

URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
June 7- June 14, 2010

Monday, June 7

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

Tuesday, June 8

Council Office Special Investigative Committee Meeting.....8:30 am
Council Chambers-2nd Floor Government Center

Citizens' Advocate Working Group Meeting.....9:30 am
Conference Room-5th Floor Government Center

Special Committee of the Whole Budget Meeting11:00 am
RE: Review & Discussion Council Links and Recommendations of Changes to MPB
Council Chambers-2nd Floor Government Center

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

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

Wednesday, June 9

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

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

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

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

Thursday, June 10

Council Office Building Inspection Task Force Meeting.....2:00 pm
Conference Room-5th Floor Government Center

Special Committee of the Whole Budget Meeting.....5:00 pm
RE: Discussion on changes to MPB
Council Chambers-2nd Floor Government Center

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

Friday, June 11

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

Monday, June 14

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 8, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, May 25, 2010, pp. 8-15**
- IV. Budget Amendments – Yes, pp. 16-26**
- V. New Business, pp. 29-83**
- VI. Continuing Business / Presentations**
 - A. Special Council Planning Committee, pp.84-85**
 - B. Water Resources Oversight Committee (separate, not in packet)**
 - C. Earth Week Presentation to WKYT-TV**
Ms Susan Bush, Commissioner of Environmental Quality
 - D. Ecton Park**
CM K.C. Crosbie
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of an Engineering Services Agreement with BTM Engineering, Inc. for the Bates Creek Road Sidewalk Improvements Project. (281-10) (Gooding/Webb)
This request will authorize an Engineering Services Agreement for federal funds in the amount of \$118,478 with BTM Engineering, Inc. for the Bates Creek Road Sidewalk Improvements Project for construction of 1.6-mile sidewalks on both sides of Bates Creek Road between The Enclave and Dove Run Road. The source of funds is the US Department of Transportation under the Congestion Mitigation and Air Quality Improvement Program. Funds are budgeted.**p.29**
- B. Authorization of Change Order No. 2 to Contract with HW Lochner for Phase I - Right-of-Way Services Project under the Newtown Pike Extension Project - Mitigation Area. (282-10) (Gooding/Webb)
This request will authorize Change Order No. 2 to increase contract amount by \$18,050 with HW Lochner for Phase I – Right-of-Way Services Project under the Newtown Pike Extension Project - Mitigation Area for acquisition of property located at 704 DeRoode Street and the relocation of four (4) businesses for Parcel 33. Original contract amount was \$196,650. Total of previous change order was \$1,031.25. New contract amount is \$215,713.25. Funds are budgeted.**pp.30-32**
- C. Authorization of an Agreement with the Kentucky Transportation Cabinet, Department of Highways District 7 on Behalf of the Local Public Agency (LPA), for Construction of a Stone Fence. (271-10) (Langston)
This request will authorize an agreement with the Department of Highways, District 7 on behalf of LPA for construction of a dry stone fence within the public right-of-way along Old Frankfort Pike near Alexandria Drive. The construction is funded by a Transportation Enhancement Grant.**pp.33-35**
- D. Authorization of an Agreement with Palmer Engineering for Redesign of the High Street, Fontaine Road, Euclid Avenue, and Bates Creek Pike Intersection. (274-10) (Langston)
This request will authorize an agreement at a cost not to exceed \$25,000 with Palmer Engineering for a redesign of the High Street, Fontaine Road, Euclid Avenue and Bates Creek Pike intersection. Funds are budgeted.**pp.36-38**
- E. Authorization of Release of Five (5) Streetlight Easements with Haymaker Development Company, LLC on Properties located in the Tuscany Subdivision. (272-10) (Askew)
This request will authorize five (5) releases of Streetlight Easements with Haymaker Development Company, LLC on properties located at Unit 4A, 4C, 4D and 4F in the Tuscany subdivision. Releases have been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.**p.39**

- F. Authorization of a Memorandum of Understanding (MOU) with Asbury College on Behalf of the Department of Social Services under the Field Instruction Program. (265-10) (Hendrix/Helm)
This request will authorize a MOU with Asbury on behalf of the Department of Social Services to allow assigned social worker students to participate in the Field Instruction Program. There is no budgetary implication for LFUCG.**p.40**
- G. Authorization to Submit Grant Application to the Kentucky Department of Juvenile Justice (DJJ) and Accept Award if Offered, on Behalf of the Department of Social Services, Division of Youth Services under the Juvenile Accountability Block Grant (JABG) Program – FY2011. (285-10) (Gooding/ Helm)
This request will authorize the submission of a grant application for federal funds in the amount of \$15,275 to the Kentucky DJJ and accept the award if offered, on behalf of the Division of Youth Services under the JABG Program for continuation of the Juvenile Surveillance Program. The source of funds is the US Department of Justice, PL 105-119. A 10% (\$1,697) local match is required and has been projected in the Division's FY2011 General Fund budget, subject to the approval of the FY2011 General Fund budget. Total program cost is \$16,972.**p.41**
- H. Authorization of an Agreement with People Plus, Inc. for WebEOC® Coordinator Services under the Chemical Stockpile Emergency Preparedness Program (CSEPP) – FY2009. (267-10) (Gooding/Bennett)
This request will authorize an Agreement for use of federal funds not to exceed \$52,000 with People Plus, Inc. for WebEOC® coordinator services under CSEPP. The source of funds is the Federal Emergency Management Agency, Department of Homeland Security through the Kentucky Department of Military Affairs, Division of Emergency Management. Funds are budgeted.**p.42**
- I. Authorization to Submit Grant Application to the US Department of Justice (USDOJ) and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Police under the Edward Byrne Memorial Justice Assistance Grant – FY2011. (280-10) (Gooding/Bennett)
This request will authorize the submission of a grant application for a formula amount of \$367,774 with the USDOJ and accept the award if offered, on behalf of the Division of Police under the Edward Byrne Memorial Justice Assistance Grant to continue the support of four (4) civilian positions established under the 2009 Recovery and Reinvestment Act. No matching funds are required.**p.43**
- J. Authorization to Submit Grant Application to the US Department of Justice (USDOJ) on Behalf of the US Attorney's Office Eastern District of Kentucky under a 2010 Project Safe Neighborhoods (PSN) Grant – FY2011. (294-10) (Gooding/ Bennett)
This request will authorize the submission of a grant application for funds of \$90,054 to the USDOJ on behalf of the US Attorney's Office Eastern District of Kentucky under a 2010 PSN Grant. Funds will be used to prevent gun and gang crimes, and the enforcement of laws against armed criminals. LFUCG will serve as the fiscal agent for the funds. No matching funds are required.**p.44**

- K. Authorization to Submit Grant Application to the US Department of Justice (USDOJ), Office of Community Oriented Policing Services (COPS) on Behalf of the Department of Public Safety, Division of Police under the 2010 Hiring Program. (295-10) (Gooding/Bennett)
This request will authorize the submission of a grant application for funds of \$7,900,000 to the Office of COPS on behalf of the Division of Police under the 2010 Hiring Program. Funds will be used to hire 50 officers for a 3-year period. No matching funds are required.**p.45**
- L. Authorization to Submit Grant Application to the US Department of Justice (USDOJ), Office of Community Oriented Policing Services (COPS) on Behalf of the Department of Public Safety, Division of Police under the 2010 Child Sexual Predator Program (CSPP). (296-10) (Gooding/Bennett)
This request will authorize the submission of a grant application for funds of \$332,900 for a 2-year period, to the Office of COPS on behalf of the Division of Police under the 2010 CSPP. Funds in the amount of \$32,900 will be used for equipment and technology for the Division; funds in the amount of \$80,000 will be used for training for the Division and the Fayette County Sheriff's Office and funds in the amount of \$220,000 will be used for law enforcement overtime for the Division, the Fayette County Sheriff's Office and Kentucky Probation and Parole. No matching funds are required.**p.46**
- M. Authorization of a Mutual Aid Agreement by and between Rural/Metro Corporation and the Department of Public Safety, Division of Fire & Emergency Services. (268-10) (Hendricks/Bennett)
This request will authorize a Mutual Aid Agreement between Rural/Metro Corporation and the Division of Fire & Emergency Services to provide mutual aid on request. There is no budgetary implication for LFUCG.**p.47**
- N. Authorization to Create Section 18-119.1(1)(2)(3) to the Code of Ordinances for a No Parking Zone During the 2010 Alltech FEI World Equestrian Games™ (WEG). (275-10) (Bastin/Bennett)
This request will authorize the creation of Section 18-119.1(1)(2)(3) to the Code of Ordinances to designate a no parking zone along bus routes and primary entry and exit routes to the Kentucky Horse Park during the WEG.**pp.48-52**
- O. Authorization of a Memorandum of Understanding (MOU) with the Department of the Treasury, Financial Crimes Enforcement Network (FinCEN) Bureau on Behalf of the Department of Public Safety, Division of Police. (276-10) (Bastin/Bennett)
This request will authorize a MOU with the FinCEN Bureau on behalf of the Division of Police to obtain direct electronic access to information collected pursuant to the reporting authority contained in the Bank Secrecy Act of 1970. There is no budgetary implication for LFUCG.**p.53**
- P. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Community Corrections. (286-10) (L. Jarvis/Bennett)

This request will authorize an amendment to Section 22-5 of the Code of Ordinances to abolish one (1) position of Social Worker (Grade 111E) and create one (1) position of Eligibility Counselor (Grade 110E) in the Division of Community Corrections. The fiscal impact for FY2011 is \$43,817.46. The annual impact will be \$45,570.86. The cost will be recovered from the US Department of Justice under the Justice Assistance Grant Program.**p.54**

- Q. Authorization of Change Order No. 1 to Contract with E.C. Matthews Company, Inc. Regarding the Government Center Wheelchair Lift Replacement Project. (269-10) (Baradaran/Cole)

This request will authorize Change Order No. 1 to increase contract amount by \$3,108.19 for the Government Center Wheelchair Lift Replacement Project. Original contract amount was \$20,939. New contract amount is \$24,047.19. Funds are budgeted.**pp.55-57**

- R. Authorization of an Ordinance to Amend Section 2-200(b) of the Code of Ordinances on Behalf of the Picnic with the Pops Commission. (278-10) (Hancock/Cole)

This request will authorize an Ordinance to amend Section 2-200(b) of the Code of Ordinances on behalf of the Picnic with the Pops Commission to allow the annual Picnic with the Pops concerts to be performed at locations other than the Kentucky Horse Park.**p.58**

- S. Authorization of an Ordinance to Amend Section 4-23 of the Code of Ordinances Regarding Dog Run Areas. (279-10) (Hancock/Cole)

This request will authorize an Ordinance to amend Section 2-200(b) of the Code of Ordinances to allow the Director of Parks & Recreation to designate a portion of various parks as dog run areas as needed. This will delete the requirement to amend to the Code of Ordinances each time a run area is designated.**p.59**

- T. Authorization of Contracts to Award Funds under the Department of Environmental Quality, Neighborhood and Community Sustainability Grant Program, for Improvements of Environmental Health of Neighborhoods. (273-10) (Bush)

This request will authorize contracts to award funds totaling \$51,320 to various neighborhood associations and community entities under the Neighborhood and Community Sustainability Grant Program for improvement of environmental health of neighborhoods. A 100% match is required by each association and entity.**pp.60-61**

- U. Authorization of a Contract for Services with Preston – Osborne on Behalf of the Department of Environmental Quality for Advertising and Marketing Services. (288-10) (Bush)

This request will authorize the approval of a Contract for Services at a cost of approximately \$211,875 with Preston – Osborne on behalf of the Department of Environmental Quality to create recycling, composting and waste reduction advertising and marketing services. The cost also includes commission charged for collateral placement and other out-of-pocket expenses. Funds are budgeted.**p.62**

- V. Authorization to Approve RRT Design and Construction under the Single-Stream Materials Recovery Facility Project. (287-10) (Feese/Bush)
This request will authorize the approval of RRT Design and Construction for the Single-Stream Materials Recovery Facility Project at a cost of \$1,382,345. This project is funded by the Urban Services District fund.**p.63**
- W. Authorization of Change Order No. 1 to Contract with Landmark Sprinkler, Inc. Regarding the Materials Recovery Facility (MPF) under the Dry Pipe Sprinkler Project. (FINAL) (291-10) (Feese/Bush)
This request will authorize Change Order No. 1 to increase contract amount by \$2,000 with Landmark Sprinkler, Inc. for the MPF under the Dry Pipe Sprinkler Project for installation of additional sprinkler heads. Original contract amount was \$26,800. Final contract amount is \$28,800. This project is funded by the Urban Services District fund.**pp.64-67**
- X. Authorization to Accept Award from the US Environmental Protection Agency (EPA) under the Brownfields Assessment Grant. (277-10) (Gooding/Bush)
This request will authorize the acceptance of an award in the amount of \$200,000 from EPA under the Brownfields Assessment Grant to perform twenty (20) Phase I and ten (10) Phase II environmental site assessments and develop cleanup plans for five (5) properties, and facilitate community involvement activities. No matching funds are required.**p.68**
- Y. Authorization of an Agreement with Friends of Wolf Run, Inc. for Development of the Wolf Run Watershed Based Plan Project. (289-10) (Gooding/Bush)
This request will authorize an Agreement for federal funds in the amount of \$18,500 with Friends of Wolf Run, Inc. for development of the Wolf Run Watershed Based Plan Project for LFUCG to reduce nonpoint source pollution in the Wolf Run Creek. The source of funds is the US Environmental Protection Agency, Nonpoint Source Pollution Control Program through the Kentucky Energy & Environment Cabinet, Department for Environmental Protection, Kentucky Division of Water. A \$23,532 match is required and will be documented by Friends of Wolf Run, Inc.**p.69**
- Z. Authorization of an Engineering Services Agreement with Palmer Engineering for the Coldstream Court/Crimson King Court Stormwater Study. (292-10) (Martin/Bush)
This request will authorize an Engineering Services Agreement in the amount of \$21,600 with Palmer Engineering for the Coldstream Court/Crimson King Court Stormwater Study. Funds are budgeted.**pp.70-75**
- AA. Authorization of an Engineering Services Agreement with Stantec Consulting Services for the Jessie Clark Sinkhole Stormwater Study. (293-10) (Martin/Bush)
This request will authorize an Engineering Services Agreement in the amount of \$22,600 with Stantec Consulting Services for the Jessie Clark Sinkhole Stormwater Study. Funds are budgeted.**pp.76-81**
- BB. Authorization of an Independent Contractor Agreement with Industrial Organizational (I/O) Solutions, Inc. on Behalf of the Department of Finance &

Administration, Division of Human Resources, for Job Knowledge Examinations of Fire & Emergency Services for Lieutenant, Captain and Major - FY2011. (283-10) (L. Jarvis/Rumpke)

This request will authorize an Independent Contractor Agreement at approximately \$14,000 with I/O Solutions, Inc. for the development of job knowledge examinations for applicants testing for Fire & Emergency Services Lieutenant, Captain and Major. Funds are budgeted in the Division of Human Resources' FY2010 Professional and Contractual Services budget. **p.82**

- CC. Authorization of a Test Security Agreement with Industrial Organizational (I/O) Solutions, Inc. on Behalf of the Department of Finance & Administration, Division of Human Resources, for Safekeeping of Fire & Emergency Services Testing Materials for Lieutenant, Captain and Major – FY2010. (284-10) (L. Jarvis/Rumpke)

This request will authorize a Test Security Agreement with I/O Solutions, Inc. on behalf of the Division of Human Resources to ensure testing materials for Lieutenant, Captain and Major for Fire & Emergency Services are properly maintained and secured. A cost of \$7,500 for written test booklets is budgeted in the Division of Human Resources' FY2010 Professional and Contractual Services budget. **p.83**

WORK SESSION - MAY 25, 2010
TABLE OF MOTIONS

Roll call: Mayor Newberry called work session to order at 1:00 pm, all council members present.

