

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 4-October 11, 2010**

Monday, October 4

Fayette Co. Rural Land Management Board Meeting.....**CANCELLED**
Conference Room-12th Floor Government Center

Tuesday, October 5

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, October 6

No Meetings

Thursday, October 7

No Meetings

Friday, October 8

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

Monday, October 11

Form Based Codes/Design Guidelines Task Force Meeting.....4:30 pm
Conference Room-5th Floor Government Center

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 5, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary - None**
- IV. Budget Amendments – None**
- V. New Business, pp. 7-19**
- VI. Continuing Business / Presentations**
 - A. Council Budget & Finance Committee, pp.20-23**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept an Award from the Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) on Behalf of the Department of Environmental Quality for a Hazard Mitigation Grant Program (HMGP). (464-10) (Gooding/Bush)

This request will authorize acceptance of federal funds in the amount of \$776,696 from KYEM on behalf of the Department of Environmental Quality for a HMGP. Funds will be used to purchase and demolish seven (7) residential properties located on Ft. Sumter Drive, Gayle Drive, Parkside Drive, Cabot Drive and Shandon Drive. The source of funds is the Federal Emergency Management Agency. The state agency will provide a match of 12% (\$124,155). A local match of 13% (\$134,501) is required. Total project cost is \$1,034,625.**p.7**

- B. Authorization to Submit Grant Application to the Environmental Protection Agency (EPA) on Behalf of the Department of Environmental Quality for a Brownfields Assessment Grant. (465-10) (Gooding/Bush)

This request will authorize approval to submit a grant application for funds in the amount of \$200,000 to EPA on behalf of the Department of Environmental Quality for a Brownfields Assessment Grant. Funds will be used for consulting services to conduct assessments of underutilized and/or abandoned properties for the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, and petroleum or petroleum products. Funds are authorized by the Comprehensive Environmental Reponses, Compensation, and Liability Acts as amended by the Small Business Liability Relief and Brownfields Revitalization Act. No local match is required.**p.8**

- C. Authorization to Repeal Sections 16-16.4 and 16-16.5 of the Code of Ordinances Regarding Solid Waste Collection. (469-10) (Bush)

This request will authorize approval to repeal Section 16-16.4 and 16-16.5 of the Code of Ordinances regarding solid waste collection and disposal. Sections were inadvertently not repealed in the adoption of Ordinance No. 143-2009.**p.9**

- D. Authorization to Accept an Award from the US Department of Justice Office on Violence Against Women and Approve Agreement with Sunflower Kids, Inc. on Behalf of the Department of Social Services for Operation of a Safe Havens Project – FY2011. (468-10) (Gooding/Helm)
This request will authorize acceptance of an award of funds in the amount of \$377,635 from the Office on Violence Against Women for a Safe Havens Project: Supervised Visitation and Safe Exchange Grant Program and approve a 3-year agreement in the amount of \$338,975 with Sunflower Kids, Inc. on behalf of the Department of Social Services. The agreement with Sunflower Kids, Inc. will continue the supervised visitation and exchange services to victims of domestic violence, child abuse, stalking, and sexual assault. No matching funds are required.**p.10**
- E. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC) for Intelligent Transportation System/Congestion Management System (ITS/CMS) for a Traffic Improvements Project – FY2011. (467-10) (Gooding/Webb)
This request will authorize acceptance of federal funds in the amount of \$400,000 from KYTC ITS/CMS for a Traffic Improvements project. The project includes enhancements to the Lexington Traffic Management Center, traffic signal system data collection, communication, and vehicle detection and upgrade to the traffic signal system. Funds will be used for salary, overtime, professional development, mileage, repair and maintenance, and traffic signal equipment. The project is funded by the Surface Transportation Lexington (SLX) program. A local match of 20% (\$100,000) is required.**p.11**
- F. Authorization of Change Order No. 1 to Contract with Marrillia Design and Construction LLC. for the Lexington Downtown Streetscape Improvements Project - Phase One – Cheapside Park Farmers Market Pavilion Project. (FINAL) (466-10) (Milligan/Webb)
This request will authorize approval of Change Order No. 1 in the amount of \$20,103.85 with Marrillia Design and Construction LLC for the Lexington Downtown Streetscape Improvements project – Phase One – Cheapside Park Farmers Market Pavilion project to increase/decrease items and quantities required to complete the project. Original contract amount was \$715,977.02. Final contract amount is \$736,080.87.**pp.12-15**
- G. Authorization of a Purchase of Service Agreement with the Lexington Humane Society to Administer the Spay and Neuter Grant Fund Program within Lexington-Fayette County. (470-10) (Bennett)
This request will authorize approval of a PSA with the Lexington Humane Society to administer the Spay and Neuter Grant Fund program within Lexington-Fayette County for spaying and neutering of cats or dogs. LFUCG is the authorized agent to administer funds. There is no budgetary impact.**p.16**

