90511	-	(\$47,037)
4121-313201-3092-92811	-	\$47,037

Questions regarding this project should be directed to Dann Dettman at 859-425-2518.

Attachments

cc: Charles Martin, Acting Commissioner, Dept. of Environmental Quality & Public Works
Todd Slatin, Director, Division of Purchasing
Tracey Thurman, Acting Director, Division of Waste Management



Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: Jim Gray, Mayor
Urban County Council**

FROM: Glenn Brown, Deputy CAO

DATE: May 5, 2014

SUBJECT: Request Council Authorization to Accept Dedication of the Private Road located north of the Richmond Road Home Depot store in Perpetuity to Public Use.

The Office of the Chief Administrative Officer is recommending the private road which is located north of the Home Depot store on Richmond Road be accepted by LFUCG as dedicated in perpetuity to public use. This section of road starts at the west end of the Woodhill Drive extension and ends at the Southland Christian Church property line as illustrated in attached exhibit. This road has been used by the general public for more than five consecutive years and will provide access to the new senior citizen center during and after construction.

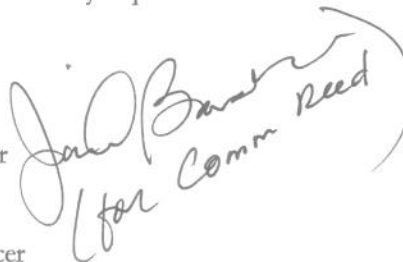
Per KRS 82.400(3) provides in pertinent part as follows:

When any property has been opened to the unrestricted use of the general public for five (5) consecutive years, it shall be conclusively presumed to have been dedicated to the city or consolidated local government as a public way or easement, subject to acceptance by the city or consolidated local government. The city or consolidated local government may, at any time after the expiration of five (5) years from the time the property is opened to the public, pass an ordinance declaring it so dedicated, and accepting the dedication, whereupon it shall be a public way or easement of the city or consolidated local government for all purposes.

Lexington-Fayette Urban County Government will take over repair and maintenance of this section of road once dedication to public use has been accepted.

Council authorization to accept the dedication of the private road north of Richmond Road Home Depot in perpetuity to public use in exchange for ongoing maintenance is hereby requested.


Glenn Brown, Deputy Chief Administrative Officer


(for Comm Recd)

Cc: Sally Hamilton, Chief Administrative Officer





Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

TO: Sally Hamilton, CAO
Mayor Jim Gray
Council Members

FROM: Geoff Reed, Commissioner
General Services

DATE: May 5, 2014

RE: Approval of Amendment to the Consultant Services Agreement for Design Services for Senior Citizen Center with EOP Architects, PSC

Requesting approval of an amended agreement between Lexington-Fayette Urban County Government and EOP Architects, PSC for the Design Services of the Replacement Senior Citizen Center. This work was competitively bid under RFP #28-2013. \$158,965 was approved by Council to complete Phase A programming and design on January 16, 2014. Now that the project cost estimate has been established, the remaining design fees for Phases B, C, and D have been calculated at an additional \$604,555.

Funds for Phases B, C, and D are fully budgeted in 2603-606102-6081-90511.

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2603	606102	6081	90511	\$604,555.00

Cc: Beth Mills, Commissioner
Department of Social Services



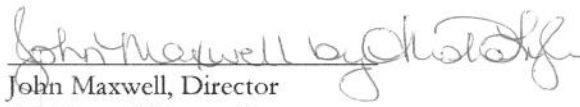
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: May 1, 2014

SUBJECT: Transfer position – Offices of CAO and CIO

The attached action amends Section 22-5 of the Code of Ordinances by transferring one (1) position of Chief Information Officer (Grade 212E) and its incumbent from the Office of Chief Administrative Officer to the Office of the Chief Information Officer effective upon passage by Council. The attached action also amends Section 21-5 of the Code of Ordinances by transferring the Division of Computer Services and Enterprise Solutions from the Office of Chief Administrative Officer to the Office of the Chief Information Officer.

Council authorization is being requested to move the CIO and the Divisions of Enterprise Solutions and Computer Services from the Office of the CAO to the Office of the CIO. Now that we have hired a CIO, there is no longer a need for the CIO position and the divisions to be under the CAO.

The fiscal impact for FY2014 will be budget neutral.

If you have questions or need additional information, please contact Alisha Lyle at 258-3957.

Attachment

Log #14-0059

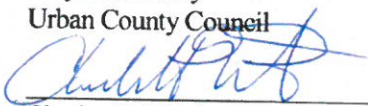


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: April 11, 2014

Re: Change Order No. 1 to the Annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM) Implementation Services (Resolution No. 535-2013) CONSENT DECREE

The purpose of this memorandum is to request a resolution authorizing the acceptance of a change order to the Lexington-Fayette Urban County Government (LFUCG) contract with Hazen and Sawyer Environmental Engineers and Scientists for Annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM) Implementation Services. The change order modifies the second annual renewal of the contract by extending the contract term from June 30, 2014 through August 31, 2014, and the contract amount from \$345,000 to \$397,000.

The funds for this change order request will come from the Division's Fiscal Year (FY) 2015 request for CMOM Implementation Services. The balance of the FY 2015 budget will be reserved for the consultants selected for the next CMOM Implementation Services Program Management Contract to be advertised and awarded in FY 2015.

Questions regarding this agreement should be directed to Chase Azevedo at 258-3425.

Pc: Rodney Chervus, P.E., Collection and Conveyance Manager, Division of Water Quality
Todd Slatin, Director, Central Purchasing
Chase Azevedo, Project Engineering Coordinator, Division of Water Quality

CONTRACT HISTORY FORM

Contractor: Hazen & Sawyer Environmental Engineers & Scientists
Annual Sanitary Sewer Capacity, Management,
Project Name: Operations and Maintenance Implementation Services

Contract Number and Date: Resolution No. 535-2013, October 10, 2013

Responsible LFUCG Division: Water Quality

CHANGE ORDER DETAILS**Summary of Previous Change
Orders To Date**

A. Original Contract Amount: \$ 345,000.00

B. Cumulative Amount of
Previous Change Orders: \$ 0.00

**Percent Change to
Original Contract**

0% %
(Line B / Line A)

C. Total Contract Amount
Prior to this Change Order: \$ 345,000.00

Current Change Order

D. Amount of This Change Order: \$ 52,000.00

15% %
(Line D / Line A)

E. New Contract Amount
Including this Change Order: \$ 397,000.00

115% %
(Line E / Line A)

SIGNATURE LINES

Project Manager: 

Date: 4/17/14

Reviewed by: 

Date: 4-17-14

Division Director: 

Date: 4-22-14

SIGNATURES TO CHANGE ORDER**Change Order No. 1 Amount: \$52,000.00****Annual Sanitary Sewer Capacity, Management, Operations, and Maintenance Implementation Services (Resolution No. 535-2013) CONSENT DECREE****ACCEPTED:****Contractor's Name**DATE: 4/28/14BY: John B. Steinhilber**RECOMMENDED:****Lexington-Fayette Urban County Government**DATE: 4-29-14BY: [Signature]
Project Manager**REVIEWED:****Lexington-Fayette Urban County Government**DATE: 5-2-14BY: [Signature]
Charles H. Martin, PE - Director
Division of Water Quality**APPROVED:****Lexington-Fayette Urban County Government**

DATE: _____

BY: _____
Mayor



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: MAY 2, 2014

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER TO AGREEMENT WITH THE KENTUCKY
TRANSPORTATION CABINET/DIVISION OF MAINTENANCE
FOR PROVISION OF TRAFFIC SIGNAL EQUIPMENT FOR THE
TATES CREEK ROAD SIDEWALK IMPROVEMENTS PROJECT**

On December 11, 2012 (Resolution 709-2012), Council approved execution of an agreement with Kentucky Transportation Cabinet/Division of Maintenance providing the LFUCG with necessary traffic signal equipment at a cost of \$54,033.48 for use in the Tate's Creek Road Sidewalk Improvement Project. Actual cost of these materials is \$56,086.54. A change order in the amount of \$2,053.06 is being requested.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	303202	3222	91714	TCSDWALK 2009	2009	FED GRANT

This project provides for the construction of sidewalks on both sides of the road from Enclave to Dove Run Road. Federal funds are from the federal Congestion Mitigation/Air Quality Program (CMAQ) allocation.