Motion by McChord to place on the docket for Thursday, May 27, 2010 Council Meeting for first reading approving the Mayor's Proposed Budget increase to golf fees and not approving Mayor's Proposed Budget increase for pool fees, seconded by Beard, vote 9-6 motion passed.

I. Public Comment - Issues on Agenda no public comment

II. Requested Rezoning / Docket Approval

Motion by Gorton to approve the docket, seconded by Beard, passed without dissent.

III. Approval of Summary-None

IV. Budget Amendments

Motion to approve budget amendments Gorton, seconded by Motion by Henson move that the budget amendment list on pages 9-11 of the work session packet be amended to add budget journals 43064-68 to provide funds for Adult and Tenant Services financial assistance programs in the general and Landfill funds, seconded by Gorton, passed without dissent.

Motion by Gorton to approve budget amendments as amended, seconded by Beard, passed without dissent.

V. New Business

A. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Social Services. (226-10) (L. Jarvis/Helm) This request will authorize amendments to Section 21-5 of the Code of Ordinances to transfer two (2) positions of Custodial Worker (Grade 102N) and one (1) position of Program Coordinator (Grade 109N) (and incumbents), and to Section 22-5 of the Code of Ordinances to transfer one (1) position of Custodian Worker (Grade 102N) and four (4) positions of Custodial Worker P/T (Grade 102N) (and incumbents) from the Department of Social Services to the Department of General Services, Division of Facilities & Fleet Management.p.15

B. Authorization of a Catering Sales Agreement with Lexington Downtown Hotel, a Hilton Affiliate, for the 2010 Senior Intern Program. (232-10) (Stambaugh/Helm) This request will authorize a Catering Sales Agreement at a cost not to exceed \$4,200 for food and beverages with Lexington Downtown Hotel, a Hilton affiliate, for the 2010 Senior Intern program's alumni and graduation luncheon on June 25, 2010. This event is funded by contributions.pp.16-18

C. Authorization of Change Order No. 3 to Contract with Schaefer Properties, LLC, on Behalf of the Department of General Services, Division of Parks & Recreation for the Coolavin Park Community Building Project. (227-10) (Hancock/ Cole) This request will authorize Change Order No. 3 to increase contract amount by \$3,361 with Schaefer

Properties, LLC on behalf of the Division of Parks & Recreation. Original contract amount was \$289,750. Total of previous change orders is \$81,419.44. New contract total is \$374,530.44. Funds are budgeted.pp.19-21

D. Authorization of Change Order No. 1 to Contract with Spectrum Contracting Services, Inc. on Behalf of the Department of General Services, Division of Parks & Recreation, for the Castlewood Park Picnic Shelter Project. (FINAL) (228-10) (Hancock/Cole) This request will authorize Change Order No. 1 to decrease contract amount by \$1,485.72 with Spectrum Contracting Services, Inc. on behalf of the Division of Parks & Recreation to adjust bid quantities required for completion of the Castlewood Park Picnic Shelter Project. Original contract amount was \$129,444. Final contract amount is \$127,958.28.pp.22-24

E. Authorization of Change Order No. 1 to Contract with BCD, Inc. on Behalf of the Department of General Services, Division of Parks & Recreation, for the Raven Run Visitors Center Project. (237-10) (Hancock/Cole) This request will authorize Change Order No. 1 to increase contract amount by \$36,199.12 with BCD, Inc. on behalf of the Division of Parks & Recreation for the Raven Run Visitors Center Project. Original contract amount was \$1,723,013. New contract amount is \$1,759,212.12. Funds are budgeted.pp.25-27

F. Authorization of Change Order No. 1 to Contract with Claunch Construction, LLC, for the Shillito Park Paved Trail Project. (257-10) (Gooding/Cole) This request will authorize Change Order No. 1 to increase contract amount by \$7,958 for the Shillito Park Paved Trail Project. Original contract amount was \$951,604. New contract amount is \$959,562. Funds are budgeted.pp.28-30

G. Authorization of a Partial Release of a Sanitary Sewer and Storm Sewer Easement on Property Located at 137 Owsley Avenue. (229-10) (Askew) This request will authorize a Partial Release of a Sanitary Sewer and Storm Sewer Easement on property located at 137 Owsley Avenue. This partial release has been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.pp.31-32

H. Authorization to Hire Risk Management Services Company (RMSC) for Liability and Workers' Compensation Third-Party Claims Administration Services. (258-10) (Bowman/Askew) This request will authorize the hiring of RMSC for liability claims in the amount of \$99,600 and worker's compensation claims in the amount of \$99,600 for an annual total of \$199,200 for third-party claims administration services for a term of three (3) years. Liability services include investigation and adjusting of asserted claims. Workers' compensation services include Medicare/Medicaid Settlement reporting; Index Bureau report; Kentucky Department of Workers' Claims reporting; discounted medical costs through a PPO network with a 30% cost of savings program; and prescription drug program.pp.33-34

I. Authorization to Upgrade from LibertyNet to OnBase Offered by Hyland Software Inc. (230-10) (Nugent/Dhuwaraha) This request will authorize LFUCG to upgrade the LibertyNet document management system to OnBase enterprise content management system offered by Hyland Software Inc. at no cost to LFUCG through FY2011.pp.35-37

J. Authorization of an Assistance Agreement with the Kentucky Infrastructure Authority for the South Elkhorn Pumping Station and Force Main Project. (231-10) (Rumpke) This request will authorize an Assistance Agreement for federal funds in the amount of

\$17,208,000 with the Kentucky Infrastructure Authority for the South Elkhorn Pumping Station and Force Main Project. This will be a 2% interest loan through the Federally Assisted Wastewater Revolving Loan Program, Clean Water State Revolving Fund (Fund A) under the US Department of Environmental Protection Agency.p.38

K. Authorization of an Ordinance on Behalf of the Department of Finance and Administration, Division of Revenue for Implementation of the 2010 Lexington-Fayette Urban County Government Occupational License Fee Amnesty Program. (260-10) (O'Mara/Rumpke) This request will authorize an ordinance on behalf of the Division of Revenue to implement a one-time Occupational License Fee Amnesty Program for collection of delinquent taxes.pp.39-43

L. Authorization of a Contract with Group CJ to Provide Marketing Support for Aggressive Collection of Delinquent Occupational License Fees. (261-10) (O'Mara/Rumpke) This request will authorize a Contract in the amount of \$70,000 with Group CJ to provide marketing support for aggressive collection of delinquent occupational license fees.pp.44-49

M. Authorization to Amend Section 3 of Ordinance No. 202-2006 to Correct a Clerical Error. (246-10) (L. Jarvis/Rumpke) This request will authorize an amendment to Section 3 of Ordinance No. 202-2006 to correct a clerical error.p.50

N. Authorization of a Conditional Sales Contract and a System Support Agreement (SSA) with Mettler-Toledo, Inc. on Behalf of the Department of Environmental Quality, Division of Waste Management, for a Scale Management Solution. (233-10) (Feese/Bush) This request will authorize a Conditional Sales Contract and a SSA in the amount of \$130,507 with Mettler-Toledo, Inc. on behalf of the Division of Waste Management for Scale Management Solutions at Haley Pike Landfill, Recycling Center and the Transfer Center to replace systems no longer capable of being updated or repaired. Funds are budgeted.pp.51-52

O. Authorization of Change Order No. 3 to Contract with Tetra Tech, Inc. for the Viley Neighborhood Stormwater Improvements - Sugar Mill Hazard Mitigation Grant Project. (234-10) (Martin/Bush) This request will authorize Change Order No. 3 to increase contract amount by \$31,250 with Tetra Tech, Inc. for the Viley Neighborhood Stormwater Improvements - Sugar Mill Hazard Mitigation Grant Project. Original contract amount was \$233,000. Total of previous change orders is \$308,953. New contract amount is \$563,703. Funds are budgeted.pp.53-56

P. Authorization of a Permanent Easement and a Temporary Construction Easement on Property Located at 813 Sherwood Drive for the Sherwood Drive/Robin Road Storm Water Improvements Project. (235-10) (Martin/Bush) This request will authorize 1,621 square feet for a permanent easement and 1,378 square feet for a temporary easement on property located at 813 Sherwood Drive for the Sherwood Drive/Robin Road Storm Water Improvements Project at a cost of \$22,350. Funds are budgeted.p.57

Q. *Authorization of a Memorandum of Understanding (MOU) for Acquisition of Property Located at 1457 Huntsville Drive for the Dixie Pump Station Upgrade and Force Main Improvements Project. (241-10) (Martin/Bush) This request will authorize a MOU for an amount not to exceed \$97,000 for acquisition of property located at 1457 Huntsville Drive for the Dixie Pump Station Upgrade and Force Main Improvements Project. Funds are budgeted.p.58 *Consent Decree

R. *Authorization of an Engineering Services Agreement with CDP Engineers, Inc. for the Deep Springs Pump Station Upgrade and Force Main Improvements Project (242-10) (Martin/Bush) This request will authorize an Engineering Services Agreement in the amount of \$109,575 with CDP Engineers, Inc. for the Deep Springs Pump Station Upgrade and Force Main Improvements Project to complete design services. This is a capital improvement project. Funds are budgeted.p.59 *Consent Decree

S. Authorization of Easements and Property Acquisition for the Expansion Area 2A Pumping Station and Force Main Project. (259-10) (Martin/Bush) This request will authorize a fee simple acquisition of one (1) property at a cost of \$446,602.50 for the pump station site, and temporary and permanent easements at five (5) properties at a cost of \$94,342.79 for a total of \$540,945.29 for the Expansion Area 2A Pumping Station and Force Main Project. Funds are budgeted.pp.60-63

T. Authorization of an Environmental Services Agreement with Shield Environmental Associates, Inc. for the Underground Storage Tanks (UST) on Property Located at 669 Byrd Thurman Drive (Fleet Services). (243-10) (Bush) This request will authorize an Environmental Services Agreement with Shields Environmental Associates, Inc. for additional assessment work at the UST on property located at 669 Byrd Thurman Drive (Fleet Services) required by the Kentucky Division of Waste Management UST Branch. All costs incurred by Shields will be reimbursed by the State Petroleum Storage Tank Environmental Assurance Funds.pp.64-70

U. Authorization of a Purchase of Service Agreement (PSA) by and between LFUCG, the University of Kentucky (UK) and the UK Arboretum to Provide Workshops. (253-10) (Bush) This request will authorize a PSA by and between LFUCG, UK, and the UK Arboretum in the amount of \$50,000 for the Arboretum to provide water quality improvement workshops for the general public. Funds are budgeted.p.71

V. Authorization of a Master Agreement with EnergyCAP® Inc. as a Sole Source Provider, on Behalf of the Department of Environmental Quality under the Energy Efficiency and Conservation Block Grant Program. (250-10) (Gooding/Bush) This request will authorize a Master Agreement for federal funds in the amount of \$8,100 with EnergyCAP® Inc. on behalf of the Department of Environmental Quality for a Greenquest Energy Awareness Sponsor License Agreement to host the Energy Awareness on LFUCG Website under the Energy Efficiency and Conservation Block Grant. EnergyCAP® is the sole source that is able to provide the extensive information required for the website. The source of funds is the US Department of Energy as authorized by the American Recovery and Reinvestment Act of 2009. No matching funds are required.p.72

W. Authorization of a Professional Services Agreement with Susanna Moberly and Rosemary Dailey, Sexual Assault Nurse Examiners (SANE), for Performance of Forensic Examinations. (236-10) (Gooding /Bennett) This request will authorize Professional Services Agreements with Susanna Moberly and Rosemary Dailey, SANE, to serve "on-call" basis for the performance of forensic examinations at the University of Kentucky Emergency Room. Federal funding is provided under the Violence Against Women Act from the Kentucky Justice Cabinet for the operation of the SANE Program. The agreements are from June 1 through December 31, 2010. Funds are budgeted.p.73

X. Authorization of a Memorandum of Understanding (MOU) Offered by the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training, for the Cold

Case Resolution Pilot Project. (245-10) (Gooding/Bennett) This request will authorize a MOU to extend the performance period through December 31, 2010 offered by the Department of Criminal Justice Training for the Cold Case Resolution Pilot Project. There are no other changes associated with this MOU.p.74

Y. Authorization to Submit a Grant Application to the Fireman's Fund Insurance Company and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (255-10) (Gooding/Bennett) This request will authorize the submission of a grant application in the amount of \$5,000 to the Fireman's Fund Insurance Company and accept the award if offered, on behalf of the Division of Fire & Emergency Services, for purchase of All-Terrain Transport from Emergency Equipment Rescue. No matching funds are required.p.75

Z. Authorization to Submit Grant Application to the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Fire & Emergency Services under the 2010 Homeland Security Grant Program. (256-10) (Gooding/Bennett) This request will authorize the submission of a grant application for federal funds in the amount of \$18,000 to the Kentucky Office of Homeland Security on behalf of the Division of Fire & Emergency Services, for purchase of a CON-SPACE Communications, Inc. Delsar seismic/acoustic listening device under the 2010 State Homeland Security Grant Program. The source of funds is the Department of Homeland Security. No matching funds are required.p.76

AA. Authorization to Amend Section 21-5 of the Code of Ordinances on Behalf of the Chief Information Office, Division of Computer Services and the Department of Public Safety, Division of Emergency Management/911. (254-10) (L. Jarvis/ Bennett) This request will authorize an amendment to Section 21-5 of the Code of Ordinances on behalf of the Division of Computer Services to transfer one (1) position of GIS/Programmer Analyst (Grade 117E) and one (1) position of GIS Specialist (Grade 114N) (and incumbents) to the Division of Emergency Management/911 relating to the Address Hearing Board and Address Enforcement. There is no fiscal impact for this action.p.77

BB. Authorization to Repeal Article XXII of the Code of Ordinances for the One-Parent Family Facility Corporation. (239-10) (Hartje/Rabold) This request will authorize the repealing of Article XXII of the Code of Ordinances to allow One-Parent Family Facility Corporation to operate independently of LFUCG.p.78

CC. Authorization of an Inducement to HFL Sport Science, Inc. as Part of the Kentucky Business Incentive Program. (249-10) (Wright/Kelly) This request will authorize an inducement of a 1% Occupational License Tax Abatement for HFL Sport Science, Inc. as part of their participation in the Kentucky Business Investment Incentive Program.pp.79-81

DD. Authorization of Amendment No. 1 to Resolution No. 235-2010 for the Neighborhood Development Funds (NDF) for LexLinc. (244-10) (Langston) This request will authorize an Amendment No. 1 to Resolution No. 235-2010, deleting NDF funds of \$200 for LexLinc. This amount was included in the Lexington Local Investment Commission (aka LexLinc). There are no other changes associated with this amendment.pp.82-84

EE. Authorization of a Purchase of Service Agreement (PSA) with Greater Faith Apostolic Church, Boy Scout Troop 238 under the Adopt-A-Spot Program. (240-10) (Gooding/Webb) This request will authorize a PSA in the amount of \$522.98 with

Greater Faith Apostolic Church, Boy Scout Troop 238 for litter pickup in the Inner City Area Number 3. Funds are budgeted.p.85

FF. Authorization of Amendments No. 1 to Agreements with the Kentucky Transportation Cabinet (KYTC) for the Intelligent Transportation System (ITS) Project and the Congestion Management System (CMS) Traffic Improvements Project for FY2009 and FY2010. (247-10) (Gooding/Webb) This request will authorize two (2) Amendments No. 1 to two (2) Agreements with KYTC to extend the performance of the ITS Project and the CMS Traffic Improvements Project through June 30, 2011. There are no other changes associated with these amendments.p.86

