

**URBAN COUNTY COUNCIL  
SCHEDULE OF MEETINGS**

**July 5-July 12, 2010**

Urban County Council Summer Recess July 7-August 16, 2010

**Monday, July 5**

**LFUCG Independence Day Holiday-Offices Closed**

**Tuesday, July 6**

Affordable Housing Trust Task Force Meeting.....10:00 am  
Conference Room-5<sup>th</sup> Floor Government Center

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

Council Work Session.....3:00 pm  
Council Chambers-2<sup>nd</sup> Floor Government Center

Fayette Co. Rural Land Management Board Meeting.....3:00 pm  
Conference Room-12<sup>th</sup> Floor Government Center

Council Meeting.....6:00 pm  
Council Chambers-2<sup>nd</sup> Floor Government Center

**Wednesday, July 7**

Masterson Station Park Advisory Board Meeting.....6:00 pm  
Lion's Club Building-Masterson Station Park

**Thursday, July 8**

No Meetings

**Friday, July 9**

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

**Monday, July 12**

No Meetings

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**July 6, 2010**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, June 29, 2010, pp.4-9**
- IV. Budget Amendments – Yes, p.10**
- V. New Business, pp.12-26**
- VI. Continuing Business / Presentations**
  - A. Council Budget & Finance Committee, p.27**
  - B. City-Wide Fleet Overview**
    - Mr Jamshid Baradaran**
    - Director of Facilities & Fleet Management**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization of an Extension of Procurement Contract No. 544-2003, Offender Health Care Services, with Medical Services, Inc. on Behalf of the Department of Public Safety, Division of Community Corrections. (360-10) (Bishop/Bennett)  
This request will authorize the approval of the Extension of Procurement Contract No. 544-2003, Offender Health Care Services, to extend contract for an additional year from July 1, 2010 through June 30, 2011 at the continuing base billing rate of \$240,359 per month and \$1.27 per diem to apply when the average daily population exceeds 1,200 patients. There are no other changes associated with this extension. All terms and conditions of previous year contract remain the same. Funds are budgeted.**pp.12-13**
- B. Authorization to Approve Finley Fire Equipment Services as the Sole Source Procurement on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (361-10) (Hendricks/Bennett)  
This request will authorize the approval of Finley Fire Equipment at a cost of \$21,053.76 for services as the Sole Source Procurement on behalf of the Division of Fire & Emergency Services to repair the Pierce aerial device on Ladder Four. This ladder was custom made by Finley Fire Equipment. Funds are budgeted.**pp.14-15**
- C. Authorization of a Tactical Diversion Task Force Agreement with Drug Enforcement Administration (DEA) on Behalf of the Department of Public Safety, Division of Police. (362-10) (Bastin/Bennett)  
This request will authorize the approval of the Tactical Diversion Task Force Agreement with DEA on behalf of the Division of Police for assignment of a police officer to the task force for a period of not less than two (2) years. Assigned officer will be under direct supervision and control of DEA. There is no budgetary impact for LFUCG.**pp.16-18**
- D. Authorization to Accept an Extension to an Agreement Offered by the Kentucky Office of Homeland Security (KOHS) for the Metropolitan Medical Response System (MMRS) Project. (364-10) (Gooding/Bennett)  
This request will authorize the acceptance to extend the agreement completion date to December 31, 2010 offered by KOHS for the MMRS Project. There are no other changes associated with this extension.**p.19**
- E. Authorization to Accept an Extension to an Agreement Offered by the Kentucky Office of Homeland Security (KOHS) for the Department of Public Safety, Division of Police for the Bomb Squad Enhancement Project. (365-10) (Gooding/ Bennett)  
This request will authorize the acceptance to extend the agreement completion date to December 31, 2010 offered by KOHS for the Bomb Squad Enhancement Project. There are no other changes associated with this extension.**p.20**

- F. Authorization to Approve a Statement of Affiliation Between the Division of Fire & Emergency Services and the Division of Emergency Management/911 under KRS Chapter 39F. (367-10) (Dugger/Hendricks/Bennett)

This request will authorize the approval of a Statement of Affiliation between the Division of Fire & Emergency Services Special Operations Technical Rescue Team and the Emergency Management Director under KRS Chapter 39F. This Statement recognizes the Special Operations Technical Rescue Team as the official rescue team for Lexington-Fayette County. There is no budgetary impact for LFUCG.**p.21**

- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance & Administration. (363-10) (L. Jarvis/Rumpke)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to transfer one (1) position of Financial Management Administrator (Grade 119E) and one (1) position of Finance and Investment Analyst (Grade 116E), and incumbents, from the Division of Accounting to the Department of Finance & Administration. The fiscal impact for the remainder of FY2011 is budget neutral.**p.22**