Council authorization to execute change order to Agreement with Kentucky Transportation Cabinet/Division of Maintenance in the amount of \$2,053.06 for provision of traffic signal equipment is hereby requested.


Irene Gooding, Director

XC: Derek Paulsen, Commissioner Planning, Preservation, and Development

CONTRACT HISTORY FORMContractor: Kentucky Transportation Cabinet/Division of MaintenanceProject Name: Tates Creek Road Sidewalk Improvements ProjectContract Number and Date Resolution No. 709-2012Responsible LFUCG Division: Engineering**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A. Original Contract Amount:	<u>\$54,033.48</u>	
B. Cumulative Amount of Previous Change Orders:	<u>\$0.00</u>	<u>0%</u> (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	<u>\$54,033.48</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	<u>\$2,053.06</u>	<u>4%</u> (Line D / Line A)
E. New Contract Amount Including this Change Order :	<u>\$56,086.54</u>	<u>104%</u> (Line E / Line A)

SIGNATURE LINES

Project Manager: _____ Date: _____

Reviewed by: _____ Date: _____

Division Director: _____ Date: _____



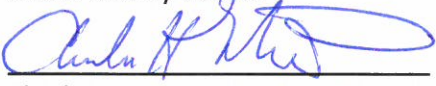
Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Charles Martin
Acting Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council

From: 
Charles Martin, Acting Commissioner
Department of Environmental Quality & Public Works

Date: May 5, 2014

Re: Proposed Closure – Prospect Street and Simpson Avenue

This memorandum is to request Urban County Council authorization for the closure of Prospect Avenue and a portion of Simpson Avenue from 118 Simpson through 1100 Prospect. This request, from Anderson Communities, Inc., was circulated among various divisions and utility representatives to determine impacts to current operations. Consent has been provided, but with conditions.

The Division of Engineering advises that easements will be needed for LFUCG storm and sanitary lines within the right-of-way. Kentucky Utilities, Kentucky-American Water Company, and Columbia Gas have existing facilities in this location and would also like the right-of-way reserved as a utility easement.

Consent certificates have been signed and submitted to the Dept. of Law. I am requesting Council authorization of the transfer of right-of-way as presented and execution of all related documents.

dbs



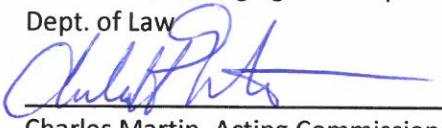
Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Charles Martin
Acting Commissioner

MEMORANDUM

To: Keith Horn, Managing Attorney
Dept. of Law

From: 
Charles Martin, Acting Commissioner
Department of Environmental Quality & Public Works

Date: May 1, 2014

Re: Proposed Closure – Prospect Street and Simpson Avenue

The Lexington-Fayette Urban County Government has received a request from Anderson Properties to close a portion of Simpson Avenue from 118 Simpson through 1100 Prospect and Prospect Avenue. See attached plat. The request and pertinent support materials were circulated among various divisions and utility representatives to determine impacts to current operations. The comments can be summarized as follows:

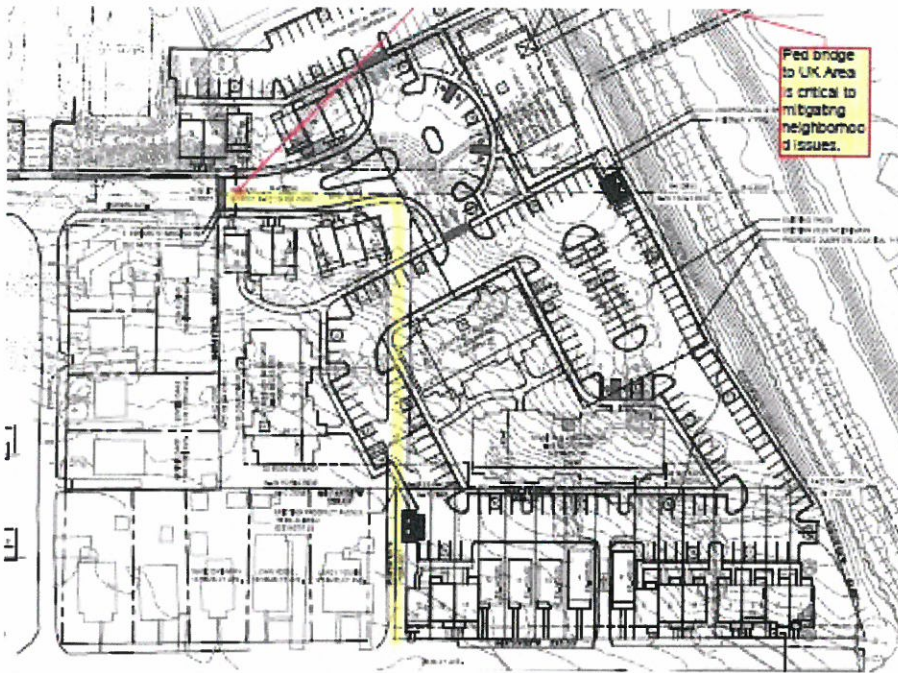
LFUCG Divisions:

Div. of Engineering: There appears to be storm and sanitary lines within the right-of-way. Easements will be needed for those LFUCG lines. The same would also apply for private utilities that may be in the right-of-way. The proposed development would be dependent on the right-of-way being released. Beyond what I stated above I don't have an objection to releasing the right-of-way. (B. Frazier)

Div. of Traffic Engineering: The Division of Traffic Engineering does not object to releasing the subject streets and right-of-way as requested. The request corresponds with the Amended Preliminary Development Plan, known as South Broadway Place (Phase III) and Lynn Grove Addition (see below).

There are currently three (3) streetlights on Prospect Ave. and (1) one on Simpson Ave. that would need to be physically removed or transferred to the new owner if and when the right-of-way is released. No traffic or streetlight related easements need to be retained.

Keith Horn
Page Two



(Jeff Neal)

No other divisions expressed any concern regarding the request.

