

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
April 5-April 12, 2010**

Monday, April 5

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

Tuesday, April 6

Special Committee of the Whole (COW) Meeting.....10:00 am
Council Chambers-2nd Floor Government Center

Services 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 Government Center

Wednesday, April 7

No Meetings

Thursday, April 8

Building Inspection Task Force Meeting.....3:00 pm
Conference Room-5th Floor Government Center

Economic and Community Development Task Force Meeting..... **CANCELLED**
Council Chambers-2nd Floor Government Center

Council Meeting.....7:00 pm
Council Chambers-2nd Floor Government Center

Friday, April 9

Mayor's Task Force on Breast Cancer.....10:00 am
Conference Room-5th Floor Government

Monday, April 12

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

April 6, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes (separate, not in packet)**
- IV. Budget Amendments – Yes, pp. 7-11**
- V. New Business, pp.13-42**
- VI. Continuing Business / Presentations**
 - A. Special Council Planning Committee, pp.43-45 (for informational purpose only)**
 - B. Council Budget and Finance Committee, pp.46-47**
 - C. In2Lex**
Mr. Rama Dhuwaraha, Chief Information Officer
 - D. 2010 Census Update**
Ms. Michelle Elison, KY Partnership Specialist
US Census Bureau Charlotte Region
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**
- X. Closed Session – Litigation**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Amend Section 1 of Ordinance No. 40-2010 to Correct a Clerical Error. (137-10) (L. Jarvis/Rumpke)
This request will authorize an amendment to Section 1 of Ordinance No. 40-2010 to change *340.020 2 423 111N Engineering Technician* to read *340.120 2 423 111N Engineering Technician*. There are no other changes associated with this amendment. There is no budgetary impact.**p.13**
- B. Authorization to Advertise for Bids Regarding Policemen's and Firefighters' Retirement Fund and the Sewer Revenue Bonds. (164-10) (Rumpke)
This request will authorize the advertisement for bids regarding taxable General Obligation Bonds in the amount of \$35.8 million for the Policemen's and Firefighters' Retirement Fund and nontaxable Sewer Revenue Bonds in the amount of \$14.4 million.**p.14**
- C. Authorization to Submit 2010 Consolidated Plan to the US Department of Housing and Urban Development (HUD), Accept Awards and Execute Subrecipient Agreements – FY2011. (165-10) (P. King/Rumpke)
This request will authorize the submission of the 2010 Consolidated Plan to HUD and accept awards for the Community Development Block Grant (CDBG), HOME Investment Partnerships, and Emergency Shelter Grants Programs and for the execution of subrecipient agreements. The CDBG has \$2,278,561 in federal funds with an anticipated \$200,000 in program income for FY2011, for a total of \$2,478,561. The HOME Investment Partnerships has \$1,501,092 in federal funds with a required local cash match of \$327,746 (requested from the FY2011 General Fund budget), \$163,750 from closed-out Urban Development Action Grant loan, and an anticipated \$250,000 in program income, for a total of \$2,078,838. The Emergency Shelter Grants has \$91,513 in federal funds with a cash match of \$24,000 (requested from the FY2011 General Fund budget) and \$67,513 of in-kind match from subrecipient agencies.**pp.15-17**
- D. Authorization to Accept an Award from the Kentucky Division for Air Quality on Behalf of the Department of General Services, Division of Facilities & Fleet Management, under Kentucky Clean Diesel Grant Program. (147-10) (P. King/Cole)
This request will authorize acceptance of an award of federal funds in the amount of \$150,000 from Kentucky Division of Air Quality on behalf of the Division of Facilities & Fleet Management, under Kentucky Clean Diesel Grant Program. Funds will be used to purchase and install diesel multi-stage filters on twenty-six (26) refuse haulers. The source of funds is the US Environmental Protection Agency, State Clean Diesel Grant Program. No matching funds are required.**p.18**
- E. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of General Services, Division of Parks & Recreation. (148-10) (Hancock/Cole)
This request will authorize a Facility Usage Contract with FCBE on behalf of the Division of Parks & Recreation, for use of Fayette County Public School facilities for the Extended School Program (ESP) and the Recreational Enrichment and Learning (REAL) Program. The programs are to pay honoraria in lieu of fees.**p.19**

- F. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of General Services, Division of Parks & Recreation. (149-10) (Hancock/Cole)
This request will authorize a Facility Usage Contract with FCBE in the amount of \$24,120 on behalf of the Division of Parks & Recreation, for use of the gymnasium and library at Windburn Middle School for a Winburn Community Center Program. Funds are budgeted.**p.20**
- G. Authorization to Approve an Agreement for Right to Enter for Construction of Groundwater Monitoring Wells with Shield Environmental Associates, Inc. Regarding Property Adjacent to the Town Branch Wastewater Treatment Plant (WWTP). (144-10) (Martin/Taylor)
This request will authorize an Agreement for Right to Enter for Construction of Groundwater Monitoring Wells with Shield Environmental Associates, Inc. to allow access to the Town Branch WWTP property to install additional monitoring wells to confirm the extent of the plume from the adjacent Fansteel, Inc. property.**p.21**
- H. Authorization of a Memorandum of Understanding (MOU) with the University of Kentucky Research Foundation (UKRF) on Behalf of the Department of Environmental Quality, Division of Water Quality. (145-10) (Martin/Taylor)
This request will authorize a MOU in the amount of \$73,966 with UKRF on behalf of the Division of Water Quality, for specialized water quality sampling and analysis within a defined area of the Wolf Run watershed. Funds are budgeted.**p.22**
- I. Authorization to Amend Section 16-43(7) of the Code of Ordinances on Behalf of the Department of Environmental Quality, Division of Water Quality. (146-10) (Martin/Taylor)
This request will authorize an amendment to Section 16-43(7) of the Code of Ordinances on behalf of the Division of Water Quality, to modify local limits for certain chemical constituents and/or objectionable or toxic substance for the Wastewater Pretreatment Program.**pp.23-25**
- J. Authorization to Amend Section 21-5 of the Code of Ordinances within the Chief Information Office, Division of Enterprise Solutions. (151-10) (L. Jarvis/Dhuwaraha)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Enterprise Systems Developer Sr. (Grade 118E) within the Division of Enterprise Solutions. The fiscal impact for FY2010 is \$11,723.09 and is budgeted. Total annual impact is \$76,200.07.**p.26**
- K. Authorization to Approve Acquisition Plat at 1421 Higbee Mill Road for the Clays Mill Road Improvements Project. (153-10) (P. King/Webb)
This request will authorize the approval of an Acquisition Plat of 292 square feet at property located at 1421 Higbee Mill Road, owned by LFUCG, for a right-of-way as part of the Clays Mill Road Improvements Project. There is no budgetary impact.**p.27**

- L. Authorization to Accept Awards, if Offered, from the Federal Highway Administration (FHWA) on Behalf of the Department of Public Works & Development, Division of Planning, under the Unified Work Program – FY2011. (154-10) (P. King/Webb)

This request will authorize the acceptance of the following awards from FHWA, if offered, on behalf of the Division of Planning, for transportation planning activities under the Unified Work Program.

- Federal funds in the amount of \$301,664 for the FHWA Planning Program. This program requires a state match of 5% (\$18,854) and a local match of 15% (\$56,562). Total program cost is \$377,080.
- Federal funds in the amount of \$44,000 for the Federal Transit Administration, Section 5303 Program. This program requires a local match of 20% (\$11,000). Total program cost is \$55,000.
- Federal funds in the amount of \$102,000 for the Mobility Office (SLX) Program. This program requires a local match of 20% (\$25,000) and will come from documented public service announcements. Total program cost is \$127,500
- Federal funds in the amount of \$54,000 for the Air Quality Planning (SLX) Program. This program requires a local match of 20% (\$13,500). Total program cost is \$67,500.