GG. Authorization of Amendment No. 2 to Agreement with the Kentucky Transportation Cabinet (KYTC) for the Air Quality Planning Project and the Mobility Coordination Project. (248-10) (Gooding/Webb) This request will authorize Amendment No. 2 to Agreement with KYTC for additional federal funds in the amount of \$54,000 and to extend the performance period through June 30, 2011 for the Air Quality Planning Project. A local match of \$13,500 is required and has been requested in the FY2011 General Fund budget. This Amendment also includes additional federal funds in the amount of \$102,000 and to extend the performance period through June 30, 2011 for the Mobility Coordination Project. A local match of \$25,500 is required and will come from an in-kind match generated by documenting the value of public service announcements. There are no other changes associated with this amendment.pp.87-88

HH. Authorization of Change Order No. 2 to Contract with Schroeder Construction, Inc. for the Cadentown/Versailles Road Sanitary Sewer Improvements Project. (FINAL). (252-10) (Gooding/Webb) This request will authorize Change Order No. 2 to decrease the contract amount by \$31,956 with Schroeder Construction, Inc. to adjust bid quantities required for completion of the Cadentown/Versailles Road Sanitary Sewer Improvements Project. Original contract amount was \$696,637.75. Previous change order amount was \$119,819.49. Final contract amount is \$784,501.24.pp.89-92

II. Authorization to Permit the Historic Preservation Commission to Accept Donations for the Restoration of the Historic Street Clock on Main Street. (251-10) (Kerr/Webb) This request will authorize the Historic Preservation Commission to accept donations up to \$25,000 for the restoration of the historic street clock on Main Street in conjunction with the Main Street Streetscape Enhancement Project.p.93

JJ. Authorization of a Modification No. 1 to the Neighborhood Stabilization Program (NSP) Funding Agreement with the Commonwealth of Kentucky, Department for Local Government (DLG), for the Land Banking Program Project. (262-10) (Gooding/ Rumpke) This request will authorize a Modification No. 1 to the NSP Funding Agreement with the Commonwealth of Kentucky, DLC, for the Land Banking Program Project to expand the use of funds to another Eligible Use - redevelopment; and decrease the amount of federal funding to \$1,000,000.p.94

KK. Authorization to Approve Internal Advertisement of All Vacant Positions within Lexington-Fayette Urban County Government. (263-10) (L. Jarvis/Rumpke) This request will authorize the internal advertisement of all vacant positions within LFUCG to be effective on date of passage through June 30, 2010.p.95 *DENOTES EPA CONSENT DECREE

Motion by Myers to approve new business, seconded by Gorton passed with out dissent.

VI. Continuing Business / Presentations-None

VII. Council Report

Stinnett announced a neighborhood association meeting and reminded Council Members of Building Inspection Task Force meeting June, 10, 2010 at 3:00 pm

Feigel announced Kenwick N/A meeting

Motion by Feigel to place on the docket for Thursday, May 27, 2010 Council Meeting an ordinance amending sub section 17-29(4) of the Code of Ordinances, Lexington Fayette Urban County Government, pertaining to the definition of outdoor café, to allow for outdoor cafes to be located in B-1 zones, seconded by Lawless, passed without dissent.

Motion by Beard to approve NDF List dated May, 25, 2010, seconded by Gorton, passed with out dissent.

Henson announced Cardinal Valley N/A meeting, June 1, 2010

Lane announced Blackford Oaks Community Center meeting.

Motion by Lane to place on the docket for Thursday, May 27, 2010 Council Meeting, under first reading resolutions, a resolution to accept donation of meeting rooms from the Kentucky Horse Park, seconded by Crosbie, passed without dissent.

James announced, “What Food” meeting to discuss a community garden, Meadow-Loudon N/A meeting, Commission for Citizens With Disabilities, at the downtown library, 200 Year Morton House Celebration at Duncan Park.

McChord congratulated Lafayette High School senior, Alexandria Delchenco winner of 2010 art competittiion. Announced Bike Lexington, talked about Second Sunday and event to be held on the new runway at Bluegrass Airport.

Lawless made three neighborhood association meeting announcements.

Martin announced kick off of Southerland Jamboree to be held every Tuesday night at 7:00, Southland Bowling Lane.

Ellinger announced Senior Job and Health Fair, Friday, May 20, 2010 from 9:00 am until 2:00 pm. He will attend Bike Lexington and Bluegrass Cycling Club, Georgetown, KY

Blues thanked everyone for participation in McConnell Trace Neighborhood-Great American Clean up last Saturday.

Crosbie highlighted LFUCG Parks & Recreation program Kiddie Keeper which over 700 children participate. She cited an issue with consistency of price quotes for rental fees with Parks & Recreation she asked for a listing of rental fees and fees paid in the past.

VIII. Mayor's Report

Motion by Gorton to approve the Mayor's Report, seconded by Beard passed without dissent.

IX. Public Comment - Issues Not on Agenda - no public comment

Motion by Gorton to adjourn Work session, seconded by Myers passed with out dissent meeting at 4:04 pm

BUDGET AMENDMENT REQUEST LIST**16**

JOURNAL	42987-88	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	239.68
					239.68CR
					.00

To recognize funds from the Friends of McConnell Springs for reimbursement of personnel costs expended on March 27, 2010 for Friends of McConnell Springs fundraiser.

JOURNAL	43054-55	DIVISION	Adult & Tenant Services	Fund Name	General Fund
				Fund Impact	179.09
					179.09CR
					.00

To recognize reimbursement from Windstream Corporation for reimbursement for over charge on Black and Williams phone.

JOURNAL	43063	DIVISION	Budgeting/ Risk Management	Fund Name	General Fund
				Fund Impact	285.00
					285.00CR
					.00

To provide funds for the use of Division of Budgeting copier.

JOURNAL	43099-100	DIVISION	Public Works	Fund Name	General Fund
				Fund Impact	300.00
					300.00CR
					.00

To provide funds for operating funds by recognizing revenues received.

JOURNAL	43231-32	DIVISION	Office Of The Mayor	Fund Name	General Fund
				Fund Impact	443.43
					443.43CR
					.00

To provide funds for operating expenses by recognizing revenue reimbursement.

JOURNAL	43235-36	DIVISION	Office Of The Mayor	Fund Name	General Fund
				Fund Impact	57.41
					57.41CR
					.00

To provide funds for operating expenses by recognizing revenue reimbursement.

JOURNAL	43237-38	DIVISION	Council Office	Fund Name	General Fund
				Fund Impact	638.90
					638.90CR
					.00

To restore funds to Council Cost Center 9 by recognizing a reimbursement from NLC for air fare/ travel to obesity conference in New Orleans.

JOURNAL	BA 3022	DIVISION	Human Resources	Fund Name	General Fund
				Fund Impact	90,000.00
					90,000.00CR
					.00

To provide funds for YMCA expenses for the remainder fo the fiscal year and written tests for Community Corrections Officer hiring process by recognizing additional savings from vacant positions.

JOURNAL	43233-34	DIVISION	Special Programs	Fund Name	Donation Fund
				Fund Impact	600.00
					600.00CR
					.00

To provide funds for banner expenses by recognizing revenues received.

JOURNAL	43263-64	DIVISION	Special Programs	Fund Name	Donation Fund
				Fund Impact	21,775.00
					21,775.00CR
					.00

To provide funds for 2010 4th of July expenses by recognizing revenues received for the event.

JOURNAL	42991-92	DIVISION	Community Development	Fund Name	US Dept of Agriculture
				Fund Impact	497.00
					497.00CR
					.00

To budget state revenue matching funds for the National School Lunch Program at the Family Care Center.

JOURNAL	43060	DIVISION	Community Development	Fund Name	US Dept Of HUD
				Fund Impact	5,000.00
					5,000.00CR
					.00

To rebudget administrative funds in HOME 2010 for administration of Community Action Council's Tenant Based Rental Assistance Program.

JOURNAL	43257-58	DIVISION	Community Development	Fund Name	US Dept Of HUD
				Fund Impact	126,304.16
					126,304.16CR
					.00

To budget revenue for HOME Program as provided by HUD. These are funds returned to the LFUCG that were paid out due to finding on CVC Lease Purchase Program.

JOURNAL	43098	DIVISION	Community Development	Fund Name	US Dept of Transp
				Fund Impact	5,026.16
					5,026.16CR
					.00

To increase funds for personnel costs for the Mobility 2010 project.

JOURNAL	43162	DIVISION	Community Development	Fund Name	US Dept Homeland Sec
				Fund Impact	5,000.00
					5,000.00CR
					.00

To correct budget error in CSEPP capital budget.

JOURNAL	43303	DIVISION	Community Development	Fund Name	Grants – State
				Fund Impact	50,995.00
					50,995.00CR
					.00

To move funds within Grant to appropriate expenditure account for Installation of Equipment Enhancements, Equipment for Connection to the CKY 911 Network and to the LFUCG S/R & Ali Database for 4 additional Counties within Kentucky.

JOURNAL	43239-40	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	48,350.89
					48,350.89CR
					.00

To provide funds for Sump Pump Re-direct program by recognizing a transfer from Sewer Construction Fund Fats, Oils and Grease (FOG) Program.

JOURNAL	43241	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	48,350.89
					48,350.89CR
					.00

To move savings from Fats, Oils and Grease (FOG) Program to sump pump redirect program.

JOURNAL	43243	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	960,932.80
					960,932.80CR
					.00

To provide additional funding for the Inflow and Infiltration Find and Fix Program. The Find and Fix Program addresses immediate minor problems identified during the sanitary sewer assessments.

JOURNAL	43246	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	44,681.48
					44,681.48CR
					.00

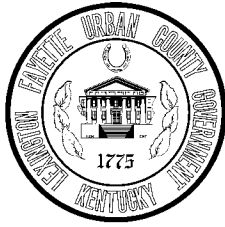
To provide funds for additional licenses and storage hardware needed for Consent Decree asset management project. This funding keeps the project moving to comply with EPA requirements until FY 2011 funds are available.

JOURNAL	43230	DIVISION	Emergency Mgt/E-911	Fund Name	Enhanced 911 Fund
				Fund Impact	137,500.00
					137,500.00CR
					.00

To provide funds for the remainder of fiscal year for Landline Phone Services by reducing various operating accounts and computer equipment.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1103	Donation Fund	.00
Fund	3100	US Department of Agriculture	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00
Fund	3400	Grants – State	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	.00
Fund	4003	Sanitary Sewer Construction Fund	.00
Fund	4204	Enhanced 911 Fund	.00



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda Rumpke
Commissioner

Budget Journal Number 42991-92
Requesting Division Community Development
Fund Name US Department of Agriculture
Fund Number 3100
Contact for Additional Information Irene Gooding-3079
Description

Budget amendment recognizes an additional \$497 in revenue awarded from State Revenue Matching Funds and budgets these funds for the purchase of food supplies (75102) in the amount of \$497.00.

These are additional funds awarded by Kentucky Department of Education. The requirement is that these funds are to be used exclusively for the school nutrition program.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda Rumpke
Commissioner

Budget Journal Number 43060
Requesting Division Community Development
Fund Name US Department of Housing and Urban Development
Fund Number 3120
Contact for Additional Information Irene Gooding-3079

Description

Community Action Council is an approved subrecipient of federal funds from the HOME_2010 program. This budget amendment provides for \$5,000 in admin funds to be budgeted in Department ID 900307 (Community Action Council) for use by the agency in operating this program. Funds in the amount of \$2,000 are being taken from Desktops and Laptops (Account 96203), funds in the amount of \$2,000 are being taken from Conferences and Other Training (Account 74102), funds in the amount of \$500 are being taken from Subscriptions and Publications (Account 77802), and funds in the amount of \$500 are being taken from Operating Supplies and Expense (Account 75101).



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda Rumpke
Commissioner

Budget Journal Number 43257-58
Requesting Division Community Development
Fund Name US Department of Housing and Urban Development
Fund Number 3120
Contact for Additional Information Irene Gooding-3079

Description

Budget Amendment provides for recognition of \$126,304.16 in federal funds for the HOME_2008 project. Funds in the amount of \$126,304.16 were returned to HUD by the LFUCG as ineligible developer's fees associated with the operation of Community Ventures Corporation's Lease Purchase Program and First-Time Homebuyers Program. HUD has reallocated these funds to the HOME_2008 project.

Budget Amendment provides for the expenditure of these funds by the REACH First-Time Homebuyers Program. These funds in the amount of \$126,304.16 will be used to assist low-income first-time homebuyers with mortgage assistance.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

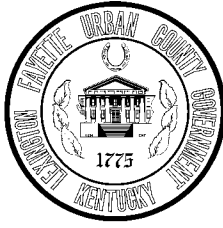
Jim Newberry
Mayor

Linda Rumpke
Commissioner

Budget Journal Number 43098
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding-3079

Description

This budget amendment adds a total of \$3,439.67 to personnel accounts (63111, 63511, 63615, 63621, 62622, and 62624). Account # 75101 (Operating Supplies) is reduced in the amount of \$3,589.67 and Account # 77802 (Subscriptions and Publications) is increased in the amount of \$150 to eliminate a negative balance.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda Rumpke
Commissioner

Budget Journal Number 43303
Requesting Division Community Development
Fund Name Grants – State
Fund Number 3400
Contact for Additional Information Irene Gooding-3079
Description

Budget Amendment provides for reduction in the amount of \$45,500 from account # 71299 (Professional Services) and a reduction of \$5,495 from account # 75801 (Equipment Under \$5000). The Budget Amendment provides for addition of \$48,520 to account # 96201 (Computer Equipment) and the addition in the amount of \$2,475 to account # 72204 (Network Connectivity). These funds provide for installation of equipment for connection to the Central Kentucky 911 Network.



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Commissioner, Acting

Budget Journal Number 43239-41
Requesting Division Division of Water Quality
Fund Name Sanitary Sewer Fund/Sanitary Sewer Construction Fund
Fund Number 4002/4003
Contact for Additional Information Charles Martin or Julie Mantrom
Description

The purpose of these budget amendments is to move savings from the FY 2009 Fats, Oils and Grease Program in Fund 4003 to Fund 4002 to provide additional funding this fiscal year for the Sump Pump Redirect Program. The Sump Pump Redirect Program has been very successful in removing inflow and infiltration from the sanitary sewer system, which helps reduce the number of sanitary sewer overflows. There is a list of projects ready to go as soon as this additional funding is made available.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

June 8, 2010 Work Session

26

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
277-10	43157-58	Community Development	To establish grant budget for the Brownfields Assessment Project.
X			3170 200,000 3170 200,000CR 0*
280-10	TBD	Community Development	To establish grant budget for the Edward Byrne Memorial Justice Assistance Grant – FY 2011.
I			3140 367,774 3140 367,774CR 0*
285-10	TBD	Community Development	To establish funds for the Juvenile Accountability Block Grant – FY 2011.
G			3140 16,972 3140 16,972CR 0*

EFFECT ON FUND BALANCES

FUND 3140	0*	NO IMPACT TO:	US DEPARTMENT OF JUSTICE
FUND 3170	0*	NO IMPACT TO:	US ENVIRONMENTAL PROTECTION AGENCY

Budget Information For New Business Items

June 8, 2010 Work Session

27

Item	Number	Amount	Fund	Name / Description
A	281-10	118,478	3160	US Department of Transportation
B	282-10	18,050	3160	US Department of Transportation
C	271-10	NA		
D	274-10	25,000	1101	General Service Fund
E	272-10	NA		
F	265-10	NA		
G	285-10	16,972	3140	US Department of Justice Budget Journal
H	267-10	52,000	3200	Department of Homeland Security
I	280-10	367,774	3140	US Department of Justice Budget Journal
J	294-10	NA		
K	295-10	NA		
L	296-10	NA		
M	268-10	NA		
N	275-10	NA		
O	276-10	NA		
P	286-10	NA		
Q	269-10	3,108.19	1101	General Service Fund
R	278-10	NA		
S	279-10	NA		
T	273-10	51,320	1115	Urban Service Fund
U	288-10	211,875	1115	Urban Service District Fund (FY 2011 Budget)
V	287-10	1,382,345	1115	Urban Service District Fund
W	291-10	2,000	1115	Urban Service District Fund
X	277-10	200,000	3170	US Environmental Protection Agency Budget Journal
Y	289-10	18,500	3170	US Environmental Protection Agency
Z	292-10	21,600	4051	Water Quality Management Fund

Budget Information For New Business Items

June 8, 2010 Work Session

28

AA	293-10	22,600	4051	Water Quality Management Fund
BB	283-10	14,000	1101	General Service Fund (FY 2011 Budget)
CC	284-10	7,500	1101	General Service Fund



281-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 25, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
ENGINEERING SERVICES AGREEMENT WITH BTM
ENGINEERING, INC., FOR THE TATES CREEK ROAD SIDEWALK
IMPROVEMENTS PROJECT— RFQ 10-2010**

On June 11, 2009 (Ordinance No. 92-2009), Council approved the acceptance of federal funds from the Kentucky Transportation Cabinet for the Tate's Creek Road Sidewalk Improvements project.