Utilities:

Kentucky Utilities: KU has existing facilities and would like the right of way reserved as a utility easement.
(Gary Houck)

Kentucky-American Water Company: Kentucky-American DOES have facilities in both of the right-of-ways (Prospect Ave & Simpson Ave) which is proposed to be closed. Accordingly, we will require easement rights be retained and copy of easement provided on Prospect Ave & Simpson Ave before final consent is given.
(Tobey Adams)

Windstream: Windstream has no objection to this closure. (Lezlie Allison)

Columbia Gas: Columbia Gas does have pipeline within the limits of this street. Please retain an easement for our pipeline. (Tony Tipton)

dbb



April 30, 2014

Mr. Brad Stone
Administrative Officer
Lexington Fayette Urban County Government
200 East Main Street
Lexington, KY 40507

Re: Proposed Right-of-Way Closure/Transfer (Prospect/Simpson Ave)

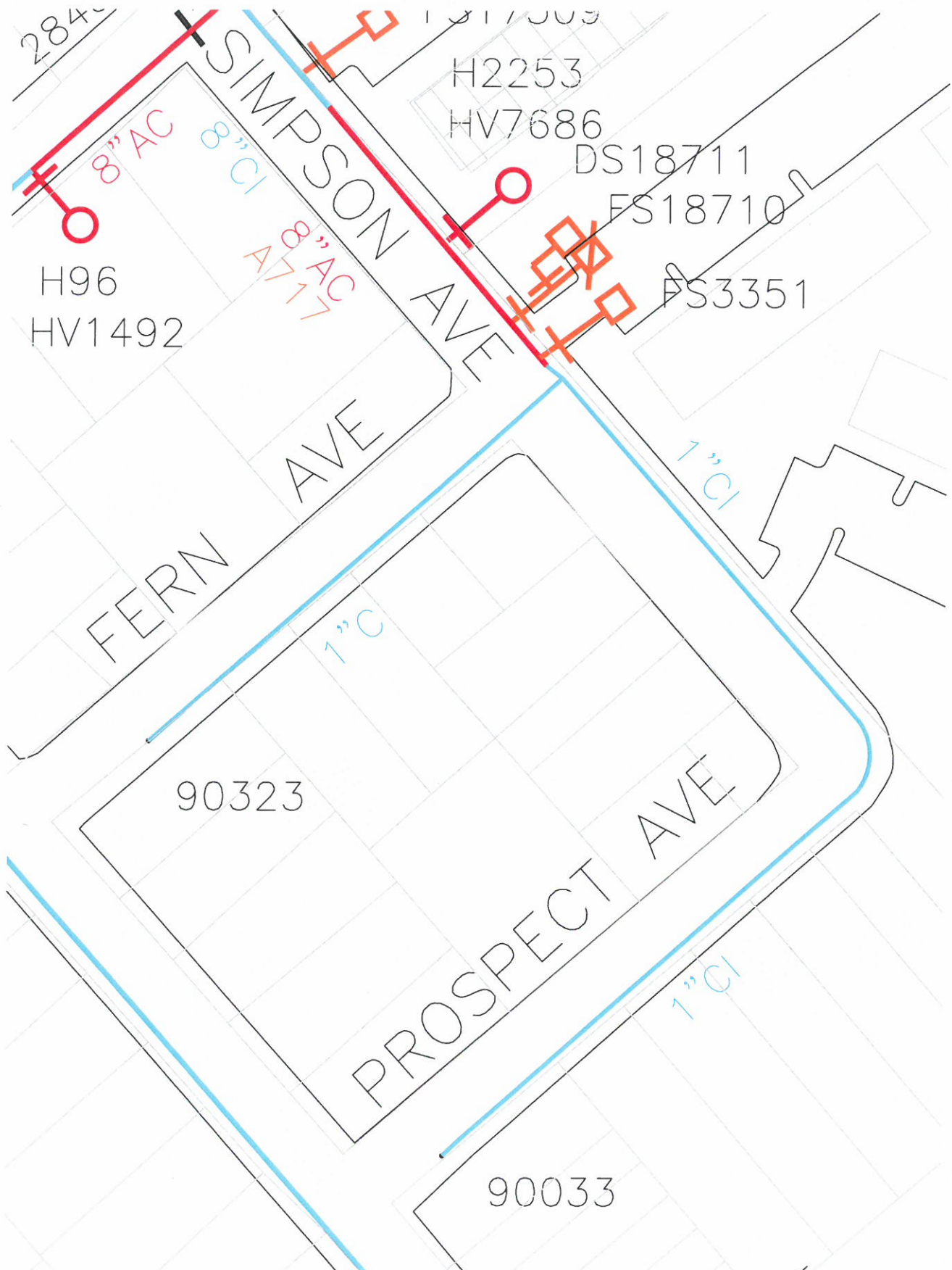
Dear Mr. Wentz:

Your request of April 15, 2014 has been received and reviewed. Kentucky American **DOES** have facilities in both of the right-of-ways (Prospect Ave & Simpson Ave) which is proposed to be closed. Accordingly, we will **Require** easement rights be retained and copy of easement provided on Prospect Ave & Simpson Ave before finally consent be given.

Please advise if we can be of further assistance.

Sincerely,

Tobey Jason Adams
Engineering Technician
Kentucky American Water





LINE	BEARING	DISTANCE
L1	N 41°18.05' W	20.00'
L2	N 41°18.05' W	20.00'
L3	N 41°18.05' W	20.00'
L4	N 48°41.55' E	40.00'
L5	S 22°03.04' W	44.75'

[illegible]

MITCHELL KENT ESTES KY. REGISTERED LAND SURVEYOR #3345

DATE _____

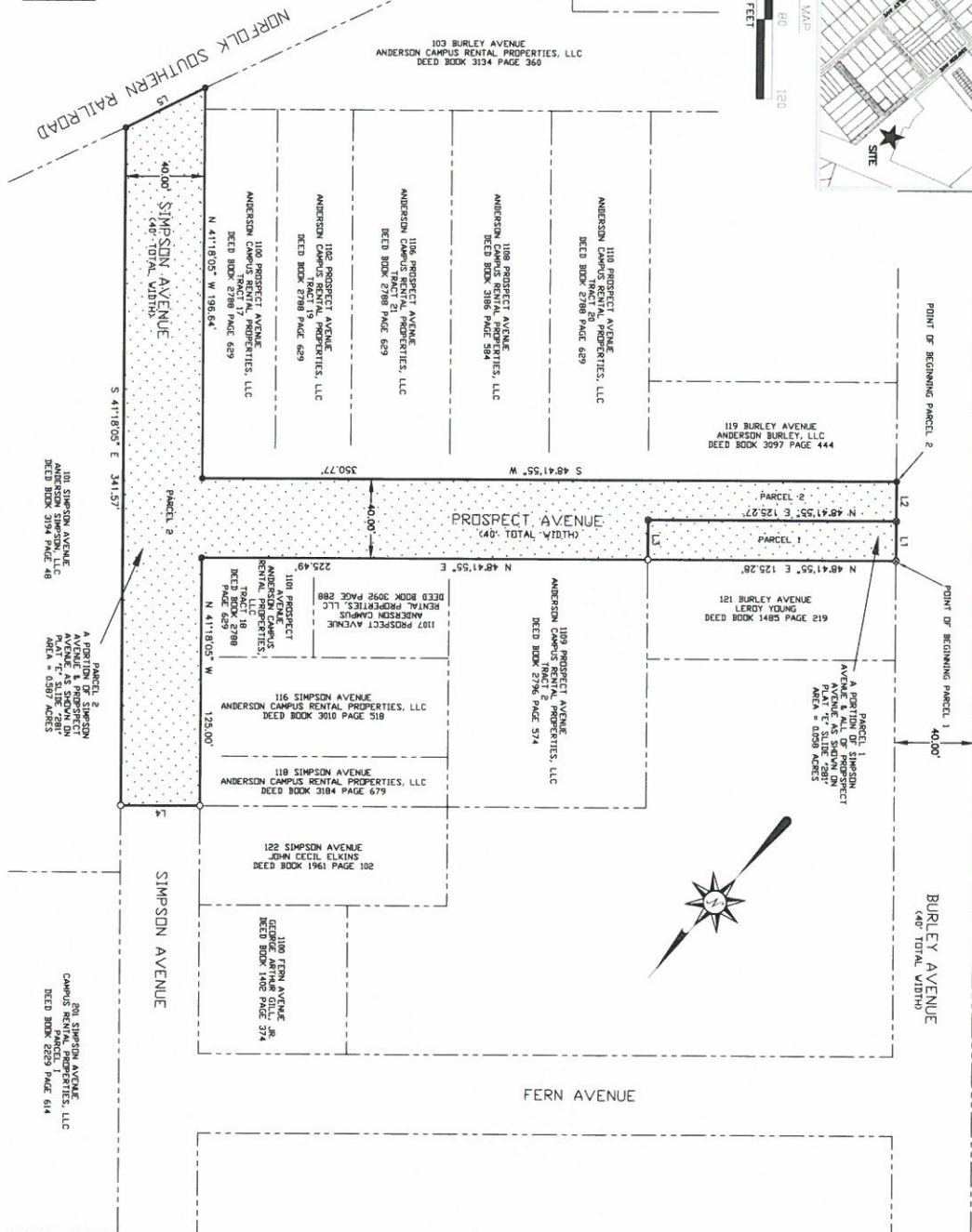
PURPOSE OF PLAY

PURPOSE OF THIS PLAT IS TO SUBDIVIDE A PORTION OF SIMPSON AVENUE AND ALL OF PROSPECT AVENUE INTO TWO PARCELS SHOWN HEREON AS PARCEL 1 AND PARCEL 2.