The combined funding sources support personnel costs for seven (7) transportation planning positions and operating expenses within the Division. The source of state funds is the Kentucky Transportation Cabinet. Acceptance of awards is subject to the availability of sufficient funds in FY2011.**pp.28-29**

- M. Authorization of an Amendment to Agreement with the Fayette County Commonwealth Attorney's Office, under the Street Sales Drug Enforcement Project – FY2010. (159-10) P. King/Bennett)

This request will authorize an amendment to agreement to reduce fund allocation from \$51,664 to \$26,461 with the Fayette County Commonwealth Attorney's Office, under the Street Sales Drug Enforcement Project. Funds were to support one (1) fulltime assistant prosecutor. This position has been vacant for approximately six (6) months. The reduction of \$25,203 has been approved by the Kentucky Justice and Public Safety Cabinet to be reallocated to the Division of Police for overtime of officers.**pp.30-31**

- N. Authorization to Submit Grant Application to the Kentucky Transportation Cabinet (KYTC) and Accept the Award if Offered, on Behalf of the Department of Public Safety, Division of Police, for Continuation of the Traffic Safety Program – FY2011. (162-10) (P. King/Bennett)

This request will authorize the submission of a grant application for federal funds in the amount of \$65,000 to the KYTC and accept the award if offered, on behalf of the Division of Police, to continue the Traffic Safety Program. A local match of 50% (\$65,000) is required and has been requested in the FY2011 General Fund budget.**p.32**

- O. Authorization of an Agreement with the Fayette County Commonwealth Attorney's Office, under the Cold Case Resolution Pilot Project in Fayette County. (163-10) (P. King/Bennett)

This request will authorize an agreement for federal funds in the amount of \$10,000 with the Fayette County Commonwealth Attorney's Office for provision of services under the Cold Case Resolution Pilot Project. Funds are budgeted.**p.33**

- P. Authorization to Accept an Award from the Lexington-Fayette County Health Department (FCHD) on Behalf of the Department of Social Services, Family Care Center, for Continuation of the Home Network Project – FY2011. (157-10) (P. King/Helm)

This request will authorize the acceptance of federal funds in the amount of \$491,657 (Medicaid funds - \$440,214 & non-Medicaid funds - \$52,443) from FCHD, the granting agency, on behalf of the Family Care Center, to continue the Home Network Project. The Project provides home visitation services for high risk families from birth of the first child up to age two (2) to reduce child abuse and neglect. Funds are allocated by the Kentucky Cabinet for Health and Family Services from the Kentucky Medical Assistance Program and tobacco settlement dollars.**p.34**

- Q. Authorization to Submit a Grant Application to the US Department of Justice on Behalf of the Department of Public Safety, Division of Community Corrections, under the 2010 State Criminal Alien Assistance Program (SCAAP). (158-10) (P. King/Bennett)

This request will authorize the submission of a grant application for federal funds (to be determined by Immigration and Customs Enforcement) to the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, on behalf of the Division of Community Corrections, under the 2010 SCAAP. This Program allows reimbursement for costs of incarcerated undocumented criminal aliens.**p.35**

- R. Authorization to Submit a Grant Application to the Bluegrass Area Development District (BGADD) and Accept the Award if Offered, on Behalf of the Department of Social Services, Lexington Senior Citizens Center – FY2011. (155-10) (P. King/Helm)

This request will authorize the submission of a grant application for federal funds in the amount of \$90,554 to BGADD and accept the award if offered, on behalf of the Lexington Senior Citizens Center, for personnel costs, utilities, travel and other operating costs. A minimum local match of 15% (\$160,146) has been requested in the FY2011 General Fund budget. The source of funds is the Older Americans Act. Total project cost is \$263,700.**p.36**

- S. Authorization to Submit a Grant Application to the Kentucky Department of Juvenile Justice and Accept the Award if Offered, on Behalf of the Department of Social Services, Division of Youth Services, for Day Treatment Services – FY2011. (156-10) (P. King/Helm)

This request will authorize the submission of a grant application for state funds in the amount of \$241,845 to the Kentucky Department of Juvenile Justice and accept the award if offered, on behalf of the Division of Youth Services, for operation of a community-based Day Treatment Program. This Program focuses on delinquent youths between ages 12 and 17. Funds in the amount of \$190,785 have been requested in the FY2011 General Fund budget.**p.37**

- T. Authorization to Approve Central Indiana Truck Equipment Corporation as a Sole Source Provider on Behalf of the Department of General Services, Division of Facilities & Fleet Management and the Department of Environmental Quality, Division of Waste Management. (160-10) (Loney/Cole)

This request will authorize the approval of Central Indiana Truck Equipment Corporation as a sole source provider on behalf of the Divisions of Facilities and Fleet Management and Waste Management for procurement of one (1) Heil™ Python® MultiPack refuse truck waste collection body at a cost not to exceed \$161,358. This will be the 25th truck purchased within the FY2010 Vehicle Replacement Fund budget.**pp.38-40**

- U. Authorization to Rescind Resolution No. 51-2010 with Tri-County Ford Mercury, Inc. on Behalf of the Department of General Services, Division of Facilities & Fleet Management. (161-10) (Loney/Cole)

This request will authorize the rescission of Resolution No. 51-2010 with Tri-County Ford Mercury, Inc., on behalf of the Division of Facilities & Fleet Management, regarding the purchase of two (2) Ford F550 trucks with snow removal equipment for the Division of Streets, Roads & Forestry (SRF). The Division of SRF has requested diesel instead of gasoline engines. This purchase request will be rebid.**pp.41-42**

BUDGET AMENDMENT REQUEST LIST

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JOURNAL	41669-70	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	1,000.00
					1,000.00CR
					.00

To recognize a donation from Fifth Third Bank to Fiesta Latino.

JOURNAL	41671-72	DIVISION	Public Works	Fund Name	General Fund
				Fund Impact	900.00
					900.00CR
					.00

To provide funds for operating by recognizing revenues received.

JOURNAL	41755-56	DIVISION	Mayor's Office	Fund Name	General Fund
				Fund Impact	408.59
					408.59CR
					.00

To provide funds for operating expenses by recognizing revenue reimbursements.

JOURNAL	KC00089	DIVISION	Various	Fund Name	General Fund
				Fund Impact	1,314,720.00
					1,314,720.00CR
					.00

To reallocate lump sum termination pay and sick pay service credit budgets from the contingency department ID to divisions where costs were incurred for the second quarter of FY 2010. This reallocation has no impact on fund balance.

JOURNAL	KC00090	DIVISION	Various	Fund Name	General Fund
				Fund Impact	2,657,920.00
					2,657,920.00CR
					.00

To reallocate personnel vacancy credit budget from the contingency department ID to divisions where vacancy or lapse occurred for the second quarter of FY 2010. This reallocation has no impact on fund balance.

JOURNAL	41676	DIVISION	Police	Fund Name	Police Confiscated Fund
				Fund Impact	26,000.00
					26,000.00CR
					.00

To provide funds for computer equipment, server and weapons by reducing conferences and other training in Asset Forfeiture Fund.

JOURNAL	41680	DIVISION	Finance/ Water Quality	Fund Name	Stormwater Bond Fund
				Fund Impact	1,000,000.00CR
					1,000,000.00CR

To remove funds for sewer repair bond project put on hold by Council. Division of Water Quality stated they will be able to fund from non-bond sources.

JOURNAL	41598	DIVISION	Finance/ Public Works Administration	Fund Name Fund Impact	Bond Projects Fund 988,841.00 988,841.00CR .00
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To provide funds for Distillery District Streetscape design approved by Council and included on the 2010A Bond issue.

JOURNAL	41599	DIVISION	Finance/ Public Works Administration	Fund Name Fund Impact	Bond Projects Fund 1,200,250.00 1,200,250.00CR .00
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To budget funds for Distillery District Trail Project approved by council and included in the 2010A Bond issue.

JOURNAL	41758	DIVISION	Community Development	Fund Name Fund Impact	US Dept of Justice 46,857.00 46,857.00CR .00
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To provide for use of civilian overtime as well as police overtime in Cold Case project.

JOURNAL	41684-85	DIVISION	Community Development	Fund Name Fund Impact	US Dept of Transp 5,080,000.00 5,080,000.00CR .00
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To delete budgets for Legacy Trail 1 and 2 which are now being handled as projects by the State.

JOURNAL	41690	DIVISION	Community Development	Fund Name Fund Impact	US Homeland Security 641.97 641.97CR .00
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To eliminate negative balances on capital accounts for Emergency Management grant.

JOURNAL	41673	DIVISION	Community Development	Fund Name Fund Impact	US Homeland Security 11,651.76 11,651.76CR .00
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To provide for purchase of computer software for Emergency Management grant.

JOURNAL	41600-01	DIVISION	Community Development	Fund Name Fund Impact	US Homeland Security 100,000.00 100,000.00CR .00
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To budget additional funds for the CSEPP bus project. Funds are being provided by the Kentucky Hospital Research and Education Foundation.