- H. Authorization to Approve Purchase of Service Agreements (PSA) with Partner Agencies for FY2011. (368-10) (Askew)

This request will authorize PSA with Commerce Lexington, Inc.; Downtown Lexington Corporation; Kentucky World Trade Center; Lexington, Kentucky Chapter of SCORE; Lyric Theatre and Cultural Arts Center, Inc.; Blue Grass Community Foundation; Bluegrass Area Development District; Bluegrass Community Action Agency; Lexington-Fayette Urban County Environmental Commission; Explorium of Lexington and Lexington Downtown Development Authority for a total of \$1,353,520. Funds are budgeted.**pp.23-24**

- I. Authorization to Approve Lease Agreement with Cooper Stofer, (d/b/a Lexington Audio Video Advantage {LAVA}) for Lease of Space at 124 North Broadway (a/k/a Broadway Shoppes). (369-10) (Baradaran/Cole)

This request will authorize a Lease Agreement with Cooper Stofer, LAVA, for lease of 1,130 square feet at a cost of \$19,888 for the first 12 months at 124 North Broadway (a/k/a Broadway Shoppes). The lease is for sixty (60) months and includes one parking space in the Victorian Square garage.**p.25**

- J. Authorization to Accept an Extension of an Agreement Offered by the Kentucky Division of Emergency Management for the Stormwater Management Project (Sugarmill) in Cardinal Valley. (370-10) (Gooding/Bush)

This request will authorize the acceptance to extend the agreement date to December 31, 2020 offered by Kentucky Division of Management for the Stormwater Management Project (Sugarmill) in Cardinal Valley as part of the Viley Neighborhood Stormwater Project. There are no other changes associated with this extension.**p.26**

URBAN COUNTY COUNCIL  
WORK SESSION SUMMARY  
& TABLE OF MOTIONS

June 29, 2010

Mayor Newberry chaired today's work session meeting. All Council Members were present, except VM Gray, CMs Blues, Crosbie, Henson, Lawless, and Myers.

I. Public Comment – Issues on Agenda-None

II. Requested Rezoning / Docket Approval-Yes

A motion by CM Lane to approve the docket, seconded by CM Ellinger, passed without dissent.

III. Approval of Summary-Yes

A motion by CM Stinnett to approve the summary from June 22, 2010, seconded by CM McChord, passed without dissent.

IV. Budget Amendments-Yes

CMs Crosbie and Henson are present.

A motion by CM Beard to approve the budget amendments, seconded by CM Gorton, passed without dissent.

V. New Business

- A. Authorization for a Lease and Maintenance Agreement with ABDick-KopyKat, Inc. on Behalf of the Department of Social Services, Lexington Senior Citizens Center. (312-10) (Helm)
- B. Authorization of a Senior Farmers' Market Nutrition Program Distribution Site Agreement & Guidelines with the Kentucky Department of Agriculture on Behalf of the Department of Social Services, Lexington Senior Citizens Center – FY2011. (342-10) (Helm)
- C. Authorization of Purchase of Service Agreements (PSA) with Partner Agencies of the Department of Social Services – FY2011. (345-10) (Helm)
- D. Authorization of Lease Agreements with Agencies to Utilize Office Space in the Black & Williams Neighborhood Center. (328-10) (Talbert/Helm)

- E. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Social Services, Division of Family Services. (329-10) (L. Jarvis/Helm)
- F. Authorization to Submit Grant Application to the Kentucky Department of Education, Division of School & Community Nutrition and Accept Award if Offered, on Behalf of the Department of Social Services, Family Care Center – FY2011. (332-10) (Gooding/Helm)
- G. \*Authorization to Amend Chapters 14 and 16 of the Code of Ordinances Regarding Erosion and Sediment Control at Construction Sites. (326-10) (Martin/Bush)
- H. \*Authorization of an Annual Renewal of the Program Management Services Consent Decree Implementation Agreement with TetraTech, Inc. on Behalf of the Department of Environmental Quality, Division of Water Quality – Final Renewal. (330-10) (Martin/Bush)
- I. \*Authorization to Award an Engineering Services Agreement to Hazen and Sawyer, PSC on Behalf of the Department of Environmental Quality, Division of Water Quality. (331-10) (Martin/Bush)
- J. Authorization to Amend Chapter 16 to the Code of Ordinances Regarding the Storm Water Pollution Prevention Plans (SWPPP). (343-10) (Martin/Bush)
- K. Authorization to Approve Grant Award Agreements to Class A Neighborhoods for Stormwater Quality Projects. (344-10) (Martin/Bush)
- L. Authorization to Purchase a Baler Reliner From IPS Balers, Inc. as Sole Source Procurement on Behalf of the Department of Environmental Quality, Division of Waste Management for the Materials Recovery Facility (MPF) Plant Expansion. (327-10) (Feese/Bush)
- M. Authorization of a Purchase of Service Agreement (PSA) with the Lexington-Fayette Urban County Human Rights Commission – FY2011. (338-10) (Gooding/Rumpke)
- N. Authorization of a Purchase of Service Agreement (PSA) with Road to Homeownership, Inc. – FY2011. (339-10) (Gooding/Rumpke)
- O. Authorization of a Purchase of Service Agreement (PSA) with the Urban League of Lexington-Fayette County – FY2011. (340-10) (Gooding/Rumpke)