POINT LEGEND

- 1/2-INCH DIAMETER IRON REBAR (SEE ORANGE CAP STAMPED TESTES LS 3345* (SET THIS SURVEY))
- MAG MAIL WITH WASHER STAMPED "MKE LS 3345" (SET THIS SURVEY)
- CHISELED "X" ON DRIVEWAY (SET THIS SURVEY)
- UNDOCUMENTED PROPERTY CORNER

CLIENT & PARCEL OWNER'S ADDRESS
ANDERSON CAMPUS RENTAL PROPERTIES, LLC
1720 SHARKEY WAY
LEXINGTON, KY. 40511



FERN AVENUE

PROJECT NO.:
130030

DATE:
JANUARY 16, 2014

DRAWN BY:
MKE

CHECKED BY:
MKE

BOUNDARY SURVEY OF A PORTION OF
SIMPSON AVENUE
AND ALL OF
PROSPECT AVENUE
LEXINGTON, FAYETTE COUNTY, KENTUCKY



INTEGRATED ENGINEERING

SHEET NO.
1 OF 1

From: Houck, Gary [Gary.Houck@lge-ku.com]
Sent: Monday, April 21, 2014 9:52 AM
To: Brad Stone
Subject: RE: Proposed closure of Prospect Ave and a portion of Simpson Ave

KU has existing facilities and would like the right of way reserved at a utility easement.

From: Brad Stone [mailto:bstone@lexingtonky.gov]
Sent: Tuesday, April 15, 2014 8:32 AM
To: tobey.adams@amwater.com; lezlie.allison@windstream.com; jtipton@nisource.com; Houck, Gary
Cc: Charles Martin; Commisioner EQ PW Exec Asst
Subject: Proposed closure of Prospect Ave and a portion of Simpson Ave
Importance: High

The Lexington-Fayette Urban County Government has received a request from Anderson Properties to close Prospect Avenue and a portion of Simpson Avenue (from 118 Simpson to just past 1100 Prospect Avenue). See attached plat.

Please review the attached materials and indicate whether the closing will have any adverse effect upon your operations, or whether any easements should be retained within the right-of-way in the event of closure. You may submit your response to me via email at bstone@lexingtonky.gov. Thank you very much for your time and attention to this request.

D. Brad Stone, Admin. Officer Sr.
Dept. of Environmental Quality & Public Works
Lexington-Fayette Urban County Government
200 East Main St.
Lexington, KY 40507
(859) 425-2520 [office]
(859) 559-3070 [cell]

----- The information contained in this transmission is intended only for the person or entity to which it is directly addressed or copied. It may contain material of confidential and/or private nature. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is not allowed. If you received this message and the information contained therein by error, please contact the sender and delete the material from your/any storage medium.

From: Allison, Lezlie [Lezlie.Allison@windstream.com]
Sent: Friday, April 25, 2014 8:34 AM
To: Brad Stone
Subject: FW: Proposed closure of Prospect Ave and a portion of Simpson Ave
Importance: High
Attachments: Boundary Survey Simpson and Prospect Closure.pdf; SPW2392214041508330.pdf

From: Allison, Lezlie
Sent: Friday, April 25, 2014 8:32 AM
To: 'bstone@lexingtonky.gov.'
Subject: FW: Proposed closure of Prospect Ave and a portion of Simpson Ave
Importance: High

Brad,

We have reviewed the plat for closure of Prospect Street as described on the attached file. Windstream has no objection to this closure.

Thank you,

Lezlie Allison

Supervisor - OSP Engineering
130 W. New Circle Rd
Lexington, KY
859-357-6205 - office
859-492-0785 - cell

From: Brad Stone [mailto:bstone@lexingtonky.gov]
Sent: Tuesday, April 15, 2014 8:32 AM
To: tobey.adams@amwater.com; Allison, Lezlie; jtipton@nisource.com; gary.houck@lge-ku.com
Cc: Charles Martin; Commissioner EQ PW Exec Asst
Subject: Proposed closure of Prospect Ave and a portion of Simpson Ave
Importance: High

The Lexington-Fayette Urban County Government has received a request from Anderson Properties to close Prospect Avenue and a portion of Simpson Avenue (from 118 Simpson to just past 1100 Prospect Avenue). See attached plat.

Please review the attached materials and indicate whether the closing will have any adverse effect upon your operations, or whether any easements should be retained within the right-of-way in the event of closure. You may submit your response to me via email at bstone@lexingtonky.gov. Thank you very much for your time and attention to this request.

D. Brad Stone, Admin. Officer Sr.
Dept. of Environmental Quality & Public Works
Lexington-Fayette Urban County Government
200 East Main St.
Lexington, KY 40507
(859) 425-2520 [office]
(859) 559-3070 [cell]

05/01/2014

Brad Stone

From: jtipton@nisource.com
Sent: Wednesday, April 16, 2014 1:45 PM
To: Brad Stone
Subject: Re: Proposed closure of Prospect Ave and a portion of Simpson Ave

Columbia Gas does have pipeline within the limits of this street. Please retain an easement for our pipeline.
Thanx, Tony.

James A. "Tony" Tipton
NiSource Gas Distribution
Leader, Land Services and
Vegetation Management
(859) 288-0228 office
(859) 321-0521 cell

From: "Brad Stone" <bstone@lexingtonky.gov>
To: <tobey.adams@amwater.com>, <lezzlie.allison@windstream.com>, <jtipton@nisource.com>, <gary.houck@lge-ku.com>
Cc: "Charles Martin" <chmartin@lexingtonky.gov>, "Commisioner EQ PW Exec Asst" <commeqpw@lexingtonky.gov>
Date: 04/15/2014 08:32 AM
Subject: Proposed closure of Prospect Ave and a portion of Simpson Ave

The Lexington-Fayette Urban County Government has received a request from Anderson Properties to close Prospect Avenue and a portion of Simpson Avenue (from 118 Simpson to just past 1100 Prospect Avenue). See attached plat.

Please review the attached materials and indicate whether the closing will have any adverse effect upon your operations, or whether any easements should be retained within the right-of-way in the event of closure. You may submit your response to me via email at bstone@lexingtonky.gov. Thank you very much for your time and attention to this request.

D. Brad Stone, Admin. Officer Sr.
Dept. of Environmental Quality & Public Works Lexington-Fayette Urban County Government
200 East Main St.
Lexington, KY 40507
(859) 425-2520 [office]
(859) 559-3070 [cell]
[attachment "Boundary Survey Simpson and Prospect Closure.pdf" deleted by Tony Tipton/CKY/Enterprise] [attachment "SPW2392214041508330.pdf" deleted by Tony Tipton/CKY/Enterprise]



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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

MEMORANDUM

To: Brad Frazier, Director – Division of Engineering
Jim Woods, Acting Director – Division of Traffic Engineering
Tracey Thurman, Acting Director – Division of Waste Management
Albert Miller, Acting Director – Streets, Roads and Forestry
Chris King, Director – Division of Planning
Chief Keith Jackson – Division of Fire and Emergency Services
Chief Ronnie Bastin – Division of Police
Paul Hockensmith – E911
Chris Doerge – GIS
Rod Chervus – Division of Water Quality

From: Brad Stone, Administrative Officer Sr.