BUDGET AMENDMENT REQUEST SUMMARY

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Fund	1101	General Service District Fund	.00
Fund	1131	Police Confiscated Federal	.00
Fund	2518	2009 Bond Fund	1,000,000.00CR
Fund	2600	Bond Projects Fund	.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3220	US Department of Homeland Security	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

April 6, 2010 Work Session

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If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST	
147-10	2850	Community Development	To establish grant budget for Kentucky Diesel project.	
D			3170	150,000
			3170	150,000CR
				0*
154-10	TBD	Community Development	To establish grant budget for FY 2011 Transportation Planning activities.	
L			3160	627,080
			3160	627,080CR
				0*
155-10	TBD	Community Development	To establish grant funds for operation of the Senior Citizens Center - FY 2011.	
R			3190	263,700
			3190	263,700CR
				0*
156-10	TBD	Community Development	To establish grant funds for Day Treatment Services - FY 2011.	
S			3400	432,630
			3400	432,630CR
				0*
157-10	TBD	Community Development	To establish grant funds for the Home Network Project at the Family Care Center - FY 2011.	
P			3190	491,657
			3190	491,657CR
				0*
162-10	TBD	Community Development	To establish grant funds for the Traffic Safety Program – FY 2011.	
N			3160	130,000
			3160	130,000CR
				0*

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
165-10	TBD	Community Development	To establish grant funds for CDBG, Emergency Shelter, and HOME– FY 2011.
C			3120 6,819,263 3160 6,819,263CR 0*

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EFFECT ON FUND BALANCES			
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FUND 3120	0*	NO IMPACT TO:	US DEPARTMENT OF HOUSING AND URBAN DEV
FUND 3160	0*	NO IMPACT TO:	US DEPARTMENT OF TRANSPORTATION
FUND 3170	0*	NO IMPACT TO:	US ENVIRONMENTAL PROTECTION AGENCY
FUND 3190	0*	NO IMPACT TO:	US DEPARTMENT OF HEALTH AND HUMAN SERVICES
FUND 3400	0*	NO IMPACT TO:	GRANTS - STATE

Budget Information For New Business Items

April 6, 2010 Work Session

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Item	Number	Amount	Fund	Name / Description
A	137-10	NA		
B	164-10	NA		
C	165-10	6,819,263	3120	US Department of Housing and Urban Development
D	147-10	150,000	3170	US Environmental Protection Agency Budget Journal
E	148-10	NA		
F	149-10	24,120	1101	General Fund
G	144-10	NA		
H	145-10	73,966	4002	Sanitary Sewer Revenue and Operating Fund
I	146-10	NA		
J	151-10	11,723	1101	General Fund
K	153-10	NA		
L	154-10	627,080	3160	US Department of Transportation Budget Journal
M	159-10	(25,203)	3140	US Department of Justice
N	162-10	130,000	3160	US Department of Transportation Budget Journal
O	163-10	10,000	3140	US Department of Justice
P	157-10	491,657	3190	US Department of Health & Human Services Budget Journal
Q	158-10	NA		
R	155-10	263,700	3190	US Department of Health & Human Services Budget Journal
S	156-10	432,630	3400	Grants – State Budget Journal
T	160-10	NA		
U	161-10	97,014	2600	2010 Bond Fund



137-10

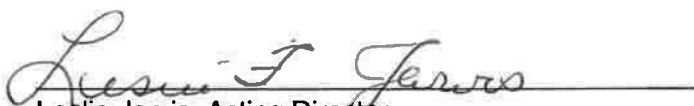
13

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources

M E M O R A N D U M

TO: Jim Newberry, Mayor
Joe Kelly, Senior Advisor
Council Members

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: March 15, 2010

SUBJECT: Error Correction—Amend Ordinance No. 40-2010

The attached action amends Sections 1 of Ordinance No. 40-2010, correcting one typographical error.

Section 1 currently reads: *That the following subsection line numbers of Section 21-5(2) of the Code of Ordinances be and hereby are created to read as follows:*

340.020 2 423 111N Engineering Technician

Section 1 should be amended to read: *That the following subsection line numbers of Section 21-5(2) of the Code of Ordinances be and hereby are created to read as follows:*

340.120 2 423 111N Engineering Technician

There is no fiscal impact associated with this action.

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 10-0052



14

164-10


Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Members, Urban County Council

FROM: Linda L. Rumpke, Commissioner 
Department of Finance & Administration

DATE: March 30, 2010

SUBJECT: Resolution to Authorize Advertisement for Bids for Pension Bonds

Authorization is requested to advertise for bids for \$35.8 million in taxable general obligation bonds for the Policemen's and Firefighters' Retirement Fund. This is the second issue of the planned series of bonds designed to address the underfunding. Annual debt service of approximately \$2.9 million will be budgeted in the 2010-2011 Budget and for the subsequent nineteen years. A companion ordinance and resolution are also requested to authorize this sale. Both the ordinance and the resolution are required documents for this bond sale.

In addition, we have an opportunity to refund the 2001A Sewer Bonds with new bonds at a favorable savings to the government. Authorization is requested to advertise for bids and companion ordinance and resolution for \$14.4 million in non-taxable sewer revenue bonds.

Attachment

LLR/lyb

**165 - 10****15**

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 30, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT 2010
CONSOLIDATED PLAN, ACCEPT AWARDS OF FEDERAL FUNDS
FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,
HOME INVESTMENT PARTNERSHIPS PROGRAM, AND
EMERGENCY SHELTER GRANTS PROGRAM, FROM THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR
FY 2010, AND TO AUTHORIZE EXECUTION OF AGREEMENTS
WITH SUBRECIPIENTS IN ACCORDANCE WITH APPROVED
PLAN**

The U.S. Department of Housing and Urban Development (HUD) requires a consolidated application submission for jurisdictions receiving funds through HUD's Planning and Community Development programs. The purpose of the Consolidated Plan is to serve as the planning document for the Lexington-Fayette Urban County Government's participation in these programs. The overall goal of the programs is to develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities for low and moderate income persons. The proposed 2010 Consolidated Plan includes a housing market needs analysis and a five-year strategic plan along with the jurisdiction's goals and objectives for addressing housing and community development needs five-year period from July 1, 2010 through June 30, 2015. The 2010 Consolidated Plan also includes a one-year action plan providing for the expenditure of Community Development Block Grant (CDBG) funds, HOME Investment Partnerships funds, and Emergency Shelter Grants (ESG) funds for Fiscal Year 2011 (the period of July 1, 2010 through June 30, 2011) to address some of the identified problems.

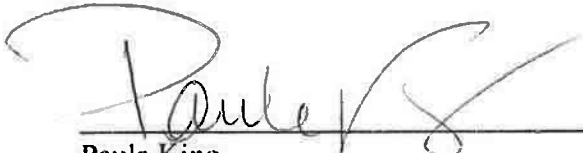
Federal regulations require that an active citizens' participation process be used to identify needs and to recommend the allocation of these federal resources. Two required public hearings have been conducted for the purpose of soliciting citizen comment on the housing and non-housing needs of the low-income population and on the budgeting of these federal funds to address identified needs. Applications for ESG, HOME, and CDBG funds were accepted through a uniform application process. Application solicitation was available through the LFUCG web page for the convenience of agencies having an interest in Consolidated Plan funding. The applications received were reviewed by the staff of the Division of Community Development. Their recommendations for funding were reviewed

by the Commissioner of Finance and Administration and the Senior Advisor to the Mayor. The proposed plan was made available for public comment as provided by the approved Citizens Participation Plan on March 8, 2010. The 30-day comment period expires on April 6, 2010. No substantial written comments on the draft plan have been received.

The Action Plan describes how funds available through the three program areas will be allocated and spent. The CDBG program has \$2,278,561 in federal funds with \$200,000 in program income anticipated in fiscal year 2011 for a total of \$2,478,561. The HOME Investment Partnerships program has \$1,501,092 in federal funds, with a required local cash match of \$327,746 requested from the 2011 general fund budget (\$163,750) and from the proceeds of a closed-out Urban Development Action Grant loan (\$163,996), and program income of \$250,000 for a total of \$2,078,838; and the Emergency Shelter Grants program has \$91,513 in federal funds, with a proposed FY 2011 general fund cash match of \$24,000, and an in-kind match of \$67,513 from subrecipient agencies.

These funds will be expended on public improvements, housing rehabilitation, public services, a first-time Homebuyer program, development of homeownership units for low-income households, development of rental units for low-income populations, homeless prevention activities, operational support for emergency and transitional housing, and planning and administration activities. A list of projects as recommended for the Community Development Block Grant program, the HOME program, the Emergency Shelter Grant program, and the American Dream Downpayment Initiative is attached.

Council authorization to submit the 2010 Consolidated Plan, with funding allocations as recommended herein, to accept the herein described federal funds, subject to the availability of sufficient funds in FY 2011, and to execute written agreements in accordance with the approved plan is hereby requested.