- P. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance & Administration, Division of Human Resources. (353-10) (L. Jarvis/Rumpke)
- Q. Authorization of a General Conditions Agreement with OnmiSource Integrated Supply, LLC for an Inventory and Equipment Specialist under the Metropolitan Medical Response System (MMRS) Project (290-10) (Gooding/ Bennett)
- R. Authorization to Accept a Youth Football Equipment Grant Offered by USA Football on Behalf of the Department of Public Safety, Division of Police, Police Activities League (PAL) Project – FY2011. (333-10) (Gooding/Bennett)
- S. Authorization to Accept an Offer from the Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Emergency Management/911 for the Portable Interoperable Communications Tower Project. (350-10) (Gooding/Bennett)
- T. Authorization to Accept Award from the US Department of Justice on Behalf of the US Attorney's Office Eastern District of Kentucky for a 2010 Project Safe Neighborhoods (PSN) Grant – FY2011, (351-10) (Gooding/Bennett)
- U. Authorization to Amend Section 12-1(b) PM 106.4 of the Code of Ordinances for the Imposition of Civil Penalties by the Department of Public Safety, Division of Code Enforcement. (341-10) (D. Jarvis/Bennett)
- V. Authorization to Approve *Statement of Compliance* Required by the National Bridge Inspection Standards, Bridge Posting Requirement. (334-10) (Rayan/Webb)
- W. Authorization of Change Order No. 6 to Contract with Nesbitt Engineering, Inc. for the Meadows/Northland/Arlington Public Improvements Design – Phase 3. (336-10) (Rayan /Webb)
- X. Authorization of Amendment No. 3 to an Engineering Services Agreement Comprehensive Sanitary Sewer Project – Remaining Unsewered Areas with GRW Engineers, Inc. (337-10) (Rayan/Webb)
- Y. Authorization to Accept Deeds for Acquisition of Properties for the Isaac Murphy Memorial Art Garden (IMMAG) Trailhead. (346-10) (Rayan/Webb)
- Z. Authorization of Change Order No. 2 to Contract with HDR Engineering for Design of Citation Boulevard – Phase II. (347-10) (Gooding/Webb)

- AA. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC), Transportation, Community, and Systems Preservation (TCSP) Program for Legacy Trail Enhancements. (349-10) (Gooding/Webb)
- BB. Authorization of an Engineering Services Agreement with Strand Associates, Inc.® for the Distillery District Public Improvements Program (DDPIP). (352-10) (Van Pelt/Webb)
- CC. Authorization of Change Order No. 1 to Contract with L-M Partners, LTD (d/b/a ATS Construction) for the Lexington Streetscape Phase One – South Limestone Project. (FINAL) (354-10) (Webb)
- DD. Authorization to Purchase from Central Indiana Truck Equipment Corporation as the Sole Source Procurement on Behalf of the Department of General Services, Divisions of Facilities & Fleet Management and Waste Management. (355-10) (Baradaran/Feese/Cole)
- EE. Authorization of Change Order No. 1 to Contract with Precision Painting & Pressure Washing for the Phoenix Building Exterior Painting Project. (FINAL) (356-10) (Baradaran/Cole)
- FF. Authorization to Amend Section 21-6 of the Code of Ordinances Regarding Probationary Employees. (358-10) (Askew)
- GG. Authorization of a Purchase of Service Agreement (PSA) with the Roots & Heritage Festival, Inc. for the 2010 Roots & Heritage Festival. – FY2011. (359-10) (Rabold)

A motion by CM Ellinger to remove the word “final” in item CC, seconded by CM Crosbie, passed without dissent.

A motion by CM Gorton to remove item “G”, seconded by CM Henson, passed without dissent.

A motion by CM Beard to approve the amended New Business items, seconded by CM Crosbie, passed without dissent.