- H. Authorization of a Purchase of Service Agreement (PSA) and a Lease Agreement with the Lexington-Fayette Animal Care and Control, LLC for Animal Control Services within Lexington-Fayette County. (471-10) (Bennett)
 This request will authorize approval of a PSA in the amount of \$1,035,000 with the Lexington-Fayette Animal Care and Control, LLC for one (1) year to provide animal control services within Lexington-Fayette County. In exchange for this services, a Lease Agreement for twelve (12) vehicles, up to fourteen (14) mini-digital video device recorders and maintenance of vehicles at a cost not to exceed \$12,000 will be provided by LFUCG. The Lease Agreement terms will be concurrent with the PSA. Funds were approved in the FY2011 budget.**p.17**
- I. Authorization to Submit Grant Application to the Kentucky Justice and Public Safety Cabinet (JPSC) Under the Violence Against Women Act (VAWA) on Behalf of the Department of Public Safety, Division of Police, and Accept the Award if Offered, to Continue the Sexual Assault Nurse Examiner (SANE) Program – FY2011. (472-10) (Gooding/Bennett)
 This request will authorize approval to submit a grant application for federal funds in the amount of \$50,000 to the Kentucky under VAWA to continue the SANE program on behalf of the Division of Police. A local match of \$28,150 is required and budgeted in the Division's FY2011 General Fund budget. Also budgeted are funds in the amount of \$21,000 to be reimbursed from the Kentucky's Crime Victims Compensation Fund. Total program cost is \$99,150.**pp.18-19**

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

October 5, 2010 Work Session

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

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
464-10	BA 3170	Community Development	To establish grant match for Hazard Mitigation Grant Program- Shandon Drive.
A			4051 134,501.00CR 4051 134,501.00 0.00*
464-10	BA 3171	Community Development	To establish grant budget for Hazard Mitigation Grant Program- Shandon Drive.
A			3200 1,034,625.00CR 3200 1,034,625.00 0.00 *
466-10	BA 3180	Streets, Roads & Forestry	To adjust budget to provide funds Cheapside Park Pavilion change order.
F			2600 1,061.87CR 2600 1,061.87 0.00*
467-10	BA 3169	Community Development	To establish grant budget for ITS-CMS – FY 2011.
E			3160 500,000.00CR 3160 500,000.00 0.00 *
468-10	BA 3184	Community Development	To establish grant budget for the Safe Haven Project – FY 2011
D			3140 377,635.00CR 3140 377,635.00 0.00 *
472-10	BA 3189	Community Development	To establish grant budget for SANE – FY 2011.
I			3140 99,150.00CR 3140 99,150.00 0.00 *