Date: March 24, 2014

RE: Proposed closure of portion of Simpson Avenue from 118 Simpson through 1100 Prospect and Prospect Avenue

The Lexington-Fayette Urban County Government has received a request from Anderson Properties to close a portion of Simpson Avenue from 118 Simpson through 1100 Prospect and Prospect Avenue. See attached plat.

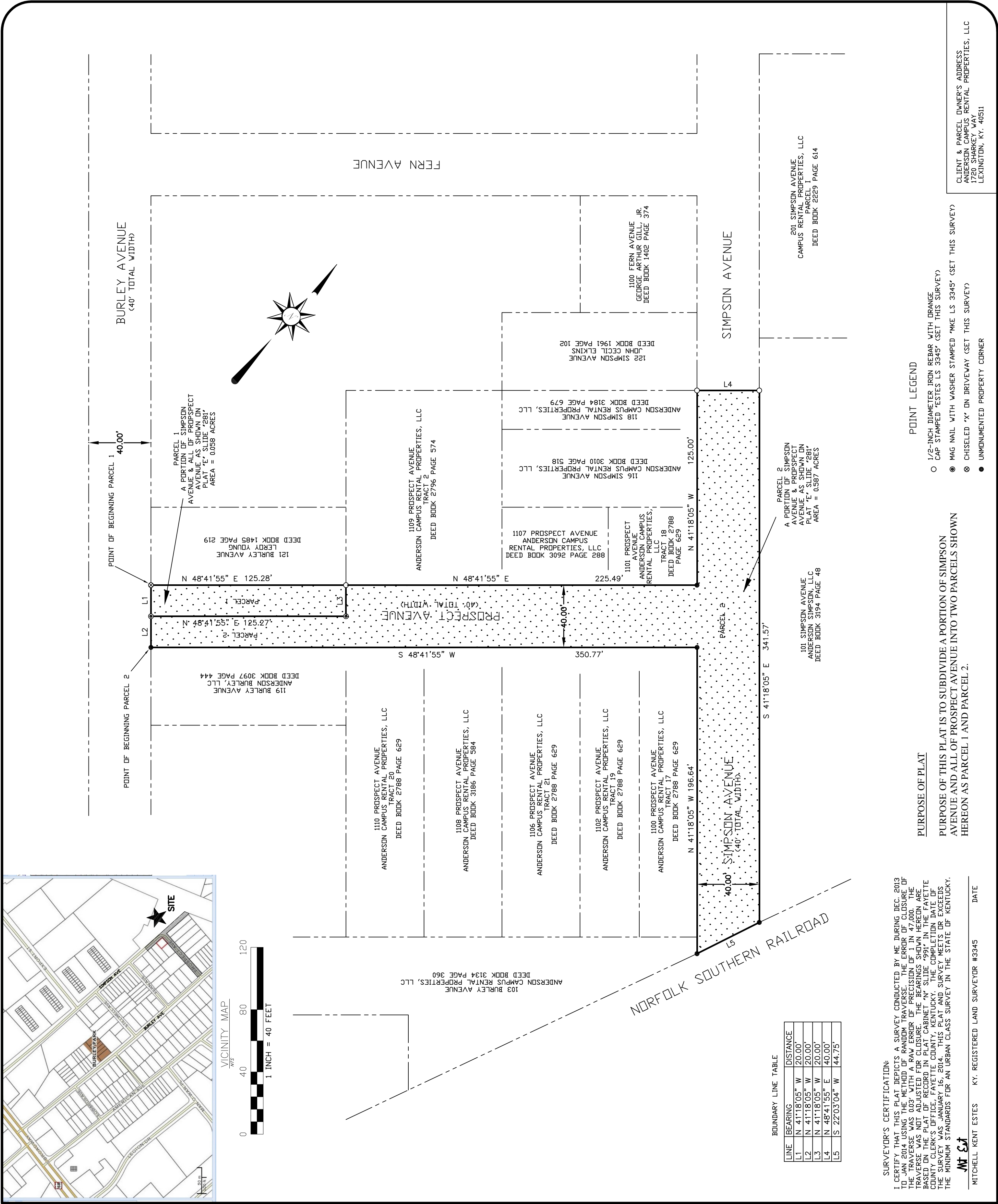
Please review this proposal and indicate whether the transfer will have any adverse effect upon your Division, proposed costs associated with this request, or whether any easements should be retained within the right-of-way in the event of the transfer. **Please provide an email response to:**

commeqpwea@lexingtonky.gov

by 5:00 p.m., April 7, 2014

Thank you for your time and attention to this request.

John Strom, Legal
Counsel for
Anderson
Communities
859-538-5843



PROJECT NO.: 130030

DATE: JANUARY 16, 2014

DRAWN BY: MKE

CHECKED BY: MKE

BOUNDARY SURVEY OF A PORTION OF
SIMPSON AVENUE
AND ALL OF
PROSPECT AVENUE
LEXINGTON, FAYETTE COUNTY, KENTUCKY

INTEGRATED ENGINEERING

SHEET NO.

1 OF 1

SURVEYOR'S CERTIFICATION:
I CERTIFY THAT THIS PLAT DEPICTS A SURVEY CONDUCTED BY ME DURING DEC. 2013 TO JAN. 2014 USING THE METHOD OF RANDOM TRAVERSE. THE ERROR OF CLOSURE OF THE TRAVERSE WAS 0.03' WITH A RANDOM ERROR OF PRECISION OF 1 IN 47,000. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING STANDARDS BASED ON THE PLAT OF RECORD IN PLAT CABINET #3917 IN THE FAYETTE COUNTY CLERK'S OFFICE, FAYETTE COUNTY, KENTUCKY. THE COMPLETION DATE OF THE SURVEY WAS JANUARY 16, 2014. THIS PLAT AND SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR AN URBAN CLASS SURVEY IN THE STATE OF KENTUCKY.

MITCHELL KENT ESTES KY. REGISTERED LAND SURVEYOR #3345 DATE

PURPOSE OF PLAT

PURPOSE OF THIS PLAT IS TO SUBDIVIDE A PORTION OF SIMPSON AVENUE AND ALL OF PROSPECT AVENUE INTO TWO PARCELS SHOWN HEREON AS PARCEL 1 AND PARCEL 2.

POINT LEGEND

- 1/2-INCH DIAMETER IRON REBAR WITH ORANGE CAP STAMPED "ESTES LS 3345" (SET THIS SURVEY)
- MAG NAIL WITH WASHER STAMPED "MKE LS 3345" (SET THIS SURVEY)
- CHISELED "X" ON DRIVEWAY (SET THIS SURVEY)
- UNDOCUMENTED PROPERTY CORNER

CLIENT & PARCEL OWNER'S ADDRESS
ANDERSON CAMPUS RENTAL PROPERTIES, LLC
1720 SHARKEY WAY
LEXINGTON, KY. 40511



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: MAY 5, 2014

SUBJECT: Request Council authorization to approve execution of Funding Approval/Agreement with the U.S. Department of Housing and Urban Development under the Section 108 Loan Guarantee Program in the amount of \$6 million for the 21c Hotel Museum Project, to satisfy all conditions of the loan, and to execute subsequent loan documents with 21c Lexington LLC.