Paula King
Director

Attachment: 2010 Consolidated Plan Project Recommendations

Xc: Linda Rumpke, Commissioner of the Department of Finance and Administration

HUD CONSOLIDATED PLAN FY2010

Proposed Projects & Applications Received

165-10

17

FEDERAL	PROGRAM INCOME	REQUIRED MATCH	ADJUSTMENT FOR PRIOR YEARS PROG INC	TOTAL REVENUE	
CDBG	\$2,278,561	\$ 200,000.00	\$ -	\$ 2,478,561.00	Recommended Award
CONTINUATION PROJECTS					Requested Amount
Administration and Planning: (limit of 20% of award):					
	Administration: Division of Community Development Staff			\$ 180,000.00	\$ -
	Human Rights Commission- FT Investigator			\$ 60,000.00	\$ 65,073.00
Infrastructure: Meadows/Northland/Arlington: Highland Park					
				\$ 865,000.00	\$ 865,000.00
Housing:					
	Housing Rehabilitation Operations/Staff			\$ 350,000.00	\$ -
	Housing Rehabilitation, owner-occupied, \$1 million total			\$ 653,561.00	\$ -
	Realtor Community Housing Foundation-Ramp Program, Repair Affair and emergency repairs			\$ 40,000.00	\$ 60,000.00
	Community Action Council - weatherization program (10 units)			\$ -	\$ 40,125.00
<i>recommend \$0, has CDBG-R funds</i>					
Supportive Services: (limit of 15% of award):					
	Hope Center-transitional housing, year 12			\$ 50,000.00	\$ 60,000.00
	Hope Center for Women-transitional housing, year 9			\$ 40,000.00	\$ 50,000.00
	Police Activities League, year 10			\$ 25,000.00	\$ 50,745.00
	Salvation Army- emergency homeless shelter, year 9			\$ 40,000.00	\$ 75,000.00
	Repairers of the Breach, Inc. - expansion of youth, adult, employments services - year 4			\$ 21,000.00	\$ 28,200.00
	Volunteers of America-housing for homeless, year 12			\$ 50,000.00	\$ 60,000.00
	MASH Services of the Bluegrass- youth services - year 4			\$ 21,000.00	\$ 30,000.00
	Ruby E Bailey Family Services Center - year 2, Operation Regeneration summer camp at North Limestone Center & Woodhill			\$ -	\$ 34,000.00
	Bluegrass Domestic Violence Program - housing services to victims of domestic violence - year 5			\$ 28,000.00	\$ 42,000.00
	Bluegrass Regional Mental Health/Mental Retardation Board- temporary shelter for homeless with severe mental illness, year 5			\$ 35,000.00	\$ 38,875.00
	MAXIMUM \$ 342,000.00 Total Services: \$ 330,000.00			\$ -	\$ -
NEW PROJECTS					
Public Facilities:					
	Florence Crittenton Home- basement renovation			\$ -	\$ 187,650.00
	Florence Crittenton Home- new construction of duplex for graduates			\$ -	\$ 170,000.00
	Community Action Council- renovation of Southeast Lex Child Developm			\$ -	\$ 125,000.00
Supportive Services (limit of 15% of award):					
	Imani Family Life Ctr- HIV/AIDS education program (Focus on Youth)			\$ 20,000.00	\$ 43,000.00
	Bellewood Presbyterian, PRIDE Project- mentoring for foster care youth			\$ -	\$ 20,000.00
	Lexington Behavioral Maintenance- Housing Offenders Program			\$ -	\$ 84,908.00
	Chrysalis House- supportive services for SHOW			\$ -	\$ 18,000.00
	Road to Homeownership - financial literacy			\$ -	\$ 30,000.00
	Seedleaf Inc. - gardening program at schools			\$ -	\$ 37,104.00
	Virginia Place- Peer Mentoring program fro residents			\$ -	\$ 60,000.00
	Bluegrass Technology Center- DATA tech club for individuals with disabilities			\$ -	\$ 28,468.00

FEDERAL	PROGRAM INCOME	REQUIRED MATCH	TOTAL REVENUE	
HOME	\$ 1,501,092.00	\$ 250,000.00	\$ 327,746.00	\$ 2,078,838.00
Homebuyer Programs:				
	Fayette County Local Development Corporation (CHDO required 15% minimum of federal award)			\$ 230,000.00
	The Road to Homeownership			\$ -
	REACH, Inc.			\$ 400,000.00
	Lexington Habitat for Humanity			\$ 200,000.00
	Housing Rehabilitation: Division of Community Development			\$ 508,738.00
	Administration: Division of Community Development			\$ 150,100.00
	Fayette County Local Development Corporation			\$ 40,000.00
	Tenant Based Rental Assistance			\$ -
	AVOL Volunteers, Inc.- HIV/AIDS clients (balance of \$49,473)			\$ 50,000.00
	Rental Housing: <i>Recommend HOME Letters of Support:</i>			\$ -
	AU Associates, YWCA Cross Keys, (36 units),			\$ 500,000.00

FEDERAL	PROGRAM INCOME	REQUIRED MATCH	TOTAL REVENUE	
ESG	\$ 91,513.00	\$ -	\$ 91,513.00	\$ 183,026.00
Homeless Prevention Services: Division of Adult Services				
	Shelter Operations: Hope Center for Men			\$ 24,000.00
	Hope Center for Women			\$ 20,000.00
	Salvation Army			\$ 13,513.00
	Bluegrass Domestic Violence Program, Inc.			\$ 10,000.00

These agencies provide their own match.



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 23, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM THE KENTUCKY DIVISION FOR AIR
QUALITY UNDER THE KENTUCKY CLEAN DIESEL GRANT
PROGRAM FOR RETROFIT OF REFUSE HAULERS**

On January 14, 2010 (Resolution No. 7-2010), Council approved the submission of an application prepared by the Department of General Services requesting funding from the Kentucky Division for Air Quality under the Kentucky Clean Diesel Grant Program. Lexington-Fayette Urban County Government has been selected for full funding in the amount of \$150,000 for the purchase and installation of Diesel Multi-Stage Filters (DMFs) on 26 refuse haulers.

Funds will be used to retrofit 26 refuse haulers (2002-2006 models) each with a Diesel Multi-Stage Filter. The modifications will last from 7-15 years and will provide up to a 50% reduction in particulate matter per vehicle. Particulate matter is vehicle emissions comprised of a mixture of nitrogen oxides, sulfur oxides, metals, dust, and toxic chemicals.

No match is required. The Kentucky Division for Air Quality has been awarded these funds from the U.S. Environmental Protection Agency's State Clean Diesel Grant Program. The purpose of this program is to assist entities across Kentucky in building sustainable diesel emission reduction programs, ultimately protecting human health and the environment by achieving and maintaining acceptable air quality.

Council authorization to accept award is hereby requested.


Paula King, Director

Xc: Kimra Cole, Commissioner of the Department of General Services



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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM:


Jerry Hancock

RE: Facility Usage Contract

DATE: March 22, 2010

This is a request for Council approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program.

This Facility Usage Contract is for the purpose of using FCPS facilities for our ESP and REAL program. This contract covers the 2009-2010 school year and will expire June 3, 2010 or the last day of school for students.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

TO: Jim Newberry, Mayor
Urban County council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: 
Jerry Hancock

RE: Facility Usage Agreement

DATE: March 22, 2010

This is a request for Council approval of a Facility Usage Agreement between the Fayette County Board of Education and the Lexington Fayette Urban county Government.

This agreement is for the purpose of using FCPS facilities for our Winburn Community Center Program for rental of the Winburn Middle School Gymnasium and Library for a total rental fee of \$24,120.00.



144-10

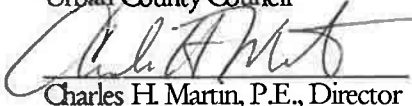
21

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

TO: Mayor Jim Newberry
Urban County Council

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

DATE: March 10, 2010

SUBJECT: Request for Authorization to Execute an Access Agreement with Shield Environmental Associates, Inc. to confirm success of remediation on an adjacent property.

The purpose of this memorandum is to request authorization to execute an access agreement with Shield Environmental Associates, Inc. to execute monitoring requirements necessary, on the Town Branch WWTP property, to meet state directives to a Corrective Action Plan for monitoring after remediation performed on an adjacent property.

On behalf of Garrett, LLC, Shield Environmental Associates, Inc. has been working to clean up the FANSTEEL property a superfund site adjacent to the Town Branch WWTP. In 2005, 3 monitoring wells were installed on the Town Branch WWTP site and the Superfund Branch of the Kentucky Division of Waste Management is requiring additional monitoring requirement to confirm the extent of the plume from the FANSTEEL property. Shield Environmental Associates, Inc. has provided all information required by the LFUCG, it is included in this packet.