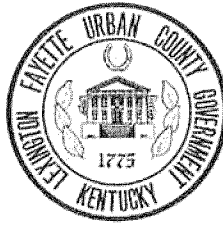
EFFECT ON FUND BALANCES

FUND 2600	0*	NO IMPACT TO:	2011 BOND PROJECTS
FUND 3140	0*	NO IMPACT TO:	US DEPARTMENT OF JUSTICE
FUND 3160	0*	NO IMPACT TO:	US DEPARTMENT OF TRANSPORTATION
FUND 3200	0*	NO IMPACT TO:	US DEPARTMENT OF HOMELAND SECURITY
FUND 4051	0*	NO IMPACT TO:	WATER QUALITY MAGEMENT FUND

Budget Information For New Business Items
October 5, 2010 Work Session

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Item	Number	Amount	Fund	Name / Description
A	464-10	1,034,625 134,501	3200 4051	US Department of Homeland Security Water Quality Management Fund Budget Journal
B	465-10	NA		
C	469-10	NA		
D	468-10	377,635	3140	US Department of Justice Budget Journal
E	467-10	500,000	3160	US Department of Transportation Budget Journal
F	466-10	20,103.85	2600	2010 Bond Projects Budget Journal
G	470-10	Budget Neutral	1134	Spay and Neuter Fund
H	471-10	1,035,000	1101	General Fund
I	472-10	99,150	3140	US Department of Justice Budget Journal



464-10

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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

DATE: SEPTEMBER 21, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FEDERAL FUNDS FROM THE DEPARTMENT OF
MILITARY AFFAIRS/KENTUCKY DIVISION OF EMERGENCY
MANAGEMENT FOR A HAZARD MITIGATION GRANT
PROGRAM GRANT**

On December 11, 2007 (Resolution No. 719-2007), Council approved the submission of a grant application requesting federal funding from the Federal Emergency Management Agency for the implementation of a flood hazard mitigation project.

Kentucky Department of Military Affairs/Kentucky Emergency Management Agency has indicated that federal funds in the amount of \$775,969 have been approved for the purchase and demolition of seven residential properties on Ft. Sumter Drive, Gayle Drive, Parkside Drive, Cabot Drive, and Shandon Drive. Owners of these properties have experienced repeated flooding over the past 25 years. The solution is the purchase and demolition of these properties. The vacant land will be used as open space.

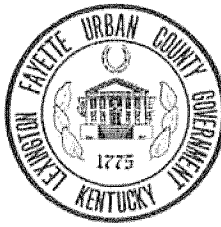
The state agency provides matching funds in the amount of \$124,155 (12%). A local match in the amount of \$134,501 (13%) is required. Total project cost is \$1,034,625. Budget amendment is in process providing for local match from the following account:

FUND	DEPT ID	SECT	ACCT
4051	303204	3334	78201

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: SEPTEMBER 21, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A
BROWNFIELDS ASSESSMENT GRANT**

The Department of Environmental Quality has prepared an application requesting federal funds from the Environmental Protection Agency for a Brownfield Assessment Grant. Assessment grants provide funding for developing inventories of brownfields, prioritizing sites, and conducting site assessments and cleanup planning related to brownfield sites. EPA awarded funds to LFUCG in Fiscal Year 2010 for assessment of petroleum-contaminated sites; however, staff of the Department of Environmental Quality maintains that it is necessary for the local brownfields effort to assess properties for hazardous substances in addition to petroleum.

Federal funds in the amount of \$200,000 are being requested for assessments of hazardous substances sites. If approved, funds will be used primarily for consulting services to conduct assessments of underutilized and/or abandoned properties for problems. 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 submit application is hereby requested.