CM Blues is present.

## VI. Continuing Business / Presentations-Yes

### A. Water Resources Oversight Committee Update

This update was given by Chair CM Blues. There were no motions to come forward. Some CMs made comments and asked questions.



VM Gray is present.

## B. Council Planning Committee Update

This update was done by Chair CM Gorton. There were no motions to come forward.

## VII. Council Report

CM Gorton-Sent get-well wishes to CM Lawless; stated that she understood that there was a working group from the Inter Governmental Committee working on purchasing issues.

A motion by CM Gorton to place into the working group of the Inter Governmental Committee the issue of local preference on bids, seconded by CM Ellinger, passed without dissent.

CM Lane-A motion by CM Lane to place on the docket a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an agreement with Fayette Fiscal Court and Sandra M. Varellas, Fayette County Judge/Executive for the FY 2011 County Road Aid Fund Program for Fayette County, seconded by CM Martin, passed without dissent.

CM Stinnett-A motion by CM Stinnett to place into the Inter Governmental Committee the issue of minority and women business recruitment, seconded by CM McChord, passed without dissent.

CM Myers is present.

CM Blues-Announced the Spiegel Heights NA meeting this Thursday at 7 pm at Antioch Baptist Church.

VM Gray-Gave an update on the Design and Form-Based Guideline Task Force; the chair will be CM Blues; they will continue to discuss structure, schedule, etc.

CM Myers-A motion by CM Myers to place on the docket for the Thursday July 1, 2010 Council Meeting, a resolution authorizing the Mayor to execute a lease agreement with Community Action Council for lease of space at the Carver Community Center, seconded by CM Blues was WITHDRAWN.

CM Martin-A motion by CM Martin to place into the Services Committee the issue of Kentucky Utilities' policy of constructing large steel utility towers along our corridors. This includes a request that the Dept. of Law advice the Service Committee s to options that may be available to LFUCG for restructuring KU design standards and other guidelines for what utility

lines KU is permitted within Lexington's streets and corridors, seconded by CM Feigel, passed without dissent.

VIII. Mayor's Report-Yes

A motion by CM Lane to approve the Mayor's Report, seconded by CM McChord, passed without dissent.

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

X. Adjournment

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

Work session was adjourned at 3:27 pm.

**BUDGET AMENDMENT REQUEST LIST****10**

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<b>JOURNAL</b>	43941-42	<b>DIVISION</b>	Special Projects	<b>Fund Name</b>	Donation Fund
				<b>Fund Impact</b>	100,000.00
					100,000.00CR
					.00

To provide funds for Spotlight Lexington by recognizing sponsor commitments: Brown-Forman, Commerce Lexington, Speedway, and PNC.

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<b>JOURNAL</b>	43939-40	<b>DIVISION</b>	Special Projects	<b>Fund Name</b>	Donation Fund
				<b>Fund Impact</b>	53,053.00
					53,053.00

To provide funds for 4th of July expenses by recognizing revenues received in FY 2010.

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**BUDGET AMENDMENT REQUEST SUMMARY**

Fund	1103	Donation Fund	53,053.00
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**Budget Information For New Business Items**July 6, 2010 Work Session**11**

<b>Item</b>	<b>Number</b>	<b>Amount</b>	<b>Fund</b>	<b>Name / Description</b>
A	360-10	2,884,308	1101	General Fund
B	361-10	21,053.76	1101	General Fund
C	362-10	NA		
D	364-10	NA		
E	365-10	NA		
F	367-10	NA		
G	363-10	NA		
H	368-10	1,353,520	1101	General Fund
I	369-10	(19,888)	4161	Parking Corporation Fund
J	370-10	NA		



360-10

Lexington-Fayette Urban County Government  
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry  
Mayor

Tim Bennett  
Commissioner

To: Joseph Kelly, SAM  
Mayor Jim Newberry  
Councilmembers

From: Ronald L. Bishop, Director *RLB*  
Division of Community Corrections

Date: June 7, 2010

Subject: Request for Council Approval of a Contract Extension with Correctional Medical Services

Request approval of a contract extension with Correctional Medical Services (CMS). CMS is the current medical provider for the inmate population at the Division of Community Corrections. The extension would be valid through June 2011. The extension will allow for a continuity of service for the inmate population and will place the contract renewal on the fiscal budget year cycle. Funds are budgeted in 1101-505402-5421-71203.

cc: Tim Bennett, Commissioner  
Department of Public Safety

EXTENSION OF PROCUREMENT CONTRACT #544-2003  
OFFENDER HEALTH CARE SERVICES FOR COMMUNITY CORRECTIONS

THIS EXTENSION is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between the Lexington Fayette Urban County Government, (the "County") and Correctional Medical Services, Inc., a Missouri corporation, ("CMS").