Should you have any questions, please call.

Approved by:


Cheryl A. Taylor, Commissioner
Department of Environmental Quality
Lexington-Fayette Urban County Government

CH/tr



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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

To: Mayor Jim Newberry
Urban County Council

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

Date: March 22, 2010

Re: Agreement with University of Kentucky for Specialized Water Quality Sampling and Analysis

The purpose of this memorandum is to request approval of an agreement between LFUCG and the University of Kentucky for specialized water quality sampling and analysis within a defined area of the Wolf Run watershed.

Over the past 15 years, Dr. Gail Brion, Raymond-Blythe Professor and Director of the Environmental Research and Training Laboratories at UK, has developed a systematic approach to sampling and data analysis that identifies hot-spots of human fecal wastes in local streams and waterways. The Division of Water Quality is recommending approval of a pilot project to determine if past positive fecal coliform results in the Wolf Run watershed can be verified as human in origin.

The Division of Water Quality, along with citizens representing the Friends of Wolf Run will be partnering with UK researchers in implementing this pilot project in accordance with the enclosed Quality Assurance Project Plan (QAPP).

The total cost of the project is \$73,966 and funds for this project are budgeted in 4002-303401-3401-71299. Questions regarding this memorandum should be directed to Charles Martin at 425-2455.



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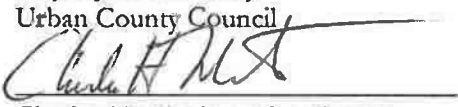
Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

Memorandum

To: Mayor Jim Newberry
Urban County Council

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

Date: March 17, 2010

Re: Amendment to Ordinance 16-43 pertaining to local pretreatment limits

The purpose of this memorandum is to request the amending of Section 16-43(7) of the Code of Ordinances to provide modified local limits for certain chemical constituents and/or objectionable or toxic substances for the Division of Water Quality wastewater pretreatment program.

Kentucky's Division of Water has reviewed these revised limits and has determined that they provide adequate protection of water quality, wastewater treatment plant operations and sludge quality for "Type B" sludge as defined in 401 KAR 45:100.

Questions regarding this agreement should be directed to Richard Lamey at (859) 425-2412.

pc: Cheryl Taylor, Commissioner, Department of Environmental Quality
Richard Lamey, Division of Water Quality
Ed Gardner, Department of Law

ORDINANCE NO. _____ - 2010

AN ORDINANCE AMENDING SECTION 16-43(7) TO CHANGE LIMITS ON CHEMICAL CONSTITUENT CONTRIBUTORS (CADMIUM, HEXALENT CHROMIUM, AND MERCURY) TO TOWN BRANCH AND WEST HICKMAN CREEK WASTEWATER TREATMENT PLANTS.

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

Section 1 – That Section 16-43(7) of the Code of Ordinances be and hereby is amended to read as follows:

(7) Any water or wastes containing the following chemical constituents and/or similar objectionable or toxic substances that exceed the following limits:

TABLE INSET:

Constituents	Contributors to Town Branch WWTP (mg/l)	Contributors to West Hickman Creek WWTP (mg/l)
(a) Arsenic	0.38	4.5
(b) Cadmium	0.402	0.2214
(c) Chromium, total	7.0	7.0
(d) Chromium, hexavalent	0.191	0.252
(e) Copper	1.0	1.0
(f) Cyanide, total	1.5	1.4
(g) Cyanide, amenable	0.23	1.0
(h) Lead	0.3	0.6
(i) Mercury	0.0005	0.0005
(j) Nickel	2.5	4.1
(k) Silver	0.64	4.8
(l) Zinc	4.1	4.1
(m) BTEX	10.0	10.0
(n) PAH	1.0	1.0

All other similar objectionable or toxic substances shall be reviewed by the director, division of sanitary sewers, prior to any discharge into the public sewer. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter.

Section 2 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL

PUBLISHED:

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda Rumpke
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Council Members

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: March 29, 2010

RE: Create Position— Division of Enterprise Solutions

The attached action amends Section 21-5 of the Code of Ordinances creating one (1) position of Enterprise Systems Developer Sr. (Grade 118E) in the Division of Enterprise Solutions effective upon passage of Council.

This action is one of the many steps in creating the Division of Enterprise Solutions work force. This position would be responsible for developing software applications to support the operation, maintenance, upgrade and enhancement of the Enterprise Resource Planning systems including Finance, HCM, and EPM to support the needs of LFUCG business units.

The fiscal impact for FY2010 is \$11,723.09 (4 pay periods) and includes benefits. Funds are budgeted in the adopted FY 10 budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Systems Administrator – Enterprise Solutions	\$0	\$56,340.40	\$56,340.40
Total Annual Impact/ Salary and Benefits \$76,200.07				

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Rama Dhuwaraha, Senior Advisor
Chad Cottle, Director, Division of Enterprise Solutions
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 10-0053



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 24, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO APPROVE ACQUISITION
PLAT AT 1421 HIGBEE MILL ROAD FOR DEDICATION OF 292 SQUARE
FEET OF HIGBEE MILL PARK AS RIGHT OF WAY FOR THE CLAYS
MILL ROAD IMPROVEMENTS PROJECT**

On June 7, 2007 (Ordinance # 120-2007), Council approved acceptance of supplemental award from Kentucky Transportation Cabinet for the design and right-of-way acquisition phases of the Clay's Mill Road Improvements Project. A 292 square foot portion of Higbee Mill Park already owned by LFUCG is needed for right-of-way for this project.

Council authorization to approve an acquisition plat showing that this 292 square foot portion is being changed to dedicated right-of-way for Clay's Mill Road, at no cost to the LFUCG, is hereby requested.



Paula King, Director

Xc: James M. Webb, Commissioner of the Department of Public Works and Development



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 22, 2010

**SUBJECT: AUTHORIZATION TO ACCEPT AWARDS, IF OFFERED, FOR FY 2011
TRANSPORTATION PLANNING ACTIVITIES**

The Transportation Planning Section of the Division of Planning has prepared a work program for Fiscal Year 2011 that includes funding from the following federal programs that finance the Unified Work Program.

<u>Federal Program</u>	<u>Federal Amount</u>	<u>State Match</u>	<u>Local Match</u>	<u>Total</u>
FHWA Planning	301,664	18,854 (5%)	56,562 (15%)	377,080
Federal Transit Administration Section 5303	44,000		11,000 (20%)	55,000
Mobility Office (SLX)	102,000		25,500* (20%)	127,500
Air Quality Planning (SLX)	54,000		13,500 (20%)	67,500
TOTALS	501,664	18,854	106,562	627,080

*source of matching funds is the documentation of Public Service Announcements

Among the activities covered by the Unified Work Program are congestion management, planning and updating the long-range transportation plan, air quality planning, traffic impact analysis, and updating the transit development plan. The Mobility Office program maintains responsibility for the promotion of car/van pooling and other activities that are designed to conserve energy, relieve highway congestion, reduce parking demand, and improve air quality.

These combined funding sources support the personnel costs of seven transportation planning positions in the Division of Planning. Operating costs such as office supplies, printing, maintenance, equipment and professional development are also included. The Kentucky Transportation Cabinet provides a 5% match on the FHWA Planning grant, for which the LFUCG provides a match of 15%. All other programs require a match of 20%.

Council authorization to accept the awards, if offered, is hereby requested, subject to the availability of sufficient funds in FY 2011.

A handwritten signature in dark ink, appearing to read "Paula King", is written over a horizontal line.

Paula King,
Director

Xc: James M. Webb, Commissioner, Department of Public Works and Development



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 29, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO AGREEMENT WITH THE FAYETTE COUNTY
COMMONWEALTH ATTORNEY'S OFFICE FOR REDUCTION OF
FUNDS UNDER THE STREET SALES DRUG ENFORCEMENT
PROJECT - FY 2010**

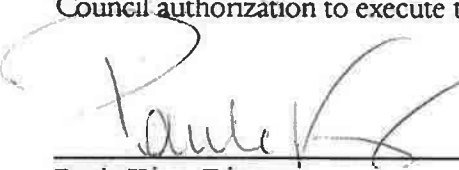
On October 1, 2009 (Resolution No. 619-2009), Council approved the execution of an agreement with the Fayette County Commonwealth Attorney's Office for support one full-time assistant prosecutor for the period of July 1, 2009 through June 30, 2010, for the "Fast Track" and the Major Violator (Repeat Offender) prosecution programs as part of a drug task force, under the federally-funded Street Sales Drug Enforcement project.