Irene Gooding, Acting Director

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



469-10

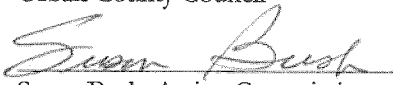
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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan C. Bush
Acting Commissioner

To: Jim Newberry, Mayor
Urban County Council

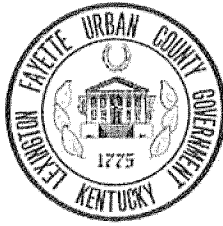
From: 
Susan Bush, Acting Commissioner
Department of Environmental Quality

Date: September 28, 2010

Subject: Request Repeal of Ordinance 16.4 and 16.5

The Urban County Council adopted Ordinance No. 143-2009 to establish a comprehensive enforcement program to aid in the reduction of pollution from all sources which included clarification of ordinance provisions related solid waste collection and disposal. Sections 16.4 and 16.5 of the Code of Ordinances, which contain solid waste enforcement provisions, were inadvertently not repealed by Ordinance No. 143-2009.

It is requested that these ordinances be repealed to preclude unnecessary confusion regarding penalty and appeal provisions related to solid waste collection and disposal.



468-10

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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: SEPTEMBER 24, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE U.S. DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE
AGAINST WOMEN FOR OPERATION OF A SAFE HAVENS
PROJECT— FY 2011

On February 25, 2010 (Resolution No. 110-2010), Council authorized the Mayor to submit application to the U.S. Department of Justice/Office on Violence Against Women for the Safe Havens: Supervised Visitation and Safe Exchange Grant Program. The LFUCG has been notified that federal funds in the amount of \$377,635 have been approved for this project.

The purpose of these funds is to provide safe and affordable supervised visitation and monitored exchange services to victims of domestic violence, child abuse, stalking, and sexual assault. A Safe Havens consultation committee was formed and facilitated by the Domestic Violence Prevention Board to oversee the project and to develop a coordinated community approach to visitations and exchanges. In addition to the Domestic Violence Prevention Board, organizations participating in the program include LFUCG Department of Social Services, Sunflower Kids, Inc., a private nonprofit organization offering supervised visitation and exchanges; Friend of the Court, Fayette County Circuit Court; Fayette Family Court; Rape Crisis Center of the Bluegrass; Bluegrass Domestic Violence Program, Kentucky Cabinet for Health and Family Services, and law enforcement agencies.

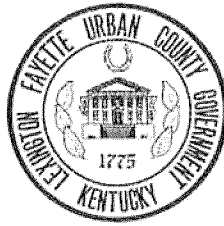
This award of federal funds is for a three-year period. The approved award provides for funding to continue operating the Sunflower Kids visitation center, to expand services to underserved populations, and to continue partial contractual funding of the Director of the Fayette County Violence Prevention Board for oversight of the project. No matching funds are required.

Council authorization to accept the award and to approve execution of an agreement with Sunflower Kids, Inc., in the amount of \$ 338,975.00 for operation of the visitation center is hereby requested.



Irene Gooding, Acting Director

Cc: Marlene Helm, Commissioner, Department of Social Services



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: SEPTEMBER 21, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE
KENTUCKY TRANSPORTATION CABINET FOR ITS/CMS (INTELLIGENT
TRANSPORTATION SYSTEM/CONGESTION MANAGEMENT SYSTEM)
TRAFFIC IMPROVEMENTS PROJECT FOR FY 2011**

The Kentucky Transportation Cabinet has offered the Lexington-Fayette Urban County Government an award of \$400,000 in federal funds for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project. The project includes three general initiatives: enhancements to the Lexington Traffic Management Center; enhancements in traffic signal system data collection, communication, and vehicle detection; and upgrades to the traffic signal system.

Funds will be used for salaries, overtime, pension, FICA, fringe benefits, professional development, mileage, repairs and maintenance, and traffic signal equipment.

The source of federal funds is the Federal Surface Transportation Program Metropolitan Lexington (SLX). A 20% local match in the amount of \$100,000 is required. Total project cost is \$500,000. Grant match has been requested in the Division of Traffic Engineering Fiscal Year 2011 general fund budget.

Council authorization to accept the award is hereby requested.