On February 11, 2010, a Request for Qualifications was issued for design services for this project. By March 11, 2010, nine firms had submitted statements of qualifications. A selection committee was convened to review submissions. The selection committee ranked the firms and invited the top three firms to make presentations. After presentations, the committee recommended the selection of BTM Engineering, Inc., as the consultant for this project because they had a stronger public outreach approach and were better prepared for presentation, having coordinated with LexTran and the utility companies. The negotiated amount for construction plans, specifications, bid documents and plats is \$118,478.

Funds are budgeted as follows:

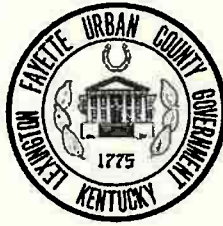
FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY
3160	303202	3222	91714	2009	TCSDWALK_2009	FED GRANT

The proposed project is the construction of sidewalks on both sides of a 1.6 mile section of Tate's Creek Road, between The Enclave and Dove Run Road. Federal funds are from the federal Congestion Mitigation/Air Quality Program (CMAQ) allocation.

Council authorization to execute Engineering Services Agreement with BTM Engineering, Inc., is hereby requested.


Irene Gooding, Acting Director

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



282-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 25, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE
ORDER NO. 2 WITH HW LOCHNER FOR RIGHT-OF-WAY SERVICES
FOR NEWTOWN PIKE EXTENSION PROJECT MITIGATION AREA**

On June 25, 2009 (Resolution No. 442-2009), Council approved execution of Engineering Services Contract in the amount of \$196,650 with HW Lochner for Right of Way services that includes 31 acquisitions, including all aspects of procurement from property appraisals, title reviews, making offers and negotiation, relocation benefits management and tracking, and parcel management for the Newtown Pike Extension Project. The project provides for construction from West Main Street to South Limestone.

On November 19, 2009 (Resolution No. 735-2009), Council approved execution of Change Order No. 1, increasing the contract price by the sum of \$1,031.25 for a total of \$197,681.25, in include an additional parcel of land in the services agreement.

The Division of Engineering has negotiated Change Order No. 2 in the amount of \$18,050 with HW Lochner to include acquisition of 704 DeRoode Street (Parcel No. 1) and the relocation of four additional businesses for Parcel 33. The new total is \$215,713.25.

Funds are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	303202	3211	91715	NEWTOWNPK 2009	2009	FED GRANT

Council authorization to execute Change Order No. 2 with HW Lochner is hereby requested.

Irene Gooding, Acting Director

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

CONTRACT HISTORY FORM

Project Name: Right-Of-Way Acquisition-Newtown Pike Extension Phase I Mitigation Area

Contractor: H.W. Lochner

Contract Number and Date: 442-2009 July 2, 2009

Responsible LFUCG Division: Division of Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount: \$ 196,650.00
Next Lowest Bid Amount: \$208,900.00

B. Amount of Selected Alternate or Phase: \$ _____

C. Cumulative Amount of All Previous Alternates or Phases: \$ 0.00

D. Amended Contract Amount: \$ 196,650.00

E. Cumulative Amount of All Previous Change Orders: \$ 1,031.25 0.5%
(Line E / Line D)

F. Amount of This Change Order: \$ 18,050.00 9.2%
(Line F / Line D)

G. Total Contract Amount: \$ 215,731.25

SIGNATURES

Project Manager: Andrew Grunwald Date: 5-19-2010
Andrew Grunwald, P.E.

Reviewed by: Robert A. Bayert Date: 5/26/10
Robert Bayert, P.E.

Division Director: _____ Date: _____
Marwan Rayan, P.E.

LEXINGTON-FAYETTE

URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Page 1 of 2

Date: May 11, 2010

Project: Phase I-Right of Way
Services ContractLocation: Phase I Newtown Pike
Extension (Southend
Redevelopment)

To (Contractor)

H.W. Lochner
1040 Monarch Street
Lexington, Kentucky 40513

Resolution No. # 442-2009

Change Order No. 2

You are hereby requested to comply with the following changes from
The contract plans and specification;

Item No. (1)	Description of changes-quantities, unit prices, changes in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	(Increase) Provide professional services for acquiring Parcel 1, for a Lump Sum Value of \$6,350.00.		\$6,350.00
2	(Increase) Provide professional services for relocation of four additional businesses for Parcel 33, for a Lump Sum Value of \$11,700.00.		\$11,700.00
	Total decrease		XXXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$18,050.00
	Net (increase) contract price		\$18,050.00

The sum of **\$18,050.00** is hereby added to the total contract price, and the total adjusted contract price to date thereby is **\$215,731.25**.

An extension of contract is granted, to provide for the additional work presented in this Contract Change Order. The contract will be extended until July 30, 2010.

Recommended by Andrew Cunniff (Proj. Engr.) Date 5/19/2010

Accepted by [Signature] (Contractor) Date 5/17/10

Approved by [Signature] (Urban Co. Engr.) Date

Approved by _____ (Commissioner) Date

Approved by _____ (Mayor or CAO) Date



271-10

33

Lexington-Fayette Urban County Council

Jim Gray
Vice Mayor

TO: Mayor Jim Newberry
Urban County Council

Linda Gorton
At-Large Member

FROM: Paul Schoninger
Staff to Council

Chuck Ellinger II
At-Large Member

DATE: May 20, 2010

Andrea James
1st District

SUBJECT: Request Council Approval: Agreement with Kentucky
Transportation Cabinet for a Dry stone Fence on Old Frankfort
Pike

Tom Blues
2nd District

Diane G. Lawless
3rd District

This is to request Council approval of the attached agreement between the Kentucky Transportation Cabinet and the Lexington-Fayette Urban County Government. The agreement will allow Lexington-Fayette County to construct a dry stone fence, funded by a Transportation Enhancement Grant, on public property along Old Frankfort Pike near the Alexandria Drive intersection.

Julian Beard
4th District

Cheryl B. Feigel
5th District

The draft agreement has been reviewed by Commissioner Michael Webb as well as Michael Sanner of the Law Department.

Kevin O. Stinnett
6th District

Should you need any further information please do not hesitate to contact me at 258-3208.

K. C. Crosbie
7th District

George G. Myers
8th District

Paul Schoninger
Staff to Council

Jay McChord
9th District

c: Michael Webb
Michael Sanner
Councilmember Cheryl Feigel, 5th District; Corridors Commission Chair

Doug Martin
10th District

Peggy Henson
11th District

Ed Lane
12th District

**AGREEMENT BETWEEN THE
COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DISTRICT SEVEN OFFICE
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**

Whereas: The Local Public Agency, Lexington-Fayette Urban County Government, hereinafter LPA, through a federal Transportation Enhancement grant (See attached exhibit '1') administered by the Office of Local Programs within the Transportation Cabinet will construct a stone fence within public right of way along Old Frankfort Pike from approximate Station 17+00 to approximate Station 21+50 on the southwest quadrant of the Old Frankfort Pike/Alexandria Drive intersection hereinafter PROJECT (See attached exhibit '2'); and,

Whereas: The terms of the Transportation Enhancement grant require that the LPA maintain the stone fence in an acceptable condition for public purpose in perpetuity; and,

This **AGREEMENT** is made and entered into by and between the DISTRICT and the LPA.

Section 1. Effective Date. The effective date of this AGREEMENT is the date the AGREEMENT is signed by the Chief District Engineer for the DISTRICT. After execution of the AGREEMENT, the CABINET will return an original AGREEMENT to the LPA.

Section 2. Agreement Purpose. The purpose of this agreement is to transfer all future maintenance responsibilities and liability of the newly constructed dry-laid stone fence to the LPA.

Section 3. Construction of Stone Fence. The LPA shall submit final construction plans, contract documents, and project development checklist to the DISTRICT for approval prior to letting the project to construction. Approval of the plans and contract documents will be the DISTRICT endorsement of the project development checklist.

Section 4. Maintenance of Stone Fence. The LPA agrees to maintain in perpetuity the newly constructed stone fence. The fence shall be maintained in the same condition existing at the time construction is completed. Maintenance shall include stone fence repair, maintaining drainage around the stone fence, and the removal of any stone debris from public right of way. The LPA shall apply for an encroachment permit through the DISTRICT for each maintenance occurrence. All encroachment fees will be waived for the purpose of maintaining the stone

fence. The LPA assumes all liability for injuries that are a result of the construction and maintenance of the stone fence in its entirety including the stone foundation.

Section 5. Term. This AGREEMENT and the maintenance responsibilities and the assumption of liability expressed herein shall survive in perpetuity.

Section 6. Hold Harmless Clause. The LPA shall indemnify and hold harmless the FHWA and the DISTRICT and all of its officers, agents, and employees from all suits, actions, or claims of any character arising from any injuries or fatalities or property damages received or claimed by any person, persons, or property resulting from construction, maintenance, and location of the stone fence within public right of way. This is no way intended to be a waiver of sovereign immunity or any other third party defense available to the LPA as against claimants that are not a party to this agreement.

IN TESTIMONY WHEREOF, the parties have hereto caused this AGREEMENT to be executed upon signature by their proper officers and representatives.

KENTUCKY TRANSPORTATION CABINET:

Approved as to form and legality:

Commonwealth of Kentucky

Todd Shipp, Attorney
Transportation Cabinet

Michael W. Hancock, Acting Secretary
Transportation Cabinet

Date: _____

Date: _____

James Ballinger, Chief District Engineer
District Seven Office

Date: _____

LOCAL PUBLIC AGENCY:

Approved as to form and legality:

Lexington-Fayette Urban County Govt.

Attorney
Lexington-Fayette Urban County Govt.

Jim Newberry, Mayor
Lexington-Fayette Urban County Govt.


Date: 5-26-10

Date: _____

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

274-10

TO: Mayor Jim Newberry
Urban County Council

FROM: Paul Schoninger 
Staff to Council

SUBJECT: Chevy Chase Intersection Re Design
Recommendation

DATE: May 19, 2010

This is to request approval of an agreement with Palmer Engineers to provide a cost estimate to redesign the intersection of High Street/Fontaine Road/Euclid Avenue/and Tates Creek Pike. Six firms submitted proposals and the review committee recommended Palmer at a cost not to exceed \$ 25,000. Palmer has partnered with HHE and M2D on this project. If you have any questions or comments, please contact me at Ext. 3208. Thanks.

C: Cheryl Feigel, Councilmember 5th District, Chair Corridors Commission
Brian Marcum
Todd Slatin
Rebecca Langston

37

274-10

PRODUCTION-HOUR WORKSHEET						
COUNTY	FAYETTE		PROJECT TYPE	Roadway Improvement		
ROUTE	Chevy Chase		CONSULTANT	Palmer Engineering		
DESC.			PREPARED BY	Stephen Sewell		
ITEM NO.			DATE	MAY 24, 2010		
SURVEY						
No.	ITEM	CREW	UNIT	AMOUNT	HRS/UNIT	HOURS
RECONNAISSANCE						
1	Utilities - (Identify & contact)	1	No.	8	2	16
PLANIMETRIC SURVEY						
2	Utilities location	1	Mile	0.57	15	9
SURVEY TOTAL						25
CONCEPTS AND ANALYSIS						
No.	ITEM	UNIT	AMOUNT	HRS/UNIT	HOURS	
3	Study and develop typical sections	No.	2	4	8	
4	Study and develop horizontal alignments	Mile	0.57	15	9	
5	cost estimates	LS	1	8	8	
TRAFFIC ENGINEERING						
6	Traffic Counts/Forecast	LS	1	0	0	
7	Develop Existing Model	LS	1	8	8	
8	3D Elements of Model	LS	1	8	8	
9	Calibrate Model	LS	1	4	4	
10	Proposed Alternative Simulations	Each	2	8	16	
11	MOE	LS	1	4	4	
12	Letter of Report	LS	1	16	16	
Landscape/Streetscape						
13	Renderings	LS	1	24	24	
14	Layout (materials and enhancements)	LS	1	16	16	
CONCEPTS AND ANALYSIS TOTAL						121
MEETINGS						
No.	ITEM	UNIT	AMOUNT	HRS/UNIT	HOURS	
15	Misc. project coordination meetings (# of persons)	No.	4	4	16	
16	Project team meetings (# of persons)	No.	4	4	16	
MEETINGS MISCELLANEOUS						
					0	
					0	
					0	
					0	
MEETINGS TOTAL						32
PUBLIC INVOLVEMENT						
No.	ITEM	UNIT	AMOUNT	HRS/UNIT	HOURS	
17	Prepare for Public Meetings/Hearings	No.	2	8	16	
18	Attend Public Meetings/Hearings (# of persons)	No.	4	4	16	
19	Property owner coordination	No.	1	8	8	
PUBLIC INVOLVEMENT MISCELLANEOUS						
					0	
					0	
					0	
					0	
PUBLIC INVOLVEMENT TOTAL						40
PRODUCTION-HOUR SUMMARY						
SURVEY TOTAL						25
LINE AND GRADE TOTAL						121
MEETINGS TOTAL						32
PUBLIC INVOLVEMENT TOTAL						40
GRAND TOTAL						218

COUNTY
PROJECT
UPN
FED NO
ITEM NO

Fayette
RFP 31 (Chevy Chase)

DATE 05/24/10

FEE CONSIDERATIONS	NEGOTIATED	MAN HOURS	AVERAGE RATE	EST. COST
1. DESIGN				
A. SURVEY		25	\$100.00	\$2,500
B. CONCEPTS AND ANALYSIS		121	\$115.00	\$13,915
C. MEETINGS		32	\$120.00	\$3,840
D. PUBLIC INVOLVEMENT		40	\$120.00	\$4,800
2. STRUCTURE PLANS	N.A.			
3. PLANNING	N.A.			
4. ENVIRONMENTAL	N.A.			
5. TRAFFIC PLANS	N.A.			