The assistant prosecutor's position was vacant for approximately six months; therefore an Amendment to Agreement is being proposed that reduces the amount allocated to the Commonwealth Attorney's Office by \$25,203. These funds are being reallocated to cover the costs of Police Overtime. A Grant Adjustment Notice approving this reallocation of funds has been approved by the Kentucky Justice and Public Safety Cabinet, the state agency that has awarded federal funds for this project.

Budget amendment is in process reducing encumbrance from the following account:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3140	112006	0001	71101	2010	MS GRANT	ST SALES 2010

Council authorization to execute the amendment to agreement is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

RESOLUTION NO. 619-2009

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AGREEMENT WITH THE FAYETTE COUNTY COMMONWEALTH ATTORNEY'S OFFICE, FOR A "FAST TRACK" PROSECUTOR FOR THE STREET SALES ENFORCEMENT PROJECT, AT A COST NOT TO EXCEED \$51,664.00.

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

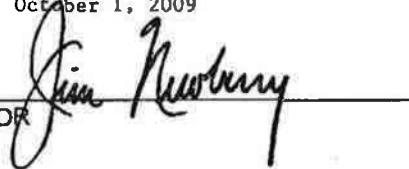
Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute an Agreement, which is attached hereto and incorporated herein by reference, with the Fayette County Commonwealth Attorney's Office, for a "Fast Track" prosecutor for the Street Sales Enforcement Project.

Section 2 - That an amount, not to exceed the sum of \$51,664.00, be and hereby is approved for payment to the Fayette County Commonwealth Attorney's Office from account #3140-112006-71101, pursuant to the terms of the Agreement.

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

PASSED URBAN COUNTY COUNCIL: October 1, 2009

MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: October 8, 2009-1t



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 30, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION,
AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY
TRANSPORTATION CABINET FOR PARTICIPATION IN THE TRAFFIC
SAFETY PROGRAM – FY 2011**

The Division of Police has prepared an application for submission to the Governor's Highway Safety Program in the Department of Transportation Safety/Kentucky Transportation Cabinet requesting federal funding for continuation of the Lexington-Fayette Urban County Government's Traffic Safety Program for FY 2011. These federal funds originate from the U.S. Department of Transportation's Highway Safety Standards Branch.

The purpose of this program is to improve safety in Fayette County through the enforcement of DUI, safety belt, speed limit, and traffic signal laws.

If approved, funds in the amount of \$80,000 will be used to continue the utilization of officers on an overtime basis to detect speeders, intoxicated drivers, those not wearing occupant protection, and drivers running red lights. In addition to overtime, \$45,000 will be used to purchase Lidar, radar, and preliminary breath testing (PBT) equipment. In addition, \$5,000 will be used to purchase "drive safety message" T shirts. Total project costs are \$130,000. Federal funding in the amount of \$65,000.00 is requested. The project requires a 50% local match of \$65,000.00. This amount has been requested in the FY 2011 general fund budget.

Council authorization to submit application, and accept award if offered, is hereby requested, subject to the availability of sufficient funds in FY 2011.



Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 30, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH THE COMMONWEALTH ATTORNEY'S
OFFICE FOR PROVISION OF SERVICES UNDER THE COLD CASE
PROJECT—FY 2010**

On December 8, 2009 (Ordinance No. 264-2009) Council approved acceptance of federal funds from the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training for implementation of the Cold Case Resolution Pilot Project.

The project included funds in the amount of \$10,000 for contractual services with the Fayette County Commonwealth Attorney's Office. The proposed agreement with the Fayette County Commonwealth Attorney's Office outlines contractual responsibilities.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3140	505506	5561	71299	2010	FED_GRANT	COLD_CASE_2010

Council authorization to execute the agreement is hereby requested.

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 26, 2010

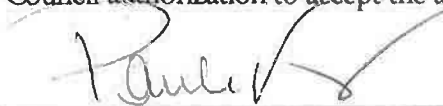
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE LEXINGTON-FAYETTE COUNTY HEALTH DEPARTMENT TO
CONTINUE THE HOME NETWORK PROJECT AT THE FAMILY CARE
CENTER— FY 2011**

In Fiscal Year 1998, the Lexington-Fayette Urban County Government's Family Care Center began a home visitation program for the purpose of addressing many of the limitations observed among existing prevention efforts aimed at low-income families, and to create a system of support more responsive to emerging social and familial realities. The Home Network provides home visitation services for high risk families from birth of the first child up to age two. This program is based upon evidence that home visitation programs are effective in reducing child abuse and neglect.

The Home Network program is being funded by the Kentucky Cabinet for Health and Family Services in a "pass-through" arrangement with the Lexington-Fayette County Health Department as the granting agency. The source of federal funds is the Kentucky Medical Assistance Program (Medicaid) and tobacco settlement dollars. The Kentucky Legislature has earmarked a portion of Kentucky's tobacco settlement dollars for funding of programs that will help the state reach the goal that all young children in Kentucky are healthy and safe, possess the foundation that will enable school and personal success, and live in strong families that are supported and strengthened by their communities.

The Home Network program is a "fee for service" program, in that the LFUCG only receives funding for services that it delivers. For 2011, the Kentucky Cabinet for Health and Family Services has estimated the following allocations: Medicaid funds--\$440,214, and non-Medicaid funds--\$51,443, for a total of \$491,657. Since its inception, the program has demonstrated that it can sustain operations with revenue generated as long as it is appropriately staffed.

Council authorization to accept the award is hereby requested.



Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 26, 2010

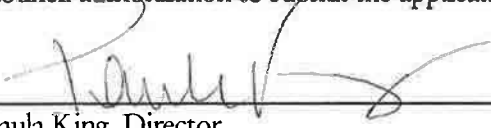
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S.
DEPARTMENT OF JUSTICE REQUESTING FEDERAL FUNDS UNDER THE 2010
STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

An application has been prepared by the Lexington-Fayette Urban County Government requesting federal funding under the 2010 State Criminal Alien Assistance Program (SCAAP). The program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security. This program is governed by the Immigration and Nationality Act, 8 U.S.C. §1231 (i) as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for inmates who are foreign born (with no legal right or documentation to be in the United States), incarcerated for at least four consecutive days during the reporting period (July 1, 2008 to June 30, 2009), and incarcerated on conviction of at least one felony or two (2) misdemeanors. Immigration and Customs Enforcement (ICE) will take responsibility for ensuring that aliens are properly identified and their status verified before reimbursements are made.

The FY 2010 SCAAP payment amounts are determined using a sampling of actual inmate, cost and facility data for a specified sampling or reporting period. SCAAP is not a traditional reimbursement program in which the actual cost, facility and data are collected. SCAAP uses prior year's data, from a specified sampling period, to determine applicants' annual relative percentages of available funding. For the 2009 SCAAP, the actual revenue to the LFUCG was \$181,107. The Bureau of Justice Assistance cautions applicants about using the prior year award as a basis for estimating this year's award. Immigration and Customs Enforcement (ICE) will review all information submitted on eligible inmates to make final determination of which inmates are qualified undocumented criminal aliens. Any funds received from the 2010 SCAAP must be used for a corrections purpose.

Council authorization to submit the application is hereby requested.



Paula King, Director

Cc: Tim Bennett, Commissioner of the Department of Public Safety



155-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

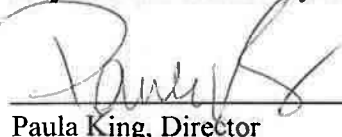
DATE: MARCH 29, 2010

**SUBJECT: AUTHORIZATION TO SUBMIT A GRANT APPLICATION, AND TO ACCEPT
AWARD IF OFFERED, TO THE BLUEGRASS AREA DEVELOPMENT
DISTRICT FOR OPERATION OF THE SENIOR CITIZENS CENTER IN FY
2011**

A grant application has been prepared by the Department of Social Services for submission to the Bluegrass Area Development District (BGADD) requesting federal funds from Title III of the Older Americans Act for operation of the Lexington Senior Citizens Center in FY 2011. The Lexington Senior Citizens Center is a multi-purpose community focal point for services to persons 60 and older in Fayette County. Basic center operations include advocacy, counseling, education, health promotion, access to legal assistance, outreach, recreation, and telephone reassurance. LFUCG staff includes a center director, an outreach worker, a staff assistant senior, a part-time receptionist, and two part-time van drivers. The center also houses several other agencies that serve older persons. These agencies, each having their own budgets, funding sources and staff, include the Hire Older Workers Program, the Senior Community Services Employment Program, the Nursing Home Ombudsman of the Bluegrass, Retired Senior Volunteer Program, the adult day care program and nutrition programs.