Irene Gooding, Acting Director

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



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Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: September 22, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 WITH MARRILLIA DESIGN AND
CONSTRUCTION IN THE AMOUNT OF \$ 20,103.85 FOR THE
LEXINGTON STREETSCAPE PHASE ONE IMPROVEMENTS
CHEAPSIDE MARKET PAVILION PROJECT**

The Division of Public Works is recommending the execution of change order No. 1 for \$20,103.85 with Marrillia Design and Construction for construction of the Lexington Streetscape Phase One Improvements Cheapside Market Pavilion Project. The new contract total is \$736,080.87.

The change order adds units that were not included in the original contract but were needed for construction. In addition this change order removes items that were included in the original contract that were not needed for construction.

This change order will be funded using the remaining \$19,041.98 approved in the Cheapside Pavilion Budget and a budget amendment transferring \$1,061.87 from the Cheapside Site Improvement Budget.

Council authorization to execute Change Order No. 1 to the agreement with Marrillia Design and Construction in the amount of \$20,103.85 is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

CONTRACT HISTORY FORMContractor: Marrillia Design and ConstructionProject Name: Cheapside Market PavilionContract Number and Date: 03-2010 January 14, 2010Responsible LFUCG Division: Public Works**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>715,977.02</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>715,977.02</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>20,103.85</u>	<u>3%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>736,080.87</u>	<u>103%</u> % (Line E / Line A)

SIGNATURE LINES

Project Manager: [Signature] Date: 7/23/2010
Reviewed by: [Signature] Date: 7/23/2010
Commissioner: _____ Date: _____

LEXINGTON -FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 3		Date: September 13, 2010	
		Project:Cheapside Market Pavilion	
		Location: Main Street	
To (Contractor)		Contract No 03-2010	
Marrillia Design and Construction		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)
PR-01	Increase Polycarbonate Roof Panel from 8mm to 16 mm to Accommodate Live Loading		\$ 1,707.00
PR-02	Reimbursement for Building Permit (Fee was to be paid by the City)		\$ 500.00
PR-03	Upgrade the existing 1-1/2" PVC Conduit to a 3" PVC Conduit to Supply Panel A in the Market Pavilion (Requested by Parks)		\$ 5,311.00
PR-05	Provide and Install all necessary conduit, wiring and controls for four (4) 5/3 Bank Signs provided and installed by Others		\$ 4,186.00
PR-06	Provide and Install all necessary conduit, wiring and controls for connection to five (5) Big Ass Fans (Required to install fans donated by Big Ass Fan Co.)		\$ 4,793.00
PR-07	Provide joint sealant for caulking beam to beam connections and beam end at center Pavilion		\$ 1,765.00
PR-08	Install coping panel below storefront system to accommodate 5/3 signage package		\$ 659.00
PR-09	Credit to remove Bid AlternateNo.2, Overhead doors from scope of work	\$ 9,997.15	
PR-10	Provide tube steel support at mid-point to support the glass canopy at the East/West Elevations		\$ 360.00
PR-11	Field modify tube steel at base of electrical panel wall to allow for concealed conduit penetration ot electrical panels		\$ 561.00
PR-12	Modify Marrillia donated L-angle to be installed by Instant Signs for the 5/3 Bank signage		\$ 83.00

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**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER
Page 2 of 3**

Date: September 13, 2010

Project: Cheapside Market Pavilion

Location: Main Street

To (Contractor)

Contract No
03-2010

Marrillia Design and Construction

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)
PR-15	Provide and Install Berger E-Rail Snow Retention System		\$ 10,176.00
	Change in contract price due to this Change Order:		
	Total decrease	\$ 9,997.15	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXX	\$ 30,101.00
	Net (increase) contract price		\$ 20,103.85

Sum to be added to the total contract price: \$20,103.85

The total adjusted contract price to date thereby is: \$736,080.37

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

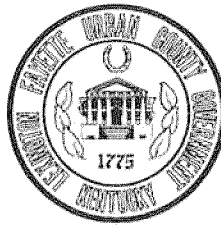
Recommended by [Signature] (Project Mgr)Date 9/13/2010Accepted by [Signature] (Contractor)Date 9/13/2010Approved by [Signature] (Project Engineer)Date 9/23/2010