TOTAL PROPOSED FEE \$25,055
SHOP PLANS \$0

FIRM NAME PALMER ENGINEERING
DATE 05/24/10

SIGNATURE David M. Lindeman
TITLE Vice President



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Newberry
Mayor

Logan Askew
Commissioner

TO: Jim Newberry, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: May 21, 2010

RE: Releases of Street Light Easements
Tuscany Subdivision

This memo is to request a Resolution authorizing the Mayor to sign five (5) Releases of Street Light Easements, releasing street light easements on properties located in Tuscany Subdivision in Units 4A, 4C, 4D, and 4F.

The proposed Releases have been reviewed and approved by the Divisions of Engineering, Water Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Joe Kelly, Mayor's Office
Council Office

X:\Cases\ENGINEERING\CC0299 COR00260802.DOC



40

265-10

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Newberry
Mayor

Marlene Helm
Commissioner

TO: Jim Newberry, Mayor
Joe Kelly, Senior Advisor of Management
Urban County Council Members

FROM: Marlene Helm
Marlene Helm, Commissioner
Department of Social Services

DATE: May 4, 2010

RE: Memorandum of Understanding with Asbury College

This is to request approval of a memorandum of understanding with Asbury College to participate collaboratively in the education of professional social workers through implementation of the Field Instruction Program. Traditionally, social work students spend one or two semesters in field placement to enhance learning in both Bachelor and Masters level programs. The social work students will be assigned anywhere in the Department of Social Services with the agreement of the Division Director.

The Field Education Manual, prepared by Asbury College, has been received and reviewed and is currently on file in the Commissioner's office. Appropriate background checks, which may include the Child Abuse Registry if the student will be working with children, will be the responsibility of the Department of Social Services.

No funds are involved.

Thank you.



285-10

41

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 25, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION, AND ACCEPT AWARD IF OFFERED, TO THE
KENTUCKY DEPARTMENT OF JUVENILE JUSTICE UNDER
THE JUVENILE ACCOUNTABILITY BLOCK GRANT
PROGRAM FOR FY 2011**

Department of Social Services, Division of Youth Services has prepared an application for submission to the Kentucky Department of Juvenile Justice requesting federal funds in the amount of \$15,275 from the Juvenile Accountability Block Grant.

The Department of Social Services is proposing that the Fayette County allocation of funds be used to continue the funding for the Juvenile Surveillance Program (overtime for police officers), professional services, professional development, drug testing services and supplies, and educational materials. A 10% match (\$1,697) is required. The grant match for this project has been budgeted in Youth Services' 2011 General Fund budget. Total project cost is \$16,972.

Public Law 105-119 enacted by Congress on November 26, 1997, established this program. The intent of the program is to provide states and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. This is not a delinquency prevention program and none of the funds can be used for prevention activities.

Council authorization to submit the application, and accept the award if offered, is hereby requested, subject to availability of local funds in the 2011 general fund budget.



Irene Gooding, Acting Director

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



267-10 42

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 18, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH PEOPLE PLUS, INC., FOR WEBEOC
COORDINATOR SERVICES USING FUNDS AWARDED UNDER THE
CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM
(CSEPP)— FY 2009**

On April 9, 2009 (Ordinance No. 47-2009), Council approved acceptance of federal funds from the Kentucky Department of Military Affairs, Division of Emergency Management for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for Fiscal Year 2009. The source of federal funds is the Department of Homeland Security/Federal Emergency Management Agency. CSEPP funds are used to support emergency preparedness activities in a nine county area that surrounds the Blue Grass Army Depot in Richmond, the site of a stockpile of chemical weapons.

An approved activity is the WebEOC Coordinator services. RFP's for these services were issued on October 12, 2009, and again on February 23, 2010, with no responses. Three temporary services companies were contracted and asked to submit proposals. Two responded. People Plus, Inc., was selected due its lower mark-up rate. The agreement provides for People Plus, Inc., to provide these services for a sum not to exceed \$52,000.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3200	505201	0001	71299	2009	KY-FAY-451	CSEPP 2009

Council authorization to execute the agreement is hereby requested.


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner of Public Safety



280-10 43

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 24, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT, AND ACCEPT AWARD
IF OFFERED, A GRANT APPLICATION TO THE U.S. DEPARTMENT OF
JUSTICE REQUESTING FEDERAL FUNDS UNDER THE EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT— FY 2011**

The Lexington-Fayette Urban County Government has been informed that it is eligible to apply for federal funds from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The JAG program is a blend of the previous Byrne Formula and Local Law Enforcement Block Grant Programs, providing local agencies with the flexibility to prioritize and place justice funds where they are needed most. LFUCG is eligible to receive a formula amount of \$367,774. No matching funds are required.

JAG funds may be used for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more the following purpose areas: Law enforcement program, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment programs, and planning, evaluation, and technology improvement programs.

The LFUCG Division of Police is proposing to use these funds to continue the support of four civilian positions established under the 2009 Recovery Act Edward Byrne Memorial Competitive Grant Program: Hiring of Civilian Law Enforcement. These positions included a Public Information Officer, two Evidence Technicians, and one Police Analyst.

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


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



294-10 44

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION ON
BEHALF OF THE U.S. ATTORNEY'S OFFICE — EASTERN DISTRICT OF
KENTUCKY FOR A 2010 PROJECT SAFE NEIGHBORHOODS GRANT— FY
2011**

The U.S. Attorney's Office— Eastern District of Kentucky has been selected to receive federal funds from the U.S. Department of Justice under the 2010 Project Safe Neighborhoods Grant Program. The purpose of this project is to support new and expanded Project Safe Neighborhoods (PSN) activities. These new funds will allow local PSN task forces to combat gun and gang violence by building on the effective strategies and partnerships developed with previous PSN funding. The Project Safe Neighborhood program brings together federal, state and local law enforcement and communities in a unified effort to reduce gun and crime across America. Each U.S. Attorney's office has created partnerships and a strategy to prevent gun and gang crime and to enforce the law against armed criminals.

The amount of federal funds expected is \$90,054. The Lexington Fayette Urban County Government will serve in the capacity of fiscal agent. No matching funds are required.

The local Project Safe Neighborhoods advisory committee has prepared an application that will focus resources in the 67 counties served by the U.S. Attorney's Office— Eastern District. Funds will be used for equipment and training for law enforcement, overtime for police officers in local and state law enforcement agencies, and to provide local prosecutors with financial assistance to expand prosecution efforts throughout the 67-county area.

Council authorization to submit the application on behalf of the U.S. Attorney, Eastern District of Kentucky is hereby requested.


Irene Gooding, Acting Director

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



295-10 45

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT A GRANT
APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF
COMMUNITY ORIENTED POLICING SERVICES, REQUESTING
FEDERAL FUNDS UNDER THE COPS HIRING PROGRAM**

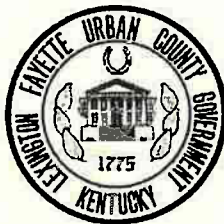
As an unsuccessful applicant for the 2009 COPS (Community Oriented Policing Services) Hiring Recovery Program, the LFUCG is eligible to reapply for funding under the 2010 Hiring Program. The purpose of this program is to address the full-time sworn officer needs of state, local and tribal law enforcement agencies nationwide and to increase their capacity to participate in community policing. The LFUCG's application provides for the hiring of 50 officers for a three-year period at an approximate cost of \$7.9 million.

There is no local cash match requirement under this grant program.

Council authorization to submit the application is hereby requested.


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



296-10 46

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**


DATE: JUNE 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT A GRANT
APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF
COMMUNITY ORIENTED POLICING SERVICES, REQUESTING
FEDERAL FUNDS UNDER THE COPS 2010 CHILD SEXUAL
PREDATOR PROGRAM**

The Lexington-Fayette Urban County Government has been nominated by the U.S. Attorney's Office to apply for grant funding under the COPS 2010 Child Sexual Predator Program. Federal funds may be used for law enforcement agencies to establish and/or enhance strategies to locate, arrest, and prosecute child sexual predators and exploiters, as well as enforce state sex offender registration laws. Successful grantees are required to partner and coordinate with both their district U.S. Attorney's Office (USAO) and U.S. Marshals Service (USMS) office. Agencies may request funding to pay for sworn/civilian personnel, equipment and technology, and training costs associated with the program. There is no local cash match requirement under this grant program.

The Lexington Division of Police has prepared an application requesting funds in the amount of \$332,900. These funds will be used for equipment and technology (\$32,900), training for LFUCG Division of Police and Fayette County Sheriff's Office (\$80,000), and law enforcement overtime for LFUCG Division of Police, Fayette County Sheriff's Office, and state Probation and Parole (\$220,000). The performance period will be two years.

Council authorization to submit the application is hereby requested.


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety




268-10 47

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Newberry
Mayor

Robert Hendricks
Chief

TO: Mayor Jim Newberry
Tim Bennett, Public Safety Commissioner
LFUCG Councilmembers

FROM: 
Michael Gribbin, Assistant Chief

RE: Mutual Aid Agreement

DATE: Wednesday, May 12, 2010

This is a request to execute a Mutual Aid agreement with the Rural/Metro Ambulance for mutual assistance. The agreement would define the roles and responsibilities of each agency should the need arise to call on Rural/Metro Ambulance for assistance or render assistance to them.

Mutual Aid agreements are required by the Kentucky Administrative Regulations for all agencies operating in the same county.

There will be no budgetary impact in this agreement as there are no additional resources required.



LEXINGTON DIVISION OF POLICE

275-10

48

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: May 21, 2010

RE: World Equestrian Games Parking Ordinance

Please find attached blue sheet and World Equestrian Games Parking Ordinance, Section 18-119.1(1), (2), (3), prepared by the Department of Law in regards to parking along primary routes during WEG.

The World Equestrian Games is a world wide event. VIP's from this country and countries from all over the world will be attending the event. The worldwide notoriety of the games and attending VIP's makes the games a heightened security risk for a terrorist attack. A parked vehicle along the primary routes to the Kentucky Horse Park and the off-site Park-n-Ride site would be an easy method of deploying explosives that could be detonated during peak traffic hours causing a high rate of casualties. This makes the identified routes a higher risk of being a potential target for this type of attack. To minimize this potential threat Law Enforcement needs the tools to be able to immediately remove any vehicle parked along these routes.

This no parking zone states no person shall stop, stand or park a motor vehicle, either on the shoulder or the traveled portion of a roadway, along designated bus routes and primary entry and exit routes to the Kentucky Horse Park. The no parking zone shall be in effect at 6:00 a.m. on September 20, 2010 and continue until midnight (12:00 a.m.) on October 10, 2010. The designated routes of the no parking zone shall consist of the roadways described as follows:

Ironworks Pike from Georgetown Road (U.S. 25) to Newtown Pike; 175 North and Southbound lanes from Ironworks Pike, (Exit 120) to Newtown Pike (Exit 115); all exit and entrance ramps on 175 at Exit 120 and Exit 115; Newtown Pike from Ironworks Pike to Citation Boulevard; Aristides Boulevard from Newtown Pike to McGrathiana Parkway; McGrathiana Parkway from Aristides Boulevard to Citation Boulevard; Citation Boulevard from Newtown Pike to Georgetown Road (U.S. 25) from Citation Boulevard to Ironworks Pike. Any motor vehicle found stopped, standing or parked in violation of this Ordinance shall be immediately removed and impounded by any law Enforcement Officer.

The Division of Police is requesting approval of the attached ordinance. There will be no budgetary impact. If you have any questions or require additional information, please contact me.

ORDINANCE NO. _____ 2010

AN ORDINANCE CREATING SECTION 18-119.1(1) OF THE CODE OF ORDINANCES RELATING TO A NO PARKING ZONE DURING THE 2010 WORLD EQUESTRIAN GAMES ALONG DESIGNATED BUS ROUTES AND PRIMARY ENTRY AND EXIT ROUTES TO THE KENTUCKY HORSE PARK; CREATING SECTION 18-119.1(2) OF THE CODE OF ORDINANCES RELATED TO A NO PARKING ZONE FOR THE 2010 WORLD EQUESTRIAN GAMES DESIGNATING THE TIME FRAME AND GEOGRAPHICAL BOUNDRIES FOR THE NO PARKING ZONE; CREATING SECTION 18-119.1(3) OF THE CODE OF ORDINANCES RELATING TO A NO PARKING ZONE DURING THE 2010 WORLD EQUESTRIAN GAMES FOR SECTION 18-119.1 TO EXPIRE AT 12:00 A.M. ON OCTOBER 10, 2010.

WHEREAS, the Lexington-Fayette Urban County has been selected to host the 2010 FEI World Equestrian Games; and

WHEREAS, the 2010 World Equestrian Games are expected to attract hundreds of thousands of visitors to the Fayette County area; and

WHEREAS, a no parking zone along designated bus routes and primary entry and exit routes to the Kentucky Horse Park is necessary for public safety and traffic control; and

WHEREAS, this Ordinance shall be effective only during the specified dates and along the specified routes.

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

Section 1 - That Section 18-119.1(1) of the Code of Ordinance of the Lexington-Fayette Urban County Government be and hereby is created to read as follows:

A no parking zone is hereby created where no person shall stop, stand or park a motor vehicle, either on the shoulder or the traveled portion of a roadway, along designated bus routes and primary entry and exit routes to the Kentucky Horse Park during the dates, times and roadways set forth in Section 18-119.1(2).

Section 2 - That Section 18-119.1(2) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is created to read as follows:

The no parking zone shall be in effect at 6:00 a.m. on September 20, 2010 and continue until midnight (12:00 a.m.) on October 10, 2010. The designated routes of the no parking zone shall consist of the roadways described as follows:

Ironworks Pike from Georgetown Road (U.S. 25) to Newtown Pike; I75 North and Southbound lanes from Ironworks Pike, (Exit 120) to Newtown Pike (Exit 115); all exit and entrance ramps on I75 at Exit 120 and Exit 115; Newtown Pike from Ironworks Pike to Citation Boulevard; Aristides Boulevard from Newtown Pike to McGrathiana Parkway; McGrathiana

Parkway from Aristides Boulevard to Citation Boulevard; Citation Boulevard from Newtown Pike to Georgetown Road (U.S. 25); and Georgetown Road (U.S. 25) from Citation Boulevard to Ironworks Pike. Any motor vehicle found stopped, standing or parked in violation of this Ordinance shall be immediately removed and impounded by any Law Enforcement Officer.