It is estimated that \$90,554 in federal funds will be available in FY 2011. The minimum local match required for the operation of the project is 15%; however, the amount that has been requested in the FY 2011 general fund budget for grant match is \$160,146. An additional \$13,000 in program income will be provided by agencies and individuals who utilize the Senior Citizens Center. The total cost of operations for this project is \$263,700. Grant funds are used for personnel costs, utilities, travel, and other operating costs of the center.

Council authorization to submit the application and accept the award, if offered, is hereby requested, subject to the availability of sufficient funds in FY 2011.



Paula King, Director

Xc: Marlene Helm, Commissioner of Social Services



156-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MARCH 26, 2010

**SUBJECT: REQUEST AUTHORIZATION TO SUBMIT APPLICATION, AND
ACCEPT AWARD IF OFFERED, TO THE KENTUCKY DEPARTMENT
OF JUVENILE JUSTICE TO PROVIDE DAY TREATMENT SERVICES
IN THE DIVISION OF YOUTH SERVICES FOR FY 2011**

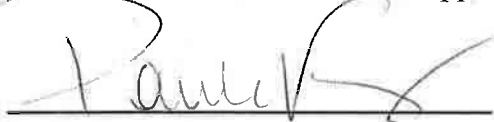
The Division Youth Services has prepared an application for submission to the Kentucky Department of Juvenile Justice for the operation of the Day Treatment Program for school-age adolescents in the Division of Youth Services for Fiscal Year 2011.

Day Treatment is a community-based treatment program for juveniles between the ages of 12 and 17. The program's mission is to treat delinquent youth in their home community, hereby preventing institutionalization, and to keep predelinquent youth out of the juvenile justice system. Components of the program include education (provided by Fayette County Public Schools), counseling, and social work services.

The application requests an award of state funds for Day Treatment in the amount of \$241,845 for FY 2011. While no match is required, \$190,785 has been requested in the FY 2011 General Fund budget for program operation.

The funds are used for salaries and operating costs associated with the program.

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



Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services



160-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

To: Mayor Jim Newberry
Urban County Council

From: David Loney, Deputy Director Fleet Services
Steve Feese, Director Waste Management

Date: March 30, 2010

Re: Sole Source Procurement for Heil Python MultiPack Refuse Truck Body

The Division of Waste Management's sole source purchase of waste collection bodies from Heil MultiPack is part of a plan to transition toward a uniform truck for the majority of residential collection services that will provide a number of operational efficiencies for the Waste Management Division.

We currently have five of these trucks in the Solid Waste fleet and 24 are on order with the first eight to arrive in May 2010. We have an opportunity to purchase a 25th truck and remain within the FY 2010 vehicle replacement budget. Therefore, we request approval to purchase a Heil Python MultiPack truck body not to exceed \$161,358 from Central Indiana Truck Equipment Corporation.

The truck body features both an automated arm for collecting carts and a rear loader hopper for collecting larger items. Heil is the only manufacturer that combines both these features in the same truck body. A recent review of the operational cost of these vehicles on a per mile basis shows that they are less expensive to operate than other automated units in the fleet.

The advantages of using this specific truck body include:

1. The MultiPack truck automated feature will replace our existing semi-automated collection vehicles which are more labor intensive. This will decrease our employee injury rates and increase the number of households serviced per route.
2. Replacing our existing automated collection trucks with the MultiPack trucks will enable DWM to eliminate our current bulky item trucks that retrace the automated collection routes (at a 3 to 1 ratio) to collect materials that the automated trucks cannot collect.

3. This MultiPack collection body can be assigned to any of the three collection streams: recycling, organics, or landfill bound waste as needed on any given day. This means that we will move from three different types of collection trucks that are currently being used to one type which will reduce the number of spare trucks needed and will streamline our maintenance needs and training requirements.
4. Achieving route efficiency will be easier because the MultiPack truck will enable DWM to service streets that would have otherwise been inaccessible with our existing automated trucks.

The following documents are attached:

- a. Administrative review form (bluesheet)
- b. Price Sheet for Heil Python MultiPack
- c. Sole Source Procurement Certification



- cc. Kimra Cole, Commissioner of General Services
Cheryl Taylor, Commissioner of Environmental Quality
Jamshid Baradaran, Director Facilities & Fleet Management
Brian Marcum, Director Central Purchasing

CERTIFICATE OF SOLE SOURCE PROCUREMENT
(Pursuant to KRS)

160-10

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Part I

TO: Mayor Jim Newberry and Urban County Council

FROM: Steve Feese, Director of Waste Management;
David Loney, Deputy Director Fleet Services



DATE: March 30, 2010

We recommend the purchase of the following:

Heil Python MultiPack refuse truck body from Central Indiana Truck Equipment Corporation for the total price not to exceed \$161,358 without competitive bidding on grounds that this is a sole source purchase because of the following circumstances:

The refuse collection body design of a fully automated side loader with rear loading capability is needed to achieve Waste Management's goal of transitioning toward an uniform truck for the majority of residential collection services that will provide a number of operational efficiencies for the Division.

The Heil Company is the only refuse body manufacturer producing this product, a Python MultiPack, whereby Central Indiana Truck Equipment Corporation is the authorized Heil dealer for our marketplace.

Part II

I hereby certify that a sole source purchase exists as described above necessitating the above purchase without competitive bidding.

Filed with me this _____ day of _____, 20____.

Mayor


Commissioner of Requesting Division

Approved as to legality:

Commissioner of Law

Commissioner of Finance



161-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

To: Mayor Jim Newberry
Urban County Council

From: David Loney, Deputy Director Fleet Services

Date: March 30, 2010

Re: Rescind Resolution # 51-2010

The Division of Facilities Management & Fleet Services requests Resolution # 51-2010 to Tri-County Ford Mercury, Inc be rescinded for the purchase of two (2) Ford F550 trucks with snow removal equipment in the amount of \$97,014.00.

Based on snow removal operations from this past snow season, the Division of Streets & Roads has requested the F550 engine be diesel and not gasoline. Fleet Services recommends re-bidding for two (2) Ford F550 or equal with diesel engine and snow removal equipment. The advantages of a diesel engine:

1. Power/Torque—The torque advantage of diesels is perfectly suited for pulling/pushing heavy loads such as a snow plow, a bed loaded with salt, or a trailer transporting "off road" equipment.
2. Fuel Economy--Diesel fuel has a higher energy density than gasoline, making diesel engines more efficient per gallon of fuel burned. In addition diesels use about one third as much fuel at idle as gasoline units.

cc. Kimra Cole, Commissioner of General Services
Michael Webb, Commissioner of Public Works
Jamshid Baradaran, Director Facilities & Fleet Management
Samuel Williams, Director Streets & Roads
Brian Marcum, Director Central Purchasing

RESOLUTION NO. 51 - 2010

A RESOLUTION ACCEPTING THE BID OF TRI-COUNTY FORD MERCURY, INC., IN THE AMOUNT OF \$97,014.00, FOR PICKUP TRUCKS EQUIPPED WITH SNOW REMOVAL EQUIPMENT, FOR THE DIVISION OF FACILITIES AND FLEET MANAGEMENT.

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

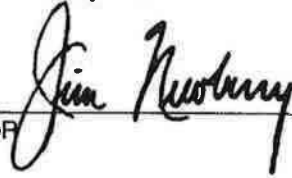
Section 1 - That the bid of Tri-County Ford Mercury, Inc., in the amount of \$97,014.00, for Pick Up Trucks Equipped with Snow Removal Equipment, for the Division of Facilities and Fleet Management, be and hereby is accepted and approved as to the specifications and amounts set forth in the terms of the bid, which is attached hereto and incorporated herein by reference.

Section 2 - That an amount, not to exceed the sum of \$97,014.00, be and hereby is approved for payment to Tri-County For Mercury, Inc., from account # 2600-707301-96959, pursuant to the terms of the bid.

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

PASSED URBAN COUNTY COUNCIL: February 11, 2010

MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: February 18, 2010-1t

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Special Council Planning Committee
 March 23, 2010
 Action Summary

Gorton chaired today's special meeting of the Planning Committee calling it to order at 9:00 am. Council members present: Gorton, Blues, Gray, Ellinger, James, Lawless, Beard, Feigel, Stinnett and McChord.

Motion by Gray, seconded by Lawless to move the text amendments below to the full council at work session March 23, 2010 to initiate a text amendment of the zoning ordinance, passed without dissent.