WITNESSETH

WHEREAS, the County and CMS entered into a Health Services Agreement, dated as of July 1, 2003, (the "Contract") for the delivery of health care services at the Fayette Urban County Detention Center (the "Center"); and

WHEREAS, the County and CMS desire to extend the current term of the Contract for an additional one (1) year from July 1, 2010 through June 30, 2011; and


NOW THEREFORE, the County and CMS in consideration of the premises and performance of the terms set forth herein, mutually agree to the following:

1. The County and CMS agree to extend the Contract on the current terms and conditions for the period July 1, 2010 through June 30, 2011. The pricing shall remain the same as in effect for the previous contract year. The monthly base billing shall be \$240,359 per month and the per diem shall be \$1.27 and will be applied when the average daily population is in excess of 1,200 patients.
2. The parties agree that all other terms and conditions of the Contract, as previously amended or modified, shall remain unchanged and in full force and effect except to the extent modified herein.

IN WITNESS WHEREOF, the parties hereto have executed this Extension on the day and year first written above.

CORRECTIONAL MEDICAL SERVICES,  
INC.

By:

  
Vickie L. Bybee  
Chief Operating Officer

LEXINGTON FAYETTE URBAN COUNTY  
GOVERNMENT

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_




361-10

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

Jim Newberry  
Mayor

Robert Hendricks  
Chief

To: Mayor Jim Newberry  
Urban County Council

From:   
Robert Hendricks, Chief  
Division of Fire

Date: June 22, 2010

Reference: Sole Source Vendor Request  
Ladder Truck Repair

We are requesting the approval of Finley Fire Equipment as the sole source provider for repair of the rotational bearing on Ladder 4, vehicle # 00180. This request is based on several factors which include: Finley Fire Equipment being the regional Pierce dealer and service provider. The apparatus in question is a custom fire apparatus manufactured by Pierce. Finley's experience with this type of repair, and the possibility of future warranty issues associated with the repairs. Finley's access to heavy lifting equipment necessary for removing and refitting aerial device needed to complete this repair.

361-10

Date: 6/15/2010

Person Calling: Darrell Osborne

Bill To: Lexington FD

Attn:

Ship To:

Attn:

Same

Customer PO#:

Job #:

Color:

Customer Phone:

Customer Fax:

☐ Order☐ Pricing☐ Quote☐ Checking On Previous Call☐ To Cancel Order☐ Parts Received Wrong5255 N. State Route 60 NW  
McConnelsville, Ohio 43756-0149

740-962-4328

740-962-5422 Fax

Quantity	Part #	Description Of Items	NetPrice	Price Each	Total
1	1776867	Turn Table bearing		5,505.75	5,505.75
2	70-6396	Pivot Pin		304.52	609.04
2	1365895	Pivot Pin		89.11	178.22
2	70-6395	Pivot Pin		399.96	799.92
1	1636480	Rotation Brake Seal kit		134.03	134.03
1		Freight		129.58	129.58
2	53-4383	Counter balance, holding valve		95.09	190.18
2	53-4384	Counter balance, holding valve		100.88	201.76
1		Freight		56.36	56.36
1	53-4287	Filter, Element return PAL		105.27	105.27
1	53-4288	Filter, Pressure, PAL PA		100.90	100.90
1		Freight		62.75	62.75
1		Labor		10,480.00	10,480.00
1		Sand Blast and paint Turn table		1,800.00	1,800.00
1		All new mounting bolts for rotation bearing and misc. hardware		700.00	700.00
					-
					-
		Estimate Only			-
					-
				Total:	21,053.76

Comments:

Prices valid for 30 days.

Call me with any questions.

Quoted By:

Mel



**LEXINGTON DIVISION OF POLICE**

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:** June 24, 2010

**RE:** Drug Enforcement Administration (DEA) Agreement

Please find attached blue sheet and documentation for a Tactical Diversion Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration and the Lexington-Fayette Urban County Government. This agreement allows for one Lexington Division of Police Officer to be assigned to this task force for a period of not less than two years. During this period of assignment, the officer will be under the direct supervision and control of a DEA Supervisory Special Agent assigned to the Task Force.

Duties and/or activities performed by the Task Force Officer are as listed:

- a) Investigate, disrupt and dismantle individuals and/or organizations involved in diversion schemes (e.g. "doctor shopping", prescription forgery, and prevalent retail-level violators) of controlled pharmaceuticals and/or listed chemicals in the Kentucky area;
- b) Investigate, gather and report intelligence data relating to trafficking of controlled pharmaceuticals and/or listed chemicals; and
- c) Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the Commonwealth of Kentucky.

Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signatures. If you have any question or require additional information, please contact my office.

**TACTICAL DIVERSION TASK FORCE AGREEMENT BETWEEN THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT AND THE  
DRUG ENFORCEMENT ADMINISTRATION AT LEXINGTON,  
KENTUCKY**

This agreement is made this 1st day of June, 2010, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Lexington-Fayette Urban County Government, on behalf of the Division of Police (hereinafter "LFUCG").

WHEREAS there is evidence that trafficking in controlled substance pharmaceuticals and/or listed chemicals exists in the area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Kentucky, the parties hereto agree to the following:

1. The Lexington Tactical Diversion Task Force will perform the activities and duties described below:
  - a. Investigate, disrupt and dismantle individuals and/or organizations involved in diversion schemes (e.g., "doctor shopping", prescription forgery, and prevalent retail-level violators) of controlled pharmaceuticals and/or listed chemicals in the Kentucky area;
  - b. Investigate, gather and report intelligence data relating to trafficking of controlled pharmaceuticals and/or listed chemicals; and
  - c. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the Commonwealth of Kentucky.
2. To accomplish the objectives of the Lexington Tactical Diversion Task Force, the LFUCG agrees to detail one (1) experienced officer to the Lexington Tactical Diversion Task Force for a period of not less than two years. During this period of assignment, the LFUCG officer will be under the direct supervision and control of a DEA Supervisory Special Agent assigned to the Task Force.
3. The LFUCG officer assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The LFUCG officer assigned to the Task Force shall be deputized as a Task Force Officer of DEA pursuant to 21 U.S.C. 878.
5. To accomplish the objectives of the Lexington Tactical Diversion Task Force, DEA will assign Special Agents and Diversion Investigators to the Task Force. DEA will also, subject to the availability of annual Diversion Control Fee Account (DCFA) funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and LFUCG officers assigned to the Task Force. This support will include:

office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items, as available DCFA funds permit. Task Force officers must record their work hours via DEA's activity reporting system.

6. During the period of assignment to the Lexington Tactical Diversion Task Force, the LFUCG will be responsible for establishing the salary and benefits, including overtime, of the officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the agency/department for overtime payments made by it to LFUCG officers assigned to the Lexington Tactical Diversion Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, step 1, (RUS) Federal employee (currently \$16,903.25), per officer.

7. In no event will the LFUCG charge any indirect cost rate to DEA for the administration or implementation of this agreement.

8. The LFUCG shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.

9. The LFUCG shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The LFUCG shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this agreement, whichever is sooner.

10. The LFUCG shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

11. The LFUCG agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The LFUCG acknowledges that this agreement will not take effect and no Federal funds will be awarded to the LFUCG by DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, the LFUCG shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money and (2) the dollar amount of Federal funds for the project or program.

13. The term of this agreement shall be from the date of signature by representatives of both parties until September 30, 2010. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by LFUCG during the term of this agreement.



364-10

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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: JUNE 28, 2010**

**SUBJECT: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE  
KENTUCKY OFFICE OF HOMELAND SECURITY FOR EXTENSION  
OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM PROJECT**


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On June 12, 2008, (Ordinance # 125-2008), the Urban County Council approved acceptance of award from the Kentucky Office of Homeland Security of federal funds in the amount of \$311,584.50 for continuation of the Metropolitan Medical Response System (MMRS). This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the MMRS program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community.

On December 8, 2010 (Resolution No. 799-2009), Council approved execution of an agreement with the Kentucky Office of Homeland Security extending the project through June 30, 2010.

The Kentucky Department of Homeland Security has now offered a modification to the agreement providing for an expiration date of December 31, 2010. No other changes are proposed.

Council authorization to execute agreement with the Kentucky Office of Homeland Security for extension of the Metropolitan Medical Response System (MMRS) project is hereby requested.

  
\_\_\_\_\_  
Irene Gooding, Acting Director

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



365-10

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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: JUNE 28, 2010**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE  
AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND  
SECURITY FOR EXTENSION OF THE DIVISION OF POLICE'S  
BOMB SQUAD ENHANCEMENT PROJECT**

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On April 23, 2009 (Ordinance No. 54-2009), Council approved the acceptance of federal funds in the amount of \$337,000 from the Kentucky Office of Homeland Security for the purchase of explosive device mitigation and remediation equipment for the Division of Police's Hazardous Device Unit. This project expires on December 31, 2009.