Section 3 – That Section 18-119.1(3) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is created to read as follows:

This Section shall expire at twelve o'clock (12:00 a.m.) midnight on October 10, 2010, and be of no force or effect thereafter, unless earlier modified, amended or repealed.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

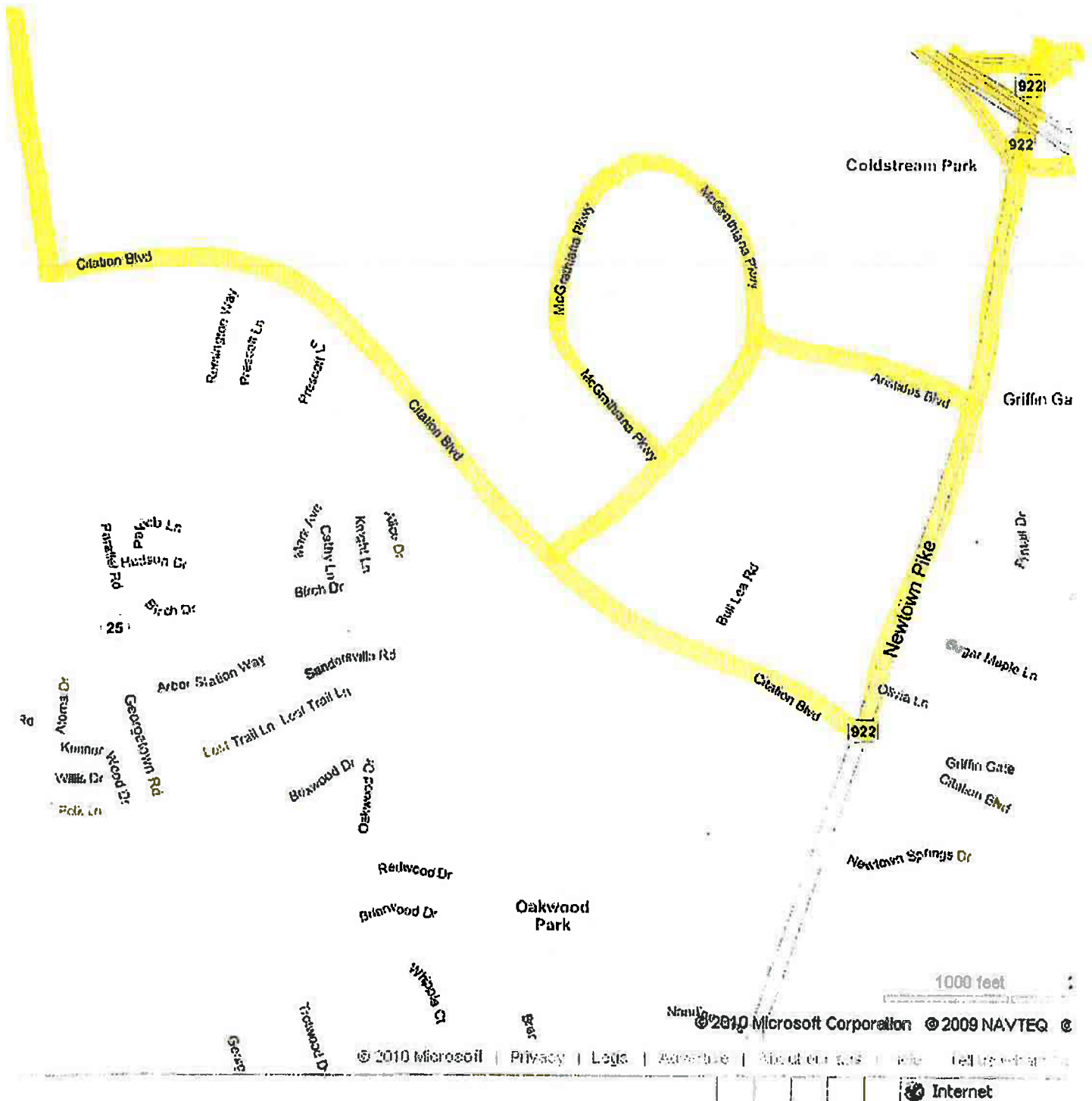
MAYOR

ATTEST;

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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LEXINGTON DIVISION OF POLICE

276-10

53

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: May 21, 2010

RE: Memorandum of Understanding – Financial Crimes Enforcement Network (FinCEN)

Please find attached Memorandum of Understanding between the Financial Crimes Enforcement Network (FinCEN), Department of Treasury and Lexington-Fayette Urban County Government.

The attached MOU permits qualifying organizations to obtain electronic access to information collected pursuant to the reporting authority contained in the Bank Secrecy Act.

I have attached two (2) originals of the Memorandum of Understanding requiring the Mayor's signature.

Upon approval and signing, please forward original MOU's to the Chief's Office to acquire additional signature. There will be no budgetary impact.

If you have any questions or require additional information, please contact my office.

A handwritten signature in cursive script that reads "R. Bastin".

Ronnie Bastin
Chief of Police

Attachment

RB/rmh

cc: Tim Bennett, Commissioner of Public Safety



286-10 54

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATIONJim Newberry
MayorWilliam O'Mara
Acting Commissioner

MEMORANDUM

TO: Jim Newberry, Mayor
Joe Kelly, Senior Advisor
Council MembersFROM: Darrylyn Combs for ()
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: May 28, 2010

RE: Abolish/Create Position— Division of Community Corrections

The attached action amends Section 22-5 of the Code of Ordinances, abolishing one (1) position of Social Worker (Grade 111E) and creating one (1) position of Eligibility Counselor (Grade 110E) in the Division of Community Corrections for a three (3) year term effective upon passage of Council.

The Social Worker position required a license and it was difficult to recruit. A license is not required for the grant and so classifying the position at the Eligibility Counselor level should yield a better pool of applicants. The position is responsible for overseeing the Day Reporting Program. The Day Reporting Program is an early release option for inmates that serve as an alternative sanction to incarceration for the courts. It focuses on maintaining public safety through supervision of eligible offenders and provides programs and services that will encourage employment and lasting changes in offender behavior thereby reducing recidivism, cost to taxpayers and increasing workforce diversity and community development.

The fiscal impact for FY2011 is \$43,817.46 (25 pay periods) and includes benefits. This cost will be recovered from the Justice Assistance Grant.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Eligibility Counselor	\$0	\$31,826.08	\$31,826.08
Total Annual Impact/ Salary and Benefits \$45,570.16				

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

cc: Tim Bennett, Commissioner of Public Safety
Ronald Bishop, Director, Division of Community Corrections
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 10-0062



269-10 55


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, Advisor to the Mayor

From: Jamshid Baradaran 

Re: Change Order Request ADA Wheelchair Lift Replacement/PO# LF00058604

Date: May 24, 2010

This is a request for Council review and approval of the change order #1 to contract number 299-2009 to E. C. Matthews Co., Inc. for adjustments for painting, structural floor modifications and relocation of electrical conduit. The change order is in the amount of \$3,108.19 for a total adjusted contract amount of \$24,047.19.

If you have any questions or require further information, please contact my office at 3909. Thank you.

CC: Kimra Cole, Commissioner of General Services

CONTRACT HISTORY FORM

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269-10

Contractor: E. C. Matthews Co., Inc.Project Name: Wheelchair Lift ReplacementContract Number and Date: Resolution 299-2009Responsible LFUCG Division: Facilities Management**CHANGE ORDER DETAILS****Summary of Previous Change
Orders To Date****Dollar Amount****Percent Change to
Original Contract**

A. Original Contract Amount:	\$ <u>20,939.00</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>20,939.00</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>3,108.19</u>	<u>15%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>24,047.19</u>	<u>115%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Date: 5/19/2010

Reviewed by: _____

Date: _____

Division Director: Date: 5-19-2010

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

05/17/2010

**Project: Wheelchair Lift
Replacement**

Location: Government Center

Contract No 299-2009

To (Contractor) E.C. Matthews Co., Inc.

Change Order No. 1

**You are hereby requested to comply with the following changes from
the contract plans and specifications:**

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	Custom Color for Lift		\$862.50
2	Revise Floor Structure		\$1,489.61
3	Relocate Electrical Conduit		\$756.08
4			
5			
6			
7			
	Change in contract price due to this Change Order:		
	Total decrease		XXXXXXXXXXXX
	Total increase		\$3,108.19
	Net (increase) contract price		\$24,047.19

Sum to be added to the total contract price: \$3,108.19

The total adjusted contract price to date thereby is: \$3,108.19

The time provided for completion in the contract and all provisions of the contract will apply hereto.

Recommended by M. A. An (Project Mgr)

Date 5/19/2010

Accepted by _____ (Contractor)

Date _____

Approved by D. Barad (Director)

Date 5/19/2010

Approved by K. Miller (Commissioner)

Date 5/19/10

Approved by _____ (Mayor or SAM)

Date _____



278-10

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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: Picnic with the Pops

DATE: May 19, 2010



Section 2-200 (b) of the Code of Ordinances says "Picnic with the Pops shall mean an outdoor performance of the Lexington Philharmonic Orchestra, including the appearance of popular guest Artist(s), at the Kentucky Horse Park Amphitheater during the summer, at which picnic facilities shall be included among the seating arrangements offered for public sale."

The Picnic with the Pops Commission has presented the Picnic with the Pops event for over 30 years in Lexington, to the delight of many thousands of families and individuals.

This year the Kentucky Horse Park is unable to host the event due to its plans and commitments to the Alltech FEI 2010 World Equestrian Games. As a result, we need to change the ordinance to remain in compliance with the authority that established the event commission. The Picnic with the Pops Commission is requesting that the words "or other suitable venue" be added to section 2-200 (b) to read "...at the Kentucky Horse Park Amphitheater, or other suitable venue, during the summer..."

This is to request Council approval to amend Section 2-200 (b) of the Code of Ordinance to read: "...at the Kentucky Horse Park Amphitheater, or other suitable venue, during the summer..."

This language has been reviewed by the Department of Law. Please contact me if there are any questions about this request.

CC: Kimra Cole, Commissioner of General Services



279-10

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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: Dog Run Areas

DATE: May 19, 2010

RECEIVED
MAY 24 2010
GENERAL SERVICES
COMMISSIONER'S OFFICE

This is a request for Council approval to amend Section 4-23 of the Code of Ordinances. Over the last 10 years Parks and Recreation has partnered successfully with the Friends of the Dog Parks, Inc., in creating healthy, safe, off leash venues for citizens to exercise and play with their dogs. We now have four such facilities and may well create more as time goes by and citizen needs dictate.

Part of Section 4-23 of the Code of Ordinances says that "The Director of the Division of Parks and Recreation is hereby authorized to designate a portion of Masterson Station Park, a portion of Jacobson Park and a portion of Coldstream Park as "dog run areas". Over the last few years Parks and the Friends have created a fourth dog park at Wellington Park. The ordinance does not currently recognize Wellington Park as an authorized dog park. In addition, it is within reason that additional dog parks may be needed in the future, that could require further changes in the ordinance.

This is a request to amend Section 4-23 to say that "The Director of the Division of Parks and Recreation is hereby authorized to designate a portion of various parks as 'dog run areas' as citizen demand and financing become available." This would avoid the need to change the ordinance every time a dog park is added or removed.

We do not require ordinance permission to create recreation facilities for other purposes such as pools, ball fields, trails, playgrounds etc. This language has been reviewed by the Department of Law.



273-10 60

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioner's Office

Department of Environmental Quality

TO: Commissioner of Environmental Quality
Urban County Council
Mayor Jim Newberry

FROM: Louise Caldwell-Edmonds
Administrative Officer

DATE: May 20, 2010

SUBJECT: Neighborhood and Community Sustainability Grant Program

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

All applications submitted were reviewed by a grant review committee with the following award recommendations to the Urban County Council for approval to fund the proposed projects under the program:

- Booker T Washington Academy, \$2,498 for community educational/native plant community garden.
- Centenary United Methodist Church, \$1,480 for restoring and beautify the outdoor amphitheater.
- Chevy Chase Neighborhood Association, \$2,500 for planting new trees.
- Christ the King School, \$1,041 for a native plant garden.
- Fairway Neighborhood Association, \$2,500 for street tree planting.
- Firebrook Homeowner Association, \$2,498 for retention basin beautification and installing a dog poo container.
- First United Methodist Church, \$2,495 for a community garden.
- Gethsemane Lutheran Church, \$2,480 for a prayer & reflection garden.
- Journey Baptist Fellowship, \$2,110 for stream cleaning & vegetative planting.
- Lexington Traditional Magnet School, \$892 for a rain garden.
- Marehaven Homeowner Association, \$2,000 for street tree planting.
- Mary Queen of the Holy Rosary School, \$406 for tree planting.
- Maxwell Street Presbyterian Church, \$700 for a community garden.
- Palomar Hills Community Association, \$2,500 for retention basin beautification.
- Pathway Church & Ministry Center, \$2,200 for two community gardens.

H O R S E C A P I T A L O F T H E W O R L D

273-10

- Picadome Neighborhood Association, \$2,500 for stream cleaning.
- Providence Montessori School, \$2,500 for a rain garden.
- Sayre Christian Village, \$2,500 for a community garden.
- Sayre School, \$2,500 for a rain garden.
- The Rock/LaRoca United Methodist Church, \$2,500 for a rain garden
- The Southland Association, \$2,500 for rain barrels.
- Transylvania University, \$1,819 for restoring three flowers and adding EcoArt.
- Vineyard Neighborhood Association, \$1,156 to beautify neighborhood entrance.
- Walnut Creek Homeowner Association, \$2,500 for tree planting.
- William Wells Brown, \$1,230 for litter clean-up project.
- Winburn Middle School, \$590 for beautification, education and water run off mitigation project.
- Zandale Neighborhood Association, \$725 for storm water retention method for personal property.

Total amount of funds to be disbursed is \$51,320 from account 1115 313101 3101 78112.

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

Request approval to award funds and enter into a contract with each neighborhood.

cc: Grant Review Committee



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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

TO: Jim Newberry, Mayor
Urban County Council

FROM: 
Susan Bush Acting Commissioner

DATE: May 28, 2010

RE: Requesting Authorization to Award Contract to Preston – Osborne for advertising and marketing services for Division of Waste Management.

The Department of Environmental Quality is requesting authorization to award a contract with Preston – Osborne for Waste Management. Preston-Osborne will be responsible for project management service, message development and marketing plan development.

A waste stream audit performed in 2009 revealed approximately 75 percent of materials placed in waste containers (Herbies) could be recycled. Preston – Osborne is tasked with researching and creating public education outreach plans on recycling, composting, and waste reduction. The contract is a 1-year contract with an option for two, 1-year renewals.

For the services described, Preston-Osborne shall be compensated at a blended rate of \$125 per hour for an estimated total of 255 hours for the contract period, which starts July 1, 2010 and extends through June 30, 2011. The commission charged for collateral placement will be 10 percent. In addition, out-of-pocket expenses will be billed separately. Public education and outreach services not to exceed \$180,000.



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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Newberry and Urban County Council

FROM : 
Susan Bush, Acting Commissioner
Department of Environmental Quality

DATE: May 20, 2010

RE: Design Services for the new Materials Recovery Facility (MRF)

The Waste Management Division had a RFP 20-2010 issued on April 21, 2010 for the Design Services for the Materials Recovery Facility. RRT Design and Construction was selected as the winning bidder to provide development planning and design services for the new recycling facility at a cost of \$1,382,345.

Their contract bid was approximately 11% higher than the lowest cost proposal of \$1,237,049; however, RRT was selected because of their familiarity and previous experience with Lexington's existing processing system. The company that had the lower cost proposal, Lyman Davis and Dooley, had never led the planning and design for the development of a single stream material recovery facility (MF).

RRT began performing assessments for the LFUCG in 1998 by developing a Needs Evaluation and Program Definition Report on the recycling program which became the foundation for subsequent development of recommendations for upgrading the LFUCG's recycling programs.

During 1999 and 2000, LFUCG further engaged RRT's engineering assistance to evaluate the requirements for expansion of the existing MRF. RRT completely changed the recycling program from a five (5) stream system to a single stream system plus glass. The projects performed by RRT for the LFUCG during these 12 years, have demonstrated superior quality, completed on budget, and met the necessary scheduling requirements.

RRT has provided the detailed design, engineering, construction and project management for Material Recovery Facilities throughout the United States.

This project will be funded through the Urban Service Area fund.



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291-10

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Newberry and Urban County Council

FROM : Susan Bush
Susan Bush, Acting Commissioner
Department of Environmental Quality

DATE: May 28, 2010

RE: Change Order No. 1 to Contract with Landmark Sprinklers, Inc. (FINAL)

The Division of Waste Management is requesting approval of Change Order No. 1 to contract with Landmark Sprinkler, Inc. for the Dry Pipe Sprinkler Project to increase contract amount by \$2,000. NFPA Code required an additional row of sprinkler heads on both side of the building at the MRF to accommodate Recycling Trucks and provide functional push-walls in the TFS.

The contract of \$26,800 was approved by Resolution No. 114-2010. Final contract amount is \$28,800. This project is funded by the Urban Services District fund.