On November 2, 2012 (Resolution No. 612-2012) Council approved a substantial amendment to the 2012 Consolidated Plan providing for the establishment of a new economic development project under the Community Development Block Grant Program, and the submission of a Section 108 Loan application in the amount of \$6,000,000 for the renovation of Fayette National Bank Building located at 159-67 West Main Street into a combination hotel and art museum.

The U.S. Department of Housing and Urban Development has approved the Section 108 Loan Guarantee in the amount of \$6 million for this project.

LFUCG will re-loan these funds to 21c Lexington LLC for development of a 100,000 square foot project to include 90 hotel rooms, approximately 12,000 square feet of public and gallery spaces, a 5,000 square foot restaurant, and 5,000 square feet of meeting space. The project will be owned by 21c Lexington LLC, a limited liability company controlled by the development team. The development team will provide the following as collateral for the Section 108 Loan: (1) second mortgage on the property; (2) a joint-and several guaranty from Steve Wilson and Craig Greenberg, and (3) a pledge of subordinated fees that would otherwise be payable to developer.

This is an economic development project that will principally benefit persons of low- and moderate-income through the creation of jobs. The developer is projecting the creation of 125 full-time equivalent jobs, of which at least 75 (60%) will be filled by low- and moderate-income persons.

Section 108 is the loan guarantee provision of the Community Development Block Grant (CDBG) program. Section 108 provides communities with a source of financing for large-scale physical development projects. Section 108 loans are not risk-free, however; local governments borrowing funds guaranteed by Section 108 must pledge their current and future CDBG allocations to cover the loan amount as security for the loan. In addition, all federal regulations pertaining to federal prevailing wage rates, Uniform Real Property Acquisition and Relocation Assistance Act, and environmental review requirements are applicable to this project.

Total project cost is \$40,561,495. Other project funds include construction loans in the amount of \$18,000,000, state and federal historic credits in the amount of \$7,831,322, LUFCG UDAG loan in the amount of \$1,000,000. New Markets Tax Credit equity in the amount of \$2,820,000, and private equity in the amount of \$4,910,173.

Council authorization is hereby requested to approve execution of the Funding/Approval Agreement with the U.S. Department of Housing and Urban Development in the amount of \$6 million, to satisfy all conditions of the loan, and to execute subsequent loan documents with 21c Lexington LLC.



Irene Gooding, Director

Xc: Sally Hamilton, Chief Administrative Officer



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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: *Susan L. Plueger*
Susan L. Plueger, P.E. Director
Division of Environmental Policy

Date: May 5, 2014

Re: **Requesting authorization to execute statement of agreement awarding fifteen (15) Sustainability Grants for a total of \$30,260.**

The Department of Environmental Quality and Public Works has budgeted funds to establish the Sustainability Grant program to encourage residents to work collaboratively and creatively to find ways to improve the environmental health of our neighborhoods

The Division of Environmental Policy has received and reviewed additional applications for Fiscal Year 2014 and recommends awards of fifteen (15) Sustainability Grants totaling \$30,260 as listed in the following table.

Funding is fully budgeted and available for Fiscal Year 2014 in the Fund:

1115-313201-3095-78112

A 100% match is required and may come from donations, materials, services, documented use of vehicles or machinery, tipping fees and volunteer hours.

Grant statement of agreements requires the Mayor's signature.

FY2014 Sustainability Grant Applications Recommended for Award

	Grantee Organization	Project	Grant Amount
1	Bluegrass Youth Sustainability Council	Dual Stream Waste Installation	\$2,500
2	Dove Creek Townhome	Beautification	\$2,500
3	Fairway Neighborhood Association	Tree Planting	\$1,413
4	Fayette Co-op Preschool	Rain Barrel Project	\$1,671
5	Georgetown Street Neighborhood Association	Community Garden	\$2,500
6	Lansdowne Elementary	Recycled Material Project	\$1,413
7	Lexington Fashion Collaborative	Recycled Material Project	\$1,000
8	Living Arts & Science Center	Tree Planting	\$2,500
9	N Limestone Neighborhood Association	Tree Planting & Beautification	\$2,500
10	Neighbors of Montclair	Beautification	\$1,413
11	N Lexington Family YMCA	Fruit Tree Community Garden	\$2,500
12	The Arboretum	Soil Conservation	\$850
13	Transylvania Park Neighborhood Association	Tree Planting	\$2,500
14	UK Research Foundation	Community Garden	\$2,500
15	Wellington Elementary	Expand Japanese Zen Garden	\$2,500

Questions regarding this program should be directed to Louise Caldwell-Edmonds at (859) 425-2804.

Attachments

cc: Charles Martin, Acting Commissioner, Dept. of Environmental Quality & Public Works
 Keith Horn, Department of Law
 Louise Caldwell-Edmonds, Division of Environmental Policy
 Grant Review Committee

**Neighborhood Development Funds
May 13, 2014
Work Session**

Amount	Recipient	Purpose
\$ 1,050.00	Mentelle Neighborhood Association 307 Hanover Court Lexington, KY 40502 Lewis Gardner	To provide funds for planting 10 new street trees.
\$ 1,300.00	Kentucky PTA 930 Jouett Creek Drive Lexington, KY 40509 Stephanie Link	To provide funds for EJ Hayes Summer Camp/ESS Program to allow students to go on Thursday field trips and provide one lunch a week.
\$ 1,000.00	R.A.R.E. Innercity Ministries 171 Burnett Avenue Lexington, KY 40505 Aaron Mosley	To provide funds to support summer programming for innercity youth.
\$ 500.00	Lexington Academy of Barbering, Inc. 1132 Winchester Road, Suite 175 Lexington, KY 40508 Anthony Hayden	To provide funds for scholarship opportunities.
\$ 1,000.00	Idle Hour Neighbors Alliance 150 St. Phillip Drive Lexington, KY 40502 David Beck	To provide funds for the annual July 4th picnic, Mason Beehive kits and plantings to create butterfly waystations.
\$ 1,500.00	RunJumpDev, Inc. 237 Masterson Station Drive Lexington, KY 40511 Lori Meister	To provide funds for a Lexington conference to promote products developed by local game developers.
\$ 1,500.00	Shriners Neighborhood Association 501 Clinton Road Lexington, KY 40502 Linda Price	To provide funds for the replacement of street signage throughout the neighborhood.
\$ 2,500.00	Lansdowne-Merrick Neighborhood Association 1233 Tishoff Drive Lexington, KY 40502 Richard Wheeler	To provide funds to maintain the entrance medians and to clean up and replant in front of an entrance wall.

\$ 1,500.00 Division of Parks & Recreation
1101-707604-7292-75801

To provide funds to purchase exercise equipment for the Kenwick Community Center.



Budget Committee of the Whole
April 22, 2014
Summary and Motions

Vice Mayor Gorton called the meeting to order 1:00pm. Council Members Ellinger, Kay, Ford, Akers, Lawless, Beard, Stinnett, Scutchfield, Myers, Clarke, Henson and Lane were present. Council Members Farmer and Mossotti were absent.

1. Mayor's Proposed Budget – Revenue, Debt and Capital

Commissioner O'Mara started the presentation. Dr. Chris Bollinger, Director of UK Center for Business and Economic Research (CBER), provided assistance with the LFUCG Tax Forecasting Model. O'Mara walked through the information. In general, employment has been on the rise since 2009. Wages and salaries had a dip during the recession but we have now recovered and passed the pre-recession peak. The gross domestic product for Lexington MSA has recovered and we are on the same path as pre-recession levels.

Based on the Occupational Tax Model, the Occupational Tax prediction for FY2015 represents a 4.3% growth and a budget of \$175 million in employee withholdings.