On December 8, 2010 (Resolution No. 800-2009), Council approved execution of an agreement with the Kentucky Office of Homeland Security extending the project through June 30, 2010.

The Kentucky Office of Homeland Security has offered the LFUCG an extension through December 31, 2010, so that the project can be completed.

Council authorization to execute the agreement is hereby requested.

  
\_\_\_\_\_  
Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



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Lexington-Fayette Urban County Government  
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry  
Mayor

Tim Bennett  
Commissioner

## MEMORANDUM

**TO:** Mayor Jim Newberry  
Urban County Council

**FROM:** Patricia L. Dugger, <sup>P.L.D.</sup> Director, RS, MPA

**RE:** Affiliation papers for the Fayette County Technical Rescue Team

**DATE:** June 22, 2010

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This request would authorize a Statement of Affiliation for the LFUCG Division of Fire and Emergency Services Rescue Team as a Rescue Squad under KRS Chapter 39F. This Statement of Affiliation will establish the LFUCG Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized technical rescue team (rescue squad) in Fayette County. It allows rescue team members coverage under state liability and workers compensation, and would also allow for possible FEMA reimbursement for expended equipment while on a mutual aid assistance call. There is no cost to the LFUCG and therefore, there is no budgetary impact.

If you have any questions or need any additional information, please contact me at 258-3784.

### Attachment

xc: Commissioner Tim Bennett, Public Safety  
Chief Robert Hendricks, Fire  
Search and Rescue File



363-10 22

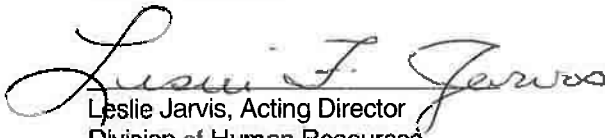
Lexington-Fayette Urban County Government  
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry  
Mayor

Linda L. Rumpke  
Commissioner

**M E M O R A N D U M**

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

**FROM:**   
Leslie Jarvis, Acting Director  
Division of Human Resources

**DATE:** June 28, 2010

**SUBJECT:** Transfer Positions

The attached action amends Section 21-5 of the Code of Ordinances, transferring one (1) position of Financial Management Administrator (Grade 119E) and one (1) position of Finance and Investment Analyst (Grade 116E) from the Division of Accounting to the Department of Finance and Administration and its incumbents, effective upon passage by Council.

These positions were originally in the Department of Finance and Administration office. The transfer of these positions would insure proper separation of duties related to Finance and Accounting functions by returning the positions to the Department.

The fiscal impact for the remainder of FY 2011 is budget neutral.

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

Attachment  
df

cc: Linda L. Rumpke, Commissioner, Department of Finance and Administration  
Mary Fister-Tucker, Director, Division of Accounting  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 10-0075





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: June 29, 2010

RE: Purchase of Services Agreements – Partner Agencies

Council authorization is requested for the Mayor to execute Purchase of Services Agreements with following Partner Agencies for FY 11:

Name	Fund	Dept ID	Section	Account	Amount
Commerce Lexington	1101	900101	0001	71101	508,010.00
Downtown Lexington Corporation	1101	900103	0001	71101	47,450.00
Kentucky World Trade Center	1101	900104	0001	71101	101,050.00
SCORE	1101	900105	0001	71101	6,150.00
Lyric	1101	900107	0001	71101	150,000.00
BG Community Foundation	1101	900108	0001	71101	5,000.00
Bluegrass Area Dev District	1101	900302	0001	71101	83,460.00
Bluegrass Community Action Age	1101	900303	0001	71101	27,750.00
Environmental Quality Comm.	1101	900309	0001	71101	2,120.00
Explorium of Lexington	1101	900607	0001	82101	187,830.00

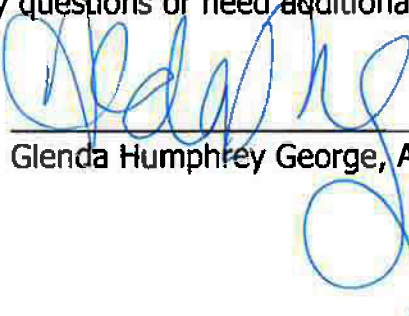


Jim Newberry, Mayor  
Members, Urban County Council  
June 29, 2010  
Page 2 of 2

368-10

Downtown Development Authority      1101      900609      0001      82101      234,700.00

I have attached a copy of the standard purchase of service agreement form that will be used with each agency. If you have any questions or need additional assistance, please let me know.