Approved by _____ (Commissioner)

Date _____

Approved by _____ (Mayor)

Date _____




470-10
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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

TO: Mayor Jim Newberry
Members, Urban County Council

FROM: 
Tim Bennett, Commissioner
Department of Public Safety

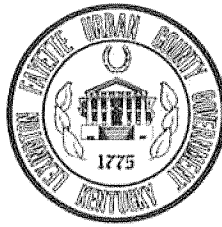
DATE: September 28, 2010

RE: Purchase of Service Agreement with
Lexington Humane Society

Attached is a Purchase of Service Agreement with the Lexington Humane Society to administer the Spay and Neuter Grant Fund Program for and with the oversight of the Urban County Government. This Grant Fund Program shall be used to determine eligibility for grant money to spay or neuter the applicant's dog or cat.

This Program will have no budgetary impact on the Lexington-Fayette Urban County Government.

Attachment



471-10

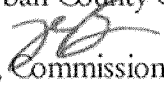
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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

TO: Mayor Jim Newberry
Members, Urban County Council

FROM: Tim Bennett,  Commissioner
Department of Public Safety

DATE: September 28, 2010

RE: Purchase of Service Agreement with
Lexington-Fayette Animal Care and Control, LLC

Attached is the annual Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC. The proposed agreement incorporates compensation in the amount of \$1,035,000 to the Humane Society as authorized in the FY 2011 budget.

I recommend approval of these Agreements with the Lexington-Fayette Animal Care and Control, LLC for FY 2011 and the funds are budgeted.

Attachment



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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: SEPTEMBER 28, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY
JUSTICE CABINET UNDER THE VIOLENCE AGAINST WOMEN ACT
PROGRAM FOR THE CONTINUATION OF A S.A.N.E. PROGRAM IN
FY 2011**

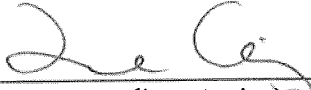
The Division of Police has prepared an application for submission to the Kentucky Justice Cabinet requesting federal funds in the amount of \$50,000 from the Violence Against Women Act (VAWA) Program for the continuation of a Sexual Assault Nurse Examiner (S.A.N.E.) program in the Division of Police as a response to sexual assault for females fourteen and above. The Division of Police, the Commonwealth Attorney's Office, the Fayette County Attorney's Office, and the Bluegrass Rape Crisis Center have collaborated on the planning and implementation of this project and have agreed to provide a coordinative response to the victims of sexual assault.

This project was begun in 2000 with the creation and filling of a full-time position of S.A.N.E. Coordinator as a civilian employee in the Division of Police. Other S.A.N.E.s have been recruited to serve on-call on a contractual basis. S.A.N.E.s are registered nurses with specific credentials for the examination of rape and other sexual assault victims. The University of Kentucky Medical Center provides private examination and waiting space in its Emergency Room for this program. Dr. Lee Irwin, emergency room physician, serves as medical director for the project. The purpose of this project is to provide the victims of sexual assault with better examinations for evidence and to give greater care to the chain of evidence with the objective of more successful prosecutions for sexual assault. It is anticipated that more humane treatment of the victim at the time of the examination will increase reporting and increase willingness to testify in prosecutions.

Total project costs for a 12-month period will be \$99,150. Of this total, the request for federal funding is \$50,000. Local match in the amount of \$28,150 is budgeted in the Division of Police's FY 2011 general fund budget. Funds will be used for contractual services, emergency room space, medication costs, cell phones, training and supply and equipment costs. It is projected that during a full project year, as many as 130 sexual assault examinations will be conducted. It is estimated that the S.A.N.E. Coordinator will perform approximately 25 of these exams in the course of her work.