Based on the Business Net Profits Model, the Net Profits projection predicts a 5.9% growth and a budget of \$35.3 million. They urge caution with this model prediction and to also add our (LFUCG) observations and feel for how revenues are actually going in the Urban County Government.

FY15 Mayor's Proposed Budget - Revenue

Rusty Cook presented on the revenue proposed in the FY15 Mayor's Proposed Budget. Cook stated that the FY15 revenue budget is \$313.2 million, which is a 3.8% increase over the FY14 forecast.

Cook commented on the revenue sources in the General Fund. Employee withholding is budgeted at \$174,750,000, which is a 4% increase over the FY14 projection and a 5.1% increase over the FY14 budget and assumes improvement in employment and the local economy. Business Net profit is budgeted at \$35,175,000, which is a 5% increase over the FY14 projection and a 5.4% increase over the FY14 budget and assumes growth in business activity. Insurance premium tax is \$27 million, which is a 1.9% increase over the FY14 projection and budget.

Insurance premium tax revenue tends to be cyclical and assumes flat risk rates for the state. Franchise fee is \$21.5 million, which is a 2.4% increase over the FY14 projection and a 6.3% increase over the FY14 budget.

The Urban Services Fund is budgeted at \$37,119,520 for FY15, which is a 1.4% increase from the FY14 projection and a 1.3% increase from the FY14 budget. This reflects a 2.1% increase in total Realty Tax revenue and flat commodity sales. There is a transfer from the General Fund of \$2.3 million for the street light program.

The Sanitary Sewer Fund is budgeted at \$49,555,430 for FY15, which is a 0.3% decrease from the FY14 projection and a 6.6% increase from the FY14 budget. User fee revenue is flat over FY14 projection. There is a decrease in interest revenue due to draw down on capital funds. \$37.27 million in KIA loan proceeds assumed for capital program.

The Water Quality Fund is budgeted at \$13,111,250 for FY15, which is flat from the FY14 projection and a 3.7% decrease from the FY14 budget. No KIA proceeds budgeted in FY15. Reflects flat revenue in user fees.

The Landfill Fund is budgeted at \$6,983,600 for FY15, which is a 2.7% increase from the FY14 projection and a 0.8% increase over the FY14 budget.

Stinnett asked if the 3.8% general fund increase was over the revised 2014 estimate. Cook said that is was.

Henson asked if the insurance premium included health insurance. Cook said that it includes all categories for insurance. Henson asked if more people becoming insured would effect it. Cook said that we could see some increase but he did not have any numbers looking forward to project it.

Kay asked for an explanation on what the fee is actually applied to. O'Mara stated that the only thing that is assessed an insurance premium tax are individual plans and group plans are excluded. Barberie said he would send a copy of the statute which articulates what is included and what is not. Kay added that the KY plans are group plans and would not be taxed. O'Mara will follow up and be sure that is correct.

Henson asked why one group would not be taxed and another would be taxed. O'Mara will send something to Council Members to address this issue.

Kay asked if we were subject to state regulations or can we make the decision. O'Mara stated that we have control over the amount (percentage) but we do not have control over what it is assessed on.

Akers asked what the assessment value is now. O'Mara said it is 5%. Akers added that we can raise that but we can't say who pays it. O'Mara stated that we can't decide whose insurance it is assessed on. Akers added that we set the rates. O'Mara confirmed.

Lane asked if they had also projected into the future beyond FY15 because he wanted to know if there were numbers for bonding. O'Mara said that would come in the next section of the presentation on bonding and there were revenue projections that went along with that.

Myers asked Barberie if it was possible that we could increase assessments on one policy versus another. Barberie said they would have to look at that issue before giving a conclusive answer.

Gorton asked if we currently needed Landfill Funds to cover the closures. She doesn't think we have a landfill currently. Martin said we have long term obligations on the closure and the Solid Waste Task Force was looking very closely to determine if the current dollar amount was appropriate.

FY15 Current and Proposed Bonding

Commissioner O'Mara discussed existing bonds, which represent all project bonds that have been issued and the city is paying debt service. These will end in about 2035. The Mayor's Proposed Budget for FY15 proposes \$25 million in bonds, FY16 proposes \$20 million in bonds and FY17 proposes \$15 million per year going forward. There are needs delayed during the recession and these numbers were modeled to represent what it would look like under that assumption. We have a 10% of revenue target for debt service.

O'Mara provided information on the \$40 million project bond proposed for Rupp Arena. It would have no impact on the FY15 budget as the payments would show up in FY16 and continue on for the life of the bond.

O'Mara commented on the pension bonds, which unlike the others are taxable because they are not project related. When these are added, we are above our 10% goal and will be until about 2023 under this scenario. We will grow out of it with increased revenue and controlled spending.

Lane asked if the bond debt included all debts. O'Mara said this is general obligation debt which is supported by the General Fund. Lane asked if there was other debt besides bonds. O'Mara said not of a material amount and added that this was before subsidies to the debt service. Lane asked what rate of interest we are projecting on future bonds. O'Mara said they started at 3%, in FY16 they used 3.5% and for FY17 and beyond they estimated 4%. Lane asked what the total bond debt would be if you included everything (sanitary sewer, etc.). O'Mara said he will send that information.

Stinnett asked for more detail behind the chart and asked O'Mara to go through this information briefly. O'Mara commented on the chart adding that he would get the number for the total sewer debt which is the missing piece. Stinnett asked for a copy of the chart. O'Mara will provide. Stinnett asked if the amount in the budget was net of the Municipal Aid Program (MAP). O'Mara said it was. Stinnett asked what the first year of the pension bond was. O'Mara said 2009. Stinnett stated that we began taking about the 10% goal in 2008 before there were any thoughts of pension bonding and added that even though the pension bond puts us over today, we are still below if you add up all the other categories, including the Rupp project. Stinnett asked which bonds dropped off this year. O'Mara will send that information to Council. Stinnett asked if the \$15 million project will hold. O'Mara said this was one scenario of how we would meet that. Stinnett asked if this included any additional bonds for resurfacing. O'Mara said it does not and there is information on that later in the presentation.

Kay asked about the decline in the chart in 2023. O'Mara said there were some bonds that drop off and will be fully paid. He can send a list of which ones. He did not come prepared to discuss specific bond issues. Kay asked about the projection in 2037, will it flatten out and balance. O'Mara said that it would slowly rise if we continue to bond but they only projected out that far.

Ellinger asked about clarification on the bond chart. He would like to see the chart changed to show the items we are currently bound to pay on the bottom and project the new bonds on the top to get a better idea of what our current obligation is and what we actually have to spend each year compared to the goal. O'Mara will make these changes and redistribute.

Akers agrees with Ellinger that it would be helpful if the chart is rearranged. Akers asked why the \$40 million proposed bond is separate. O'Mara stated that it is a stand alone project.

Ellinger asked if they could add in what we have to spend each year for proposed projects as well as what it will be for Rupp. O'Mara clarified that they would like a spreadsheet for annual components. Ellinger agreed. O'Mara has that information but was concerned that it was too busy but he will distribute that to Council.

Lane commented on the new City Hall and other capital investments that may be required over the next 10 years.

Beard commented on the \$40 million for Rupp Arena adding that as it currently stands, there are no funds from UK or the state so if we proceed, we will be adding bonds every year for this purpose. Frank Butler stated that the \$40 million presumes that the other financing comes together. If the state and UK do not contribute, there is no need for the \$40 million. Beard stated that this still will only cover a third of what needs to be done by 2017 based on numbers that have been released. Butler stated that the plan calls for an annual \$10.7 million contribution from UK, an \$80 million contribution from the state and \$40 million contribution from the city in addition to other revenue generated by the activities of the Lexington Center Corporation. When these are added together, it is sufficient funding for the \$175 million

renovation of Rupp and the \$110 million reconstruction of the Convention Center. There is no anticipation that the project would come back and ask for any additional funds from the city. This is a one time request. Beard understands that, but wanted to know if the bonds would still be issued if the state and the University do not contribute. Butler said the bonds would not be issued without the support of the partners.