Cc: Steve Feese, Director of Waste Management (MRF)

CONTRACT HISTORY FORM

Contractor: Landmark Sprinklers, Inc

Project Name: Dry Sprinkler Project (@ MRF)

Contract Number and Date 100309

Responsible LFUCG Division: Waste Management (MRF)

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date

Percent Change to Dollar Amount

Original Contract

A. Original Contract Amount: \$ 26,800

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

$$\frac{\quad}{(Line\ B / Line\ A)} \%$$

C. Total Contract Amount
Prior to this Change Order: \$ 26,800

Current Change Order

D. Amount of This Change Order: \$ 2,000

7.5 %
(Line D / Line A)

E. New Contract Amount
Including this Change Order : \$ 28,800

1.075 %
(Line E / Line A)

SIGNATURE LINES

Project Manager: J. R. / J. R. / J. R.

Date: 5/28/10

Reviewed by: _____

Date: _____

Division Director: Mr B. T. L.

Date: 6/1/14

LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER

Landmark Sprinkler Inc
To (Contractor)

Date: *5/28/10* 291-10
Project: *My Pipe Sprinkler*
Location: *360 Thompson Rd.*
Contract No *100309 mrf*
Change Order No. *1 (Final)*

You are hereby requested to comply with the following changes from
the contract plans and specifications:

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	<i>Adding 27 Sprinkler Heads</i>		<i>\$2,000</i>
2			
3			
4			
5			
6			
7			
Change in contract price due to this Change Order:			<i>\$2,000</i>
Total decrease		\$0.00	XXXXXXXXXXXX
Total increase		XXXXXXXXXXXX	<i>\$2,000</i>
Net (increase) contract price			<i>\$28,800</i>

Sum to be added to the total contract price: *\$2,000*
The total adjusted contract price to date thereby is: *\$28,800*
The time provided for completion in the contract and all provisions of the contract will apply hereto.

Recommended by *[Signature]* (Project Mgr) Date *5/28/10*
Accepted by *[Signature]* (Contractor) Date *5/28/10*
Approved by *[Signature]* (Director) Date _____
Approved by *[Signature]* (Commissioner) Date *6-1-10*
Approved by _____ (Mayor or SAM) Date _____

291-10

Page 2 of 2

JUSTIFICATION FOR CHANGE	PROJECT: <u>Dry PIPE Sprinkler</u>
	CONTRACT NO. <u>100309</u>
	CHANGE ORDER: <u>(1) Final</u>

1. Necessity for change: Space needing Sprinkler Protection increased by 10+% which required more Sprinkler Heads.
2. Is proposed change an alternate bid? ☐ Yes ☒ No
3. Will proposed change alter the physical size of the project?
☒ Yes ☐ No
 If "Yes", explain. Add 27 Sprinkler Heads
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ☐ Yes ☒ Not Necessary
6. Will this change affect expiration or extent of insurance coverage?
☐ Yes ☒ No
 If "Yes", will the policies be extended? ☐ Yes ☐ No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

Mayor

Date



277-10

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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: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 21, 2010

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE ENVIRONMENTAL PROTECTION AGENCY FOR A
BROWNFIELDS ASSESSMENT GRANT**

On October 1, 2009 (Resolution No. 630-2009), Council authorized the submission of a grant application to the Environmental Protection Agency requesting federal funds for a Brownfields Assessment Grant.

EPA has approved federal funding for the LFUCG in the amount of \$200,000 for the assessment of petroleum contaminated sites. Funds will be used to perform 20 Phase I and 10 Phase II environmental site assessments, and develop cleanup plans for five properties. Funds will also be used to support community outreach activities. It is believed that many of these properties can be returned to productive reuse. No local match is required.

A brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, and petroleum or petroleum products. These funds are authorized by the Comprehensive Environmental Response, Compensation and Liability Act as amended by the Small Business Liability Relief and Brownfields Revitalization Act.

Council authorization to accept the award is hereby requested.


Irene Gooding, Acting Director

Xc: Susan Bush, Acting Commissioner of the Department of Environmental Quality



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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: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: MAY 29, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH FRIENDS OF WOLF RUN FOR IMPLEMENTATION OF
ACTIVITIES UNDER THE WOLF RUN CREEK WATERSHED BASED
PLAN**

On February 11, 2010 (Ordinance No. 27-2010), Council approved the acceptance of federal funds from the Kentucky Energy and Environment Cabinet/Department for Environmental Protection/Kentucky Division of Water for the Wolf Run Watershed Based Plan. The goal of this project is the development of a watershed plan that the LFUCG can implement to reduce nonpoint source pollution in Wolf Run creek. An approved element of the project is public involvement by Friends of Wolf Run, a volunteer organization. The proposed agreement with Friends of Wolf Run provides for the use of federal funds in the amount of \$18,500 for conducting volunteer workshops, formation of a watershed council and conduct of these meetings, conducting stream walk events, water monitoring events, and habitat assessments. Friends of Wolf Run will also be responsible for documentation of grant match in the amount of \$23,532.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3170	313201	3091	71299	WOLFRUN 2010	MS GRANT	2010

The source of federal funds is the Environmental Protection Agency's Section 319(h) Nonpoint Source Pollution Control Program.

Council authorization to execute agreement with Friends of Wolf Run is hereby requested.

Irene Gooding, Acting Director

Xc: Susan Bush, Acting Commissioner of the Department of Environmental Quality



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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Gregory S. Lubeck, P.E., CFM
Municipal Engineer Senior

Date: May 26, 2010

RE: Engineering Services Agreement- Coldstream Ct. / Crimson King Stormwater Study

With this memorandum is the Engineering Services Agreement between the Lexington-Fayette Urban County Government and Palmer Engineering for engineering services to be provided for the Coldstream Ct. / Crimson King Stormwater Study.

The amount of the contract is \$21,600.00.

Accounting Information: 4051-303204-3321-71205

Approved by:

Charles Martin, P.E.
Director of Water Quality

Susan Bush
Acting Commissioner of Environmental Quality

C: Cassie Felty
File

**Jessie Clark School Sinkhole and Coldstream Ct. / Crimson King Ct. and Walhampton Dr.
Stormwater Studies
Scope of Engineering Services**

The Lexington-Fayette Urban County Government is accepting proposals from interested consulting engineering firms for the Investigation of the Jessie Clark School Sinkhole and Coldstream Ct. / Crimson King Stormwater Improvements.

1. General Project Description

The Consultant shall perform professional services as hereinafter stated which include customary civil, geotechnical, mechanical, electrical and sanitary engineering services as related to the investigation of the Jessie Clark School Sinkhole, Coldstream Ct. / Crimson King and Walhampton Dr. Stormwater Improvements. Only one project area will be assigned to a consultant.

Submitting firms should be aware that selection for a study does not guarantee a subsequent design contract for that area.

Hydrologic/ Hydraulic Modeling will be completed which will be used to determine extents of residential structure flooding or serious street flooding (if any) and the reduction of flooding obtained through infrastructure improvements.

2. Scope of Services

Task 1: Review all previous studies, (some of which are available electronically), by the LFUCG Division of Engineering and/or Water Quality. Attention is called to the "Investigation of Reported Stormwater Flooding of the Walhampton Drive Area", by Hargis Engineering, Inc. October 2005 and the "Stonewall Drainage Study", by FMSM Engineers, Inc., September 1995.

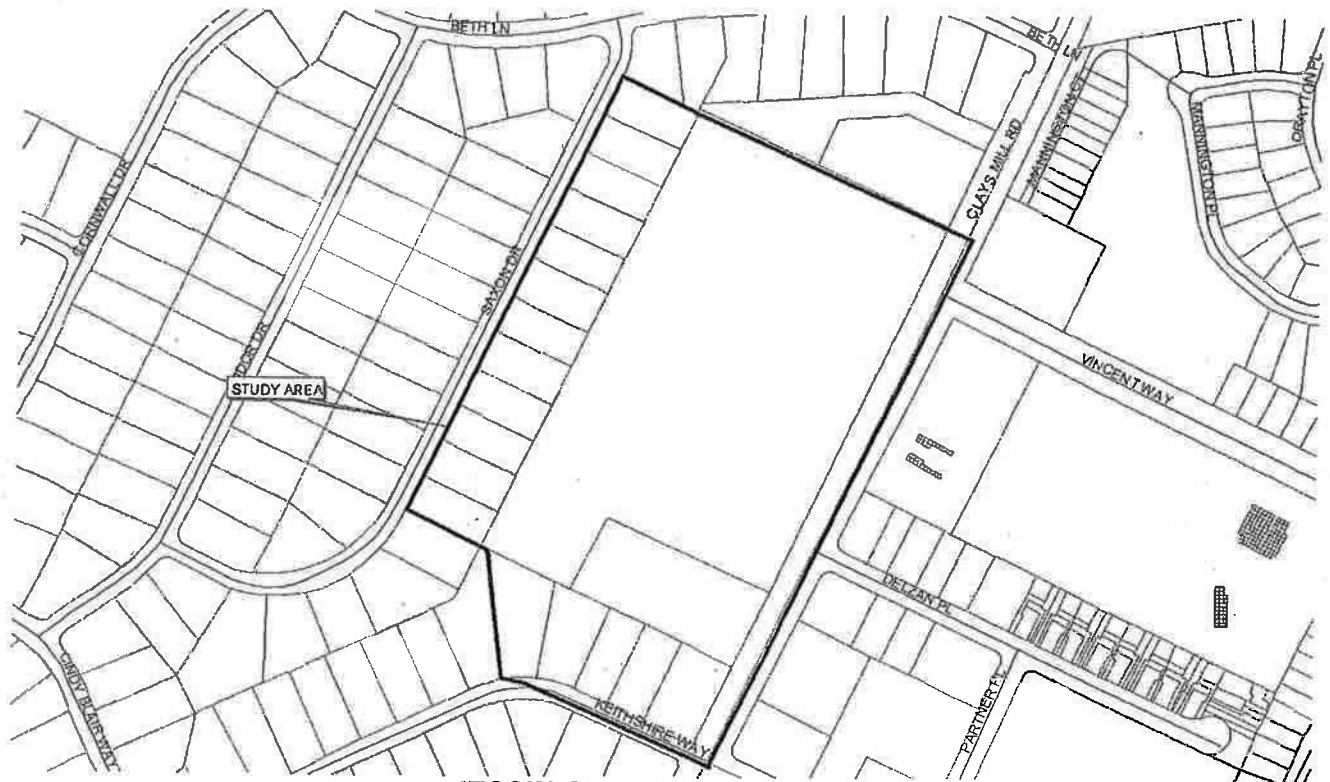
Task 2: Field survey and analysis of the existing conditions and neighborhood survey.

1. Interview neighborhood residents to obtain any history of past structure or street flooding. LFUCG Stormwater Questionnaire shall be used for this task. The successful firm will be provided an electronic version of the questionnaire. Any revisions to the questionnaire must be approved by the Division of Water Quality's Project Manager. A map of the anticipated study area follows.
2. Conduct hydrologic/ hydraulic analysis of existing conditions and infrastructure to determine extents of flooding. Analyses shall be to evaluate the following events: 2 year, 5 year, 10 year, and 25 year, 24 hour return storm events.
3. Consultant shall prepare a written report summarizing the results of 1 and 2 above and a maximum of three (3) potential solutions (with preliminary opinion of cost for each potential solution). Potential downstream impacts in each area shall also be considered. The report shall be submitted in an acceptable digital format to allow posting on the internet. Two paper copies shall also be submitted to LFUCG.
4. Consultant shall organize a public meeting with neighbors to present findings and recommendations. Attendance at the public meeting should include residents, LFUCG staff, consultant staff, and elected officials.

5. For each area, the Consultant shall definitively answer the following questions:
- During a 25 year, 24 hour event, do any residences flood by the overland flow of water? If so, which ones?
 - During a 25 year, 24 hour event, is any street impassable to normal vehicular traffic? If so, which ones and where?
 - If either a) or b) above are answered in the affirmative, what designs are recommended to mitigate the identified problems? Opinions of Probable Cost for each are to be included.



COLDSTREAM/ CRIMSON KING STUDY AREA



JESSIE CLARK STUDY AREA



WALHAMPTON DR. STUDY AREA

3. Method of Invoice and Payment

The Consultant may submit monthly invoices for basic services or work rendered, based upon the Consultant's estimate of the portion of the total services actually completed during the billing cycle. Each invoice shall be accompanied by a breakdown of hours attributed to each Task for both the billing cycle and the cumulative project period. Also include the percent Disadvantaged Business Enterprise (DBE) cost with each monthly invoice.

The Project Manager shall respond to the invoice within thirty days, either denying or approving payment. Specific project time sheets and other payroll information may be subject to reviews and audits by the Lexington-Fayette Urban County Government.

Invoicing shall be per the following schedule:

Present study findings and preliminary alternates	30%
Stakeholder meeting to review findings and alternates	75%
Submit final report incorporating comments from stakeholder meeting.	100%

4. Schedule

The Consultant shall meet deadlines as provided in the following schedule. Calendar days are counted from the date that a written notice to proceed is received by the Consultant. If any completion date is not met, then a written statement to LFUCG must be made as soon as the missed date becomes apparent. It is expected that the final date will be met at all costs, unless there is a Change in Scope or there is sufficient cause to increase or decrease the schedule, as determined by LFUCG to modify the schedule. If the Consultant proposes to modify the schedule, then a written request must be made to LFUCG.

STOP WORK NOTICE: The Consultant shall at all times monitor time allotted and amounts invoiced for tasks and activities as compared to their original estimates and expectations. The Consultant shall notify the Division of Water Quality immediately upon discovery of facts that may necessitate a change in the current contract amount or may extend the contract time. If this change is expected to exceed ten percent (10%) of the original contract amount, the Consultant shall immediately stop all work related to this scope of services. Work shall not recommence without written notification from the Division of Water Quality. The Consultant shall submit all requests for changes to the Division of Water Quality in writing and shall be present when the issue is discussed before the Urban County Council. Failure by the LFUCG to endorse the requested change does not relieve the Consultant of the contractual requirements and activities defined by this entire Scope of Services.

LFUCG reserves the right to terminate the contract when a mutually satisfactory agreement cannot be reached in a timely manner. All engineering project data must be submitted to LFUCG upon request. If it's determined that the Consultant failed to notify LFUCG on a timely basis regarding insufficient fee or inadequate schedule, LFUCG reserves the right to terminate the contract at any time thereafter

1. Meeting to review Project Intent- Consultant to provide a project schedule showing dates to meet the items below and invoicing amounts at each stage.	5 days
2. Present study findings and preliminary alternates.	60 days
3. Stakeholder meeting to review findings and alternates.	90 days
4. Submit final report incorporating comments from stakeholder meeting.	120 days

5. Miscellaneous

All plans, specifications and accompanying documents are subject to review by the Lexington-Fayette Urban County Government's Division of Water Quality. The Consultant shall be responsible for incorporating the comments and requirements of these divisions into all documents.

6. Disadvantaged Business Enterprise (DBE) Notice

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITIES AND DBE CONTRACT PARTICIPATION

The Lexington-Fayette Urban County Government has set a goal that not less than ten percent (10%) of the total value of this contract be subcontracted to DBE's. The goals for the utilization of certified DBE's as subcontractors are recommended goals. Contractors who fail to meet such goals will be expected to provide written explanation to the EEO Officer and the Director of the Division of Purchasing of efforts they have made to accomplish the recommended goals, and the extent to which they are successful in accomplishing the recommended goals will be a consideration in the procurement process. For assistance in locating DBE subcontractors contact the following Urban County Government agency:

Lexington-Fayette Urban County Government
Division of Central Purchasing
200 East Main Street
Lexington, KY 40507
(859) 258-3261



293-10 76


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Gregory S. Lubeck, P.E., CFM 
Municipal Engineer Senior

Date: May 26, 2010

RE: Engineering Services Agreement- Jessie Clark Sinkhole Stormwater Study

With this memorandum is the Engineering Services Agreement between the Lexington-Fayette Urban County Government and Stantec Consulting Services for engineering services to be provided for the Jessie Clark Sinkhole Stormwater Study.