The remaining 105 exams will be performed by S.A.N.E.s working under contract. It is anticipated that the state's Crime Victims Compensation Fund will pay \$200 for each of these exams, for a total estimated state revenue of \$21,000. The LFUCG pays the nurses at a rate of \$230. The remaining \$30 per exam (\$3,150 total) is included in grant match.

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



Irene Gooding, Acting Director

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

BUDGET AND FINANCE COMMITTEE
SEPTEMBER 28, 2010
SUMMARY

Chair Stinnett called the meeting to order at 1:00 pm. All committee members present.

Review and Discussion of FY 2010 Revenue for August 2010:

Rumpke gave comparative unemployment rates. Fayette County tied for 4th in state for unemployment rates, Fayette at 8.3% compared to statewide which is 10%. Economic indicators covered such as housing concerns and foreclosure rates. Permits issued and new business licenses were shown.

Bill O'Mara covered August actual/adopted budget, revenue category and August actual less amnesty/adopted budget pointing out a significant adjustment to net profit, adopted YTD budget: 26.8%, \$34.8 without amnesty.

Gorton was concerned about franchise fees saying water, electricity and gas rates have gone up so does not understand down turn of franchise fees.

There was some discussion regarding delinquent accounts to be turned over for collection.

O'Mara presented preliminary financial highlights FY2011, August YTD net income is 2.176 ahead of budget. He said we are holding our own and managing personnel and operating expenses.

There were some questions regarding partner agencies which is (1.084) over budget.

Gorton was concerned about franchise fees saying water, electricity and gas rates have gone up so does not understand down turn of franchise fees.

Update on Debt and Bonding:

Ryan Barrow, Director of Budgeting showed a summary of outstanding debt. He covered existing GO debt service, traditional and leases.

Beard asked about details of Webasto Roof Systems Economic Development project.

Lane said the airport corporation has undergone refunding; they now have a fixed percentage rate. Barrow said he would up date terms on the GO bond list.

Ellinger asked about breaking down the list of existing GO bonds, detailing obligation, he gave Eastern State as an example. He asked what's callable and non callable.

Barrow said we do currently have a general obligation on that. Barrow explained his interpretation is for refund purposes only.

Stinnett summarized Barrow's explanation, Eastern State project is unique. He pointed out what "counts against us" and what is considered in the overall financial "health".

Rumpke used airport debt as an example. She said the list of GO bonds shows what LFUCG is responsible for, what is sitting out there right now and any opportunities to save money or refinance.

Gorton said she appreciated the explanation of how the word refinance is used in reference to this list. She wanted to know the difference in what LFUCG is responsible for and what the state is responsible for.

Barrow said LFUCG is responsible for all items on this list

Beard referred to Eastern State Hospital asking what if the state defaults do we have any options.

Rumpke said we can bring those specifics back to you, adding the guarantee for Eastern State is perhaps one of the strongest we've seen. Beard asked if LFUCG is a conduit for debt service.

Barrow showed a graft of existing GO debt service and list of existing sewer bonds.

There were no further questions from the committee regarding outstanding debt.

Rumpke also discussed series 2011A GO Bonds. She covered general fund projects that were approved in the budget. She pointed out portions that were left from FY10 and carried over to FY11. She explained term "usable life" and showed a list of 2011A urban fund projects, adding nothing was carried over from FY10 this list is all FY11 projects. She covered 2011A terms (general fund portion) terms 15 years and fixed rates is 2.5% (urban fund portion) terms 10 years, fixed rate: 2.1%.

She discussed issues such as: bond term vs. asset, usable life, debit service smoothing in FY2012 and direction.

James questioned the urban fund portion asking Rumpke to explain when reimbursement to general fund would come into play. Rumpke explained how this works and how payments are made. Rumpke told the committee we have never done an urban fund; general obligation is generally a less expensive method.