Stinnett asked for the chart to include the debt service payments. The issue is not really the bond but the payments, which will take away from other important projects. This will result in \$2.5 million additional coming from the general fund to cover the Rupp bond. O'Mara clarified the request. Stinnett compared it to living on a credit card. The path is not sustainable at the current rate and we should only grow our debt for priorities and needs.

Ford plans to bring up the issue of Rupp at the work session, not in regards to bonding. Ford asked if there were any funds for repairs to the existing Government Center or building a new one. O'Mara stated that there are dollars budgeted for repairs, not only for the Government Center but for all buildings owned. There is currently an RFP out for a new Government Center. There is an idea being developed to build a new center and will be revealed when it comes together. Ford asked if we would have to incur long term debt to build a new Government Center from a forecasting standpoint. O'Mara said there was nothing included in the forecast for this since it had not been fully vetted at this time. Shapiro commented on why there was no money set aside for the public-private partnership. There is a chance we won't have to bond or may bond something less than \$30 million (lease option).

Kay asked if the projected amounts were place holders for any projects that may come up. O'Mara said that was correct. He did a scenario to project future years and to do that we have to make assumptions so he picked a few for the model. Kay asked why we bond. O'Mara said it is always best to pay cash but many cannot afford to do that or feel that the benefits of doing it now are not good enough to not take on debt. These are usually things that have a future useful life. Bonding is competitive and usually a low rate, non-taxable and usually lower than bank rates. It is a low cost for capital financing.

Gorton asked if the blue line is for the Rupp project. O'Mara said it was modeling for the Rupp project. Gorton asked if there was any reason that we would have to authorize these bonds now to sell next spring since the state is out and the University is out and we are the only entity with funds still in this project. Is there any reason we cannot wait to authorize them. O'Mara stated that the issuance of bonds is at the discretion of the Council. The authorization is not an edict to issue. This can come at two different times. Gorton asked what is the latest Council can decide to authorize, adding that it will be a year before the state legislature meets again so there shouldn't be a rush. O'Mara clarified that he was not advocating for this, he was just providing the information. Authorization can be at any time between now and the issuance of the bonds. Butler commented on why now. The other parties want to see that they city has approved funds for the Rupp project conditional on the others putting in their support. Butler feels this will help when he and Mayor Gray go to the legislators to negotiate. Gorton asked if

there was any difference between April and November 2014, realizing that those involved would prefer sooner rather than later. Butler said they will negotiate again in June and it would be helpful if there was support from the city. Gorton feels the most important thing would be for the Council to finally have a discussion about the Rupp project, which will help everybody sort through all of these things.

Ellinger asked Butler if the \$40 million was all we would be asked to put into this. Butler said yes. Ellinger asked about the other numbers provided. Butler stated \$10.7 million from the University adding that we are asking the University to invest over \$300 million in Rupp over 30 years and they don't own it, the city does, we are asking the state to put in \$80 million and they don't own it, the city does. The city is being asked to put \$40 million into a building they own and it is a one time request. Ellinger asked O'Mara to separate out existing debt service payments from future debt service incurred with new bonds when he sends the annual payment information to Council.

Lane asked Butler if the Urban County Government had any obligation outside of the \$40 million in the event of a shortfall. Butler said we basically have the obligation for the Lexington Center Corporation now so that doesn't change. LFUCG would have the obligation for any debt that the Lexington Center Corporation takes on.

Stinnett asked if there was a way to show a 3% inflation rate to the chart for the model. O'Mara said they can do that but he did not do that for this scenario. Stinnett feels that would be a more accurate assessment. Stinnett asked Butler what the return on the investment is. Butler said the upside is in the details in the contract with the University which were not included because they would wonder where it came from. There is an upside in food and beverage and media. There would be a capital reserve created, which does not exist now. Rupp operates pretty much on a break even basis and does not have capital for repairs. Butler said there is a substantial return but they can't put a number to it. Stinnett stated that Butler is only focusing on the Rupp piece, what about the convention center. Butler said that was minimal. The convention center does not make money on its own, it is subsidized by Rupp. Butler added that they built in an increase for revenue but were very conservative because part of the project requires a 14 month blackout period during which time the convention center will be closed. Once it is reopened, it will take time to recover. Stinnett asked when the public and the Council would see the detailed plan. Butler said they can do that whenever they are ready now that the session is over, they can do it one-on-one if the Council would like. Stinnett stated that he felt it was more important for the public to hear it and understand what they are trying to do and why the Council would even consider issuing a bond.

Scutchfield reminded Butler that she had requested a 5 year past profit for Lexington Center looking at the ROI in the future. She has not received this and it would be helpful for the Council to see when making decisions. Butler said they would get that but they had been otherwise engaged.

Gorton commented in response to Scutchfield that at the last Lexington Center Board meeting, they looked at numbers. The only two net profit generators are the Hyatt and the arena. Gorton added that others do have an economic impact on our community (Opera House, Triangle Park, etc.). What happens when the convention center goes dark and all of these businesses are closed for a year or two years. This is a future conversation but it is a major conversation.

O'Mara discussed the FY15 bonding for the Sewer Fund. \$37 million in KIA loans and cash reserves will be used and no new money bond will be issued. Existing sewer bonds will be restructured to allow more favorable debt covenants (will better position LFUCG to issue debt to support EPA consent decree).

Lane asked what the estimate is for the total bonding of the EPA consent decree. O'Mara said there is a model and he doesn't remember the three pots right now but it depends on how things come in. It is updated about every 6 weeks or so and they are having it reviewed by an outside entity to be sure there are no mistakes since we will be using it for a while. Lane requested that this information be sent to Council when it becomes available.

Melissa Lueker walked Council through the list of capital items included in the FY15 proposed project bond for the General Fund.

Myers asked if the pothole patcher was a machine or if it was materials and labor to fill potholes. Lueker said it is actually a machine. Myers asked if it was the same one we looked at last year. Lueker said it was the same one that was included as a fund balance request last year and removed.

Akers asked if the roof repair and replacement HVAC was for the Downtown Arts Center. Lueker said the roof repair was for the Carnegie Center, Downtown Arts Center, General Services Building and Police Headquarters.

FY15 Cash Funded Capital

Lueker walked Council through the list of cash funded capital items for FY15 in the General Fund and Urban Services Fund. Lueker commented on the plan for road resurfacing. The FY15 budget does not include any bonds for resurfacing.

Myers asked if it was possible to get detail on the larger items on the list for cash funded capital. Lueker said they will send it.

Stinnett asked what wasn't funded. Lueker said she has a list and will provide that. Stinnett asked if the road funding was for major roads or neighborhood roads. Lueker said they did not split those and it would be up to Council to decide.

Myers asked for detail on the different accounts (coal severance, etc.). Lueker said she will send that information.

Gorton asked that it be sent to all Council members.

2. Upcoming Budget COW Meetings

Gorton pointed out that the next Budget COW meeting is the Discussion & Analysis of the Mayor's Proposed Budget on April 29th at 2:00pm in the Chamber.

Ford asked about late items, what defines a late item. Lueker said the late items include errors or omissions in the Mayor's Proposed Budget, no new projects.

Gorton asked if things approved by Council between the budget address and late item deadline would be added. Lueker said that any items approved between now and the late item deadline will be included.

Motion by Kay to adjourn. Seconded by Ellinger. Motion passed without dissent.