The amount of the contract is \$22,600.00.

Accounting Information: 4051-303204-3321-71205

Approved by:



Charles Martin, P.E.
Director of Water Quality



Susan Bush
Acting Commissioner of Environmental Quality

C: Cassie Felty
File

**Jessie Clark School Sinkhole and Coldstream Ct. / Crimson King Ct. and Walhampton Dr.
Stormwater Studies
Scope of Engineering Services**

The Lexington-Fayette Urban County Government is accepting proposals from interested consulting engineering firms for the Investigation of the Jessie Clark School Sinkhole and Coldstream Ct. / Crimson King Stormwater Improvements.

1. General Project Description

The Consultant shall perform professional services as hereinafter stated which include customary civil, geotechnical, mechanical, electrical and sanitary engineering services as related to the investigation of the Jessie Clark School Sinkhole, Coldstream Ct. / Crimson King and Walhampton Dr. Stormwater Improvements. Only one project area will be assigned to a consultant.

Submitting firms should be aware that selection for a study does not guarantee a subsequent design contract for that area.

Hydrologic/ Hydraulic Modeling will be completed which will be used to determine extents of residential structure flooding or serious street flooding (if any) and the reduction of flooding obtained through infrastructure improvements.

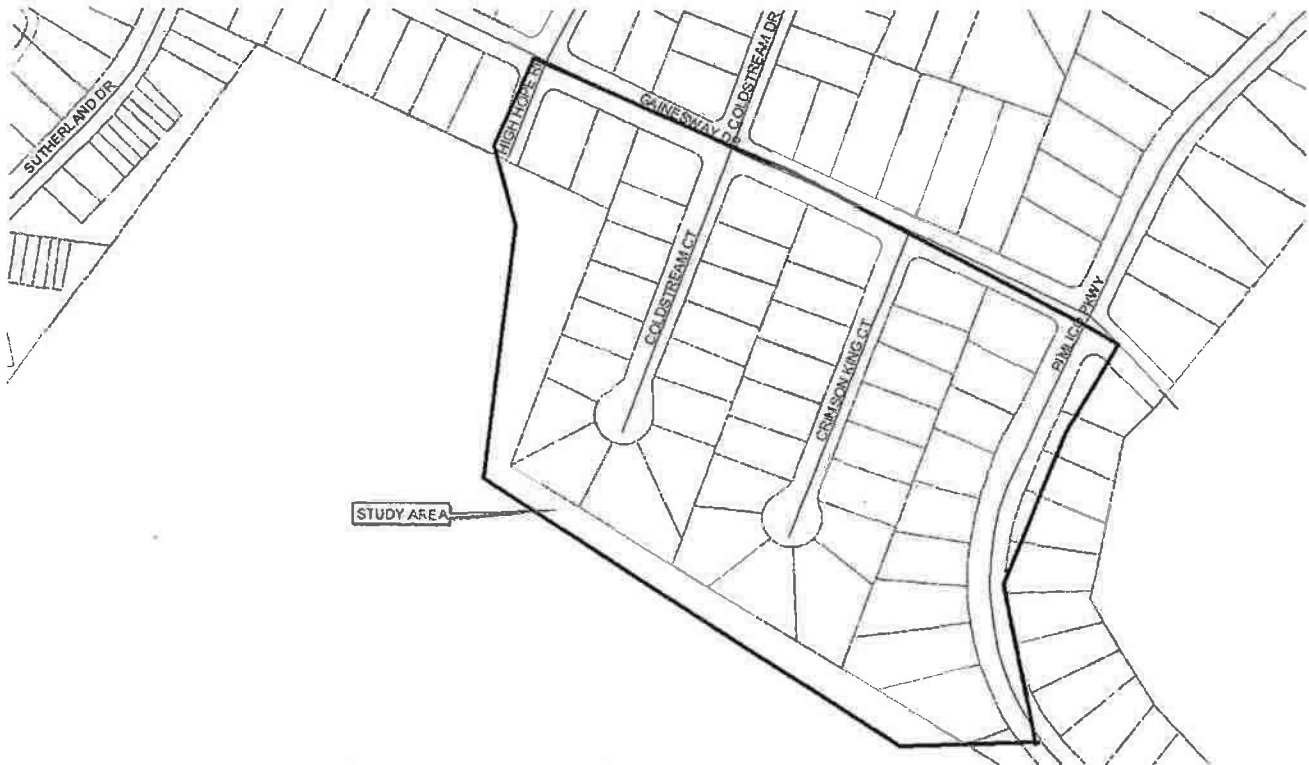
2. Scope of Services

Task 1: Review all previous studies, (some of which are available electronically), by the LFUCG Division of Engineering and/or Water Quality. Attention is called to the "Investigation of Reported Stormwater Flooding of the Walhampton Drive Area", by Hargis Engineering, Inc. October 2005 and the "Stonewall Drainage Study", by FMSM Engineers, Inc., September 1995.

Task 2: Field survey and analysis of the existing conditions and neighborhood survey.

1. Interview neighborhood residents to obtain any history of past structure or street flooding. LFUCG Stormwater Questionnaire shall be used for this task. The successful firm will be provided an electronic version of the questionnaire. Any revisions to the questionnaire must be approved by the Division of Water Quality's Project Manager. A map of the anticipated study area follows.
2. Conduct hydrologic/ hydraulic analysis of existing conditions and infrastructure to determine extents of flooding. Analyses shall be to evaluate the following events: 2 year, 5 year, 10 year, and 25 year, 24 hour return storm events.
3. Consultant shall prepare a written report summarizing the results of 1 and 2 above and a maximum of three (3) potential solutions (with preliminary opinion of cost for each potential solution). Potential downstream impacts in each area shall also be considered. The report shall be submitted in an acceptable digital format to allow posting on the internet. Two paper copies shall also be submitted to LFUCG.
4. Consultant shall organize a public meeting with neighbors to present findings and recommendations. Attendance at the public meeting should include residents, LFUCG staff, consultant staff, and elected officials.

5. For each area, the Consultant shall definitively answer the following questions:
- During a 25 year, 24 hour event, do any residences flood by the overland flow of water? If so, which ones?
 - During a 25 year, 24 hour event, is any street impassable to normal vehicular traffic? If so, which ones and where?
 - If either a) or b) above are answered in the affirmative, what designs are recommended to mitigate the identified problems? Opinions of Probable Cost for each are to be included.



COLDSTREAM/ CRIMSON KING STUDY AREA



JESSIE CLARK STUDY AREA



WALHAMPTON DR. STUDY AREA

3. Method of Invoice and Payment

The Consultant may submit monthly invoices for basic services or work rendered, based upon the Consultant's estimate of the portion of the total services actually completed during the billing cycle. Each invoice shall be accompanied by a breakdown of hours attributed to each Task for both the billing cycle and the cumulative project period. Also include the percent Disadvantaged Business Enterprise (DBE) cost with each monthly invoice.

The Project Manager shall respond to the invoice within thirty days, either denying or approving payment. Specific project time sheets and other payroll information may be subject to reviews and audits by the Lexington-Fayette Urban County Government.

Invoicing shall be per the following schedule:

Present study findings and preliminary alternates	30%
Stakeholder meeting to review findings and alternates	75%
Submit final report incorporating comments from stakeholder meeting.	100%

4. Schedule

The Consultant shall meet deadlines as provided in the following schedule. Calendar days are counted from the date that a written notice to proceed is received by the Consultant. If any completion date is not met, then a written statement to LFUCG must be made as soon as the missed date becomes apparent. It is expected that the final date will be met at all costs, unless there is a Change in Scope or there is sufficient cause to increase or decrease the schedule, as determined by LFUCG to modify the schedule. If the Consultant proposes to modify the schedule, then a written request must be made to LFUCG.

STOP WORK NOTICE: The Consultant shall at all times monitor time allotted and amounts invoiced for tasks and activities as compared to their original estimates and expectations. The Consultant shall notify the Division of Water Quality immediately upon discovery of facts that may necessitate a change in the current contract amount or may extend the contract time. If this change is expected to exceed ten percent (10%) of the original contract amount, the Consultant shall immediately stop all work related to this scope of services. Work shall not recommence without written notification from the Division of Water Quality. The Consultant shall submit all requests for changes to the Division of Water Quality in writing and shall be present when the issue is discussed before the Urban County Council. Failure by the LFUCG to endorse the requested change does not relieve the Consultant of the contractual requirements and activities defined by this entire Scope of Services.

LFUCG reserves the right to terminate the contract when a mutually satisfactory agreement cannot be reached in a timely manner. All engineering project data must be submitted to LFUCG upon request. If it's determined that the Consultant failed to notify LFUCG on a timely basis regarding insufficient fee or inadequate schedule, LFUCG reserves the right to terminate the contract at any time thereafter

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1. Meeting to review Project Intent- Consultant to provide a project schedule showing dates to meet the items below and invoicing amounts at each stage.	5 days
2. Present study findings and preliminary alternates.	60 days
3. Stakeholder meeting to review findings and alternates.	90 days
4. Submit final report incorporating comments from stakeholder meeting.	120 days

5. Miscellaneous

All plans, specifications and accompanying documents are subject to review by the Lexington-Fayette Urban County Government's Division of Water Quality. The Consultant shall be responsible for incorporating the comments and requirements of these divisions into all documents.

6. Disadvantaged Business Enterprise (DBE) Notice

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITIES AND DBE CONTRACT PARTICIPATION

The Lexington-Fayette Urban County Government has set a goal that not less than ten percent (10%) of the total value of this contract be subcontracted to DBE's. The goals for the utilization of certified DBE's as subcontractors are recommended goals. Contractors who fail to meet such goals will be expected to provide written explanation to the EEO Officer and the Director of the Division of Purchasing of efforts they have made to accomplish the recommended goals, and the extent to which they are successful in accomplishing the recommended goals will be a consideration in the procurement process. For assistance in locating DBE subcontractors contact the following Urban County Government agency:

Lexington-Fayette Urban County Government
Division of Central Purchasing
200 East Main Street
Lexington, KY 40507
(859) 258-3261



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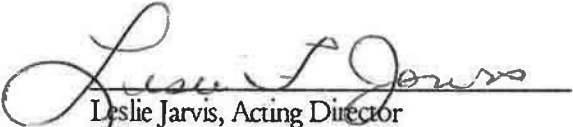
283-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: Jim Newberry, Mayor
Joe Kelly, Senior Advisor
Council Member's

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: May 25, 2010

RE: Test Security Agreement— I/O Solutions, Inc.

The attached action authorizes a Test Security Agreement between I/O Solutions, Inc. and the Lexington-Fayette Urban County Government for testing applicants applying for Fire and Emergency Services Lieutenants, Captains and Majors positions, effective as of the date it is signed by both parties.

The agreement defines I/O Solution's test security terms and conditions and is intended to protect mutual interest of the Lexington-Fayette Urban County Government and the vendors, as well as the interests of persons who take such tests.

The fiscal impact for the FY 2011 will be approximately \$14,000.00 and will be funded from the Divisions Professional and Contractual Services FY 2011 budget.

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

Attachment

df

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

Log 10-0071




284-10 83

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: Jim Newberry, Mayor
Joe Kelly, Senior Advisor
Council Member's

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: May 25, 2010

RE: Test Security Agreement— I/O Solutions, Inc.

The attached action authorizes a Test Security Agreement between I/O Solutions, Inc. and the Lexington-Fayette Urban County Government for testing applicants applying for Fire and Emergency Services Recruit Firefighter positions, effective as of the date it is signed by both parties.

The agreement defines I/O Solution's test security terms and conditions and is intended to protect mutual interest of the Lexington-Fayette Urban County Government and the vendors, as well as the interests of persons who take such tests.

The fiscal impact for the FY 2010 will be approximately \$7,500.00 and will be funded from the Divisions Professional and Contractual Services FY 2010 budget.

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

Attachment

df

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

Log 10-0070

SPECIAL PLANNING COMMITTEE SUMMARY MAY 27, 2010

Chair Gorton called the meeting to order at 3:00 pm. All committee members were present.

Design Standards/ Form Based Guidelines

Chris King, Director of Planning gave a Power Point presentation on form based design codes & design regulations and approaches to development regulations.

Ellinger asked about height restrictions. in B-2 zone.

King talked about effect of overlays.

Feigel question about cross patch or hatch areas do they have to go before the Planning Commission.

King said no that is a misconception that all development has to go before the Planning Commission. He covered definition & explained form based codes. He said there are broad based areas of design associated with form based codes. He showed pictures of how form based codes look, examples such as placement of parking lots, but not so much on architectural details. A full design review would go into every kind of detail. He showed typical characteristics of a form based code which has very little emphasis on use of a building. He covered what gets regulated, such as setbacks, alignment, location, street standards, parking, open space, etc.

He gave examples of details required with design based codes. Steps in creating a form based code were to confirm community commitment, determine type of code and boundary to be covered by the code, and engage design professionals.

McChord asked King for ideas on how to involve and get community commitment. King said we need to understand from day one (1) what's required of us.

McChord expounded on community involvement and how important it is to solicit commitment.

King said the commitment really comes from the community leaders. He talked about how long the process can be and how other communities have handled encouraging commitment.

Feigel asked if we give up architect standards in favor of form based codes where are those decisions made. She does not want to give up the management of details and wanted to know if there a third alternative.

King said we already have certain ordinances in place; this is why there are lots of basic questions that must be answered on the front end. King said you can have parallel systems, a hybrid of both, but it would be a huge program. King added each community finds their own way of doing this.

Beard asked what the first step in getting started is. Is there a paragon of form based codes or a road map to get there, remarking this appears to be a tough job.

King said a community that has a unified vision is usually more successful. King said in order to prepare guide lines, determine existing development forms and desired forms, public meetings must be held to set a vision. After that, prepare ordinances go through the adoption process and implement the program. He showed final thoughts and entertained some key questions such as the boundary to be regulated, character

elements, role of downtown Lexington building inventory, will it be mandatory or advisory, and who will create guideline documents, replace or supplement existing regulations among others.

Chair Gorton opened the floor for public input. Graham Pohl was here on behalf of Commerce Lexington. He encouraged supporting a system that works better than it has in the past and develops a design culture. Critical to build a culture that supports a vision.

Eric Marr donated three minutes allowing Mr. Pohl to continue.

A motion by Blues directing the Planning Committee to form a task force with the end process of moving toward form based and or design based codes, the task force to comprise of council members, government officials, community representative and professionals, seconded by Ellinger, Passed without dissent.

Discussion:

Feigel asked for clarification on purpose of the proposed task force.

Beard said he favors the task force, but mentioned one road block which is funds, adding none of this happens without spending dollars.

An amendment to the motion by McChord asking the Vice Mayor to appoint this force in 30 days, directing it to report quarterly to the Planning Committee seconded by Beard Passed without dissent.

Discussion:

Stinnett supports the amended motion, adding it must be specific about the area. Will it apply to the entire city or downtown corridor?

Blues said the task force should define an area; this is not for council to mandate.

Items Referred to Committee

There were no changes made to items referred to committee.

A motion to adjourn by Ellinger, seconded by Beard, meeting adjourned at 4:10 pm