Gorton asked how proceeds work versus general fund and urban fund portion. She asked about list of general fund projects, are there any items where LFUCG has actually signed a written contract. Rumpke replied no adding she would need to look at division of computer services to confirm if they might have items on the list LFUCG might be

contracted for. Gorton wondered if we are bonding enough money. Rumpke pointed out truck refuse collection on urban fund projects list, adding significant savings were received and it was appropriate to move forward on that project.

Henson referred to 2012 when our debt service peaks; she wanted to insure that's being reviewed so it does not happen in the future. Rumpke referred to the debt management policy sub- committee which is looking at key items that can be used as tools in future to help council make the right decisions.

Beard asked about tracking projects for the division of fire and emergency services. A representative from fire addressed that question. Henson wanted to make sure he pointed out how the two new fire trucks would be used as replacements. Beard asked for confirmation of age of the fire trucks being replaced and was told one was 1986 model with high mileage. Rumpke explained how funds are set up for these fire trucks.

Gorton asked how bond funds are tied to general fund. James confirmed how bond funds are used and designated. Barrow explained how bond funds are considered and are factored in.

Gorton had a follow up question regarding bonds being tagged for fire trucks and what happens if those funds are not used or the cost is less than forecasted. Bill O'Mara explained how the fund established to purchase the trucks works. He said the bond council uses purchase information to create a list of different levels of expense. O'Mara said any re-negotiation of contracts comes before council

Stinnett asked about bonds from FY08 and FY09. O'Mara said he would provide the committee with a copy of that list.

Barrow talked about refunding, series 2001B -\$5,030,000 series 200C -\$1, 620, 00. He explained net present value savings for each series. Gorton asked for copy of the refunding slide just presented. She asked why this option wouldn't be pursued observing there shouldn't be a downside to this. She also asked about limits, terms, etc.

Barrow replied he would email it to Committee Chair Stinnett. Rumpke explained there were other benefits not just savings. Stinnett said these are not total savings; they are accumulative over the next 10 years. There was discussion about going to market with bonds and timing; it would be in the November time frame. Rumpke said we will have a debt service payment due if we go to market, she noted, when the budget was done, the assumption was to go to market in January.

Gorton asked if we can honor all our written contracts and pay them on schedule. Rumpke said that's what I want to look at she added it's a challenge right now. Rumpke explained we do have contracts and closing dates that have to be taken care of. She would need to check with the division of computer services about written contracts and perhaps PDR contracts. Billy Van Pelt talked about going to market in November will be in good shape

in meeting dates of contracts. James asked impact on debt capacity. Barrow said it will lower payments. Stinnett remarked the risk is making sure we sell the bonds.

Rumpke recapped trying to get direction for the committee. To provide a list of bonds plus the two refunding options discussed today will be brought forward to full council.

Gorton asked again about meeting our obligations. Rumpke said she would bring options for council to consider. Rumpke confirmed she is comfortable with moving forward if we bond these items. Gorton asked if these might involve rainy day fund. Rumpke replied it's important to note there are many items if we don't bond, what's the alternative and how does that impact the day to day operations.

Gray said it seems we have a surplus of 2 million dollars, is that correct? Rumpke stated even though it shows as a surplus today, how we get the original budget may have some things in it, especially the sale of assets. He asked if we have developed 6 million isn't this more than we had anticipated but really can't be considered since we had 15 million in budget that was "soft". He asked what debt service was expected to be. Barrow showed debt service schedule explaining coupon, interest, direct pay and total P +1. Gray said the delta was in the principle.

Motion by Ellinger, seconded by Gray to forward refunding series 2001B and series 2002C estimated PV savings to full council for review, passed without dissent.

Motion by Gorton, seconded by Beard to bring confirmation of which FY011 bonds we have remaining contracts on and if we can full fill those contracts, motion passed without dissent.

Stinnett asked for default revenues for Eastern State Hospital to be covered at the next Budget & Finance Committee meeting.

Motion to adjourn 2:50 pm