

URBAN COUNTY COUNCIL
November 8-November 15, 2010

Monday, November 8

No Meetings

Tuesday, November 9

Council Partner Agency Oversight Committee Meeting.....9:00 am
Conference Room-5th Floor Government Center

Corridors Commission Meeting.....11:00 am
Council Chambers-2nd Floor Government Center

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

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

Mayor's Youth Council Meeting.....5:30 pm
Conference Room-5th Floor Government Center

Wednesday, November 10

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

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

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

Thursday, November 11

Council Bonding Workshop.....4:00 pm
Conference Room-5th Floor Government Center

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

Friday, November 12

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

Monday, November 15

Human Rights Commission Community Relations Meeting.....4:30 pm
Conference Room-5th Floor Government Center

Human Rights Commission Monthly Meeting.....5:30 pm
Conference Room-5th Floor Government Center

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

November 9, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, October 26, 2010, pp.8-11**
- IV. Budget Amendments – Yes, pp.12-14**
- V. New Business, pp. 16-50**
- VI. Continuing Business / Presentations**
 - A. Council Budget & Finance Committee, pp.51-52**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Extend Contract with Humana for Medicare Advantage Plan. (509-10) (L. Jarvis/Rumpke)