Boarding/Lodging House: Five or more unrelated individuals living together, but not as a family;

Congregate Living Facility: Eliminated as unnecessary

Family or Housekeeping Unit: A person living alone, or any of the following groups living together and sharing common living and kitchen facilities:

- a. Any number of persons related by blood, marriage, adoption, guardianship, or other duly authorized custodial relationship;
- b. Four or fewer unrelated persons;
- c. Two unrelated persons and any children related to either of them or under their care through a duly authorized custodial relationship;
- d. Not more than eight persons who are:
 - 1. Residents of a "home-like" residence as defined in KRS 216B.450
 - 2. "Handicapped" as defined in the Fair Housing Act, 42 U.S.C. Section 3602(h). This definition does not include those currently illegally using or addicted to a "controlled substance" as defined in the Controlled Substances Act, 21 U.S.C. Section 802(6).
- e. Not more than 6 unrelated individuals when in compliance with the provisions of the definitions of "dwelling, single family" or "dwelling, two-family" as contained in this Article.
- f. A functional family as defined and regulated herein.

Functional Family: No change recommended;

Fraternity or Sorority House: a building used as a living and/or gathering quarters for students of a college, university, or seminary (not living in a "dormitory" as defined herein) who are members of a fraternity or sorority that has been or is seeking to be officially recognized by the college, university or seminary; or their guests. In identifying such use, the following factors shall be among those considered regardless of number of occupants:

- a) signage or other indications that the building is used by a fraternity or sorority;
- b) fraternity or sorority sponsored social activities such as meetings, parties, dances, or other gatherings; and,
- c) events to which fraternity or sorority alumni or prospective members are invited.

ADD A NEW SECTION PERTAINING TO THE BOARD OF ADJUSTMENT (ARTICLE 7-6(a)(8)):

- 8) The granting of a conditional use permit for a “functional family” shall be based upon application of the following considerations by the Board:
 - a. Members of the functional family will share a strong bond or commitment to a single purpose (e.g., religious orders):
 - b. Members of the functional family are not legally dependent on others not part of the functional family:
 - c. Members can establish a legal domicile as defined by Kentucky law:
 - d. Members share a single household budget:
 - e. Members prepare food and eat together regularly:
 - f. Members share in the work to maintain the premises:
 - g. Members legally share in the ownership or possession of the premises:
 - h. Members demonstrate stability in the arrangement as opposed to transient living arrangements.

DWELLING, SINGLE FAMILY- A building occupied exclusively for residential purposes by one family or one housekeeping unit. This definition also includes a building occupied by 5 or more unrelated individuals at any time within five years prior to January 1, 2010 subject to the following:

- a) the occupancy is restricted to 6 or less unrelated individuals:
- b) the use of the building as a rental dwelling has not been abandoned:
- c) the building shall not be enlarged or expanded **beyond the existing square footage as of January 1, 2010**
 - 1. by more than 25% unless the building has been expanded by 25% or more under a building permit issued on or after January 1, 2005, in which case, then by no more than 5%; or,
 - 2. unless approved by the BOA as a conditional use after January 1, 2010.

DWELLING, TWO-FAMILY - A building occupied exclusively for residential purposes by two families or two housekeeping units commonly known as a duplex. Townhouses are not included in this definition. This definition also includes a building occupied by 5 or more unrelated individuals in a unit at any time within five years prior to January 1, 2010 subject to the following:

- a) the occupancy of each unit is restricted to 6 or less unrelated individuals:
- b) the use of the building as rental dwellings has not been abandoned:

- c) the building shall not be enlarged or expanded:
 - 1. by more than 25% unless the building has been expanded by 25% or more under a building permit issued on or after January 1, 2005, in which case, then by no more than 5%; or,
 - 2. unless approved by the BOA as a conditional use after January 1, 2010.
- d) the limitation on enlargement of the building set forth in c) above shall not apply in the case of the addition of a second unit in a two-family (R-2) zone provided that both units thereafter conform to the limitation of four unrelated persons per dwelling unit.

BUDGET & FINANCE COMMITTEE SUMMARY
3-23-2010

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Stinnett called meeting to order at 1:02. All committee members present, Feigel attended as a non-voting member.

1. Review and Discussion of FY 2010 Financials for February, 2010 (monthly & YTD) - Rumpke * Financial Reports for February, 2010) - Comm. Rumpke gave financial update and economic indicators - Presentation included unemployment rates permits issued new business licenses home sales and foreclosures. Bill O'Mara gave Feb. actual/approved budget & Feb. YTD actual/approved YTD budget OLT withholding net profit from Oct. to Feb. Revenue Review- Feb. FY 2010 Financial highlights Feb YTD for FY2010 - covered total revenue, personnel & operating expense, other categories and net change.

Stinnett asked about net change of 3.736 (referring to a number shown in financial highlights Feb. YTD for FY2010 slide) confirming we are not 3.7 ahead of budget. Gray also asked if 3.7 are annualized. There was discussion about this chart.

2. Bond Underwriting Strategies - Rumpke

Hilliard Lyons was invited to speak on bond ratings and debt management. Steve Grossman, Chip Sutherland, Greg Phillips gave a presentation: LFUCG bond ratings: Moody's and Standard & Poor's LFUCG =AA (what do ratings mean and why they are important) - covered criteria such as economic, financial strength, management, and debt. Presentation shared Moody's rating comments on LFUCG and its debt profile. They

Showed 2 future borrowing scenarios and talked about debt management, and about pension and full CIP bonding and pension and partial CIP bonding.

Gorton asked a question about dedicated revenues that can not be used for general fund, referring to pension and full or partial CIP bonding wanting to know which would be considered favorable. Answer: more about structural balance.

James question about taking advice from Moody's and it's rating system. Answer: it's not a perfect system, they are changing their rating system, but people who make bonds rely on them and an important part of the interest rate everyone pays Ellinger question about where we stand today compared to what we've agreed to do. They showed the slide "what debt profile looks like today" to answer his question and talked about issuing pension and full CIP on top of debt we already have today. Gray asked questions about slide titled debt profile if it issues pension and full CIP. He asked O'Mara to comment. Other option is to stretch them out. Myers also had questions about debt profile if it issues pension and full CIP slide and about revenue generation. Answer: this is to bring information to council as they are making decisions about overall debt. Myers: need to look at the dollars coming in and that we are making best use of them. Stinnett asked about projections

Ellinger asked about bond rating and implications of going to a lower rating and was told the amount of debt and structural balance is being looked at very hard right now. We

have control over how much debt we issue, Lane asked if it might be helpful to delay one of the pension bonds maybe a year or two. Hilliard Lyons said they are not here to give recommendations but if less debt is better. Beard asked what our aggregate is. Rumpke will email that info.

Stinnett asked Rumpke about pension bond and getting in on low rates could this be a legitimate strategy. She replied we also have to factor in debt.

3. Discussion of the Lexington Public Library's FY 2010 Budget - Myers * Letter dated 1/15/2010 from Larry Smith Chairman, Lexington Public Library Board of Trustees and legal Documents From Law Department Re: Lexington Public Library Funding. - Myers wants to ask questions about library budget and how they are spending money and if it is heading in the right direction for the city. Larry Smith, Chairman mentioned misconceptions about the library budget and items they are cutting back on to reduce costs such as, delaying projects, cutting back on hours of operation, etc.

Lane asked how they are addressing technology and changes they plan to make. Smith said we are keeping up with technology as much as our budget will allow., adding we have seen increased use in computers and expecting the library to provide that service. They are currently looking at their policy on technology and estimate they are about 80% there. Stinnett asked about operating budget and sources of funding. Stinnett also asked about employee raises and budget surplus and was told the debt service ratio is 6%

Gray asked about donations and spending money on art and was told the library does not buy expensive items. Gray mentioned a piece of art at the airport that might be sold for funding. Lane asked for an update on repairing the pendulum clock and was told, it's under repair, however there was not a maintenance fund set aside for things like the clock. Myers asked about Carnegie Center funding. A representative from the library explained Carnegie Center funding and method of employee compensation and pay raises. Logan Askew commented about library tax. Myers talked about 5 cents from library funding and contributing to budget cuts. Feigel - (non- voting member) asked Mr. Askew about going to court to say the city is not funding library appropriately. Askew said an agreement for funding was reached between library and city. She asked how the state could mandate how a city spends resources and. would this apply to other entities such as parks, etc. Askew referred to a 1960 statue. Myers talked about the library parking garage.

4. Discussion and Adoption of Committee of the Whole Budget Meeting Calendar for FY 2011 Budget Process * "Proposed" Committee of the Whole Meeting for FY 2011 - Due to lack of time this item was not covered.

No motions came forward from today's proceedings.

Motion to adjourn: 3:01 pm