Glenda Humphrey George, Attorney Sr.

cc: Joe Kelly, Sr. Advisor  
Council Office



369-10

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Lexington-Fayette Urban County Government  
DEPARTMENT OF GENERAL SERVICES

Jim Newberry  
Mayor

Kimra Cole  
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry  
Urban County Council

FROM: Kimra Cole  
General Services Commissioner

DATE: June 24, 2010

RE: Lease Agreement

I am requesting Urban County Council approval to enter into a lease agreement with Cooper Stofer, dba Lexington Audio Video Advantage (LAVA), for the space located at 124 North Broadway Street, aka the Broadway Shoppes. This space was formerly occupied by the Bluebird Beauty Salon, is approximately 1,130 sq. ft., and building fit-up by LFUCG and Tenant is required. An audio video business will be operated at the location with fit-up and ongoing maintenance responsibilities outlined within the lease agreement. This agreement will be for a period of sixty (60) months, expire on August 31, 2015, and an early termination penalty has been built into the terms of the agreement.

LFUCG will receive an initial rate of \$1,657.34 per month for use of this space, or, \$19,888.00 for the first 12 months of occupancy. During each year of the second through fourth of this Lease agreement the rental rate shall be adjusted upward 2% over the previous 12 month period. For the fifth and final year of the agreement a 2 ½% rate increase shall apply. The annual rate increase and monthly payments are defined within the agreement. The lease includes one (1) parking space @ no cost to the Tenant in the Victorian Square parking garage.



370-10

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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: JUNE 30, 2010**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH  
THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT FOR THE  
CONSTRUCTION OF A STORM WATER MANAGEMENT PROJECT IN  
CARDINAL VALLEY**

On February 8, 2007 (Ordinance # 28-2007), the Urban County Council authorized the acceptance of federal funds for the implementation of a flood hazard mitigation project in the Cardinal Valley area.

The Kentucky Division of Emergency Management has offered the LFUCG a modification to the agreement providing for an expiration date of December 30, 2010.

This project provides for the construction of a 7.2 acre detention basin on Vaughn's Branch just upstream from Versailles Road with the widening of approximately 1,000 linear feet of channel and installation of box culverts above the detention basin. The project also includes the widening of approximately 1,100 linear feet of channel and box culverts below the detention basin.

The source of federal funds is the Department of Homeland Security, Federal Emergency Management Agency, Hazard Mitigation Grant Program as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988. Purpose of this project is to mitigate flooding problems in the Cardinal Valley area.

Council authorization to execute the agreement is hereby requested.

  
Irene Gooding, Acting Director

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

**Budget & Finance Committee Summary**  
**June 29, 2010**

Chair CM Stinnett called the meeting to order at 1:00 pm. All committee members present along with CMs Feigel and Martin.

**1. Review and Discussion of FY 2010 Financials for May 2010 (monthly & YTD)-Rumpke**

This PowerPoint presentation was done by William O'Mara, Director of Revenue. Revenue received updated information this morning and handed it out. It showed the unemployment rate was unchanged for May in Fayette County; the MSA picked up in Lexington-Fayette; and the state and national average increased.

Some CMs asked questions and made comments. CM Gorton asked about the franchise fee as it related to the unemployment rate. Mr. O'Mara stated that the franchise fee is determined by rate and usage; it is seasonal and they will have to look at the average temperature to see what the trend will be. Mrs. Mary Fister-Tucker, Director of Accounting, also assisted in the fielding of questions.

**2. Discussion of Annual Financial Audit RFP-CM Stinnett**

This presentation was done by CM Stinnett. CM Stinnett stated that the RFP committee decided to stay with the current auditor. CM Gorton asked why the committee decided to stay with the current auditor. CM Stinnett said there were several reasons-the price, they have an emphasis on IT, they have experience, and they are a local company, the partner that headed the audit last year was brought in from the Louisville office. CM James stated that the firm selected has multiple partners and this will allow for LFUCG to change the main contact partner, which is required by the SOCS guidelines, every five years as stated by Mrs. Fister-Tucker. CM James went on to say that based on statutory requirements, the firm selected did not offer a workforce sheet or a minority business or women-owned form; it is not required, but they didn't even offer; CM Stinnett said maybe legislation needs to be worked on for this.

CM Stinnett asked what topics were needed for the next meeting in August. It was suggested that the debt management policy and revision to the business occupational license be on the agenda. CM Martin stated that he would like to discuss the options for the administration and Council for the rainy day fund and CM Gorton stated that she would like for the ordinance to be reviewed.

CM James said that there needs to be something in place in order to understand the unemployment numbers.

A motion by CM Gorton to adjourn, seconded by CM Lane, passed without dissent.

Meeting adjourned at 1:47 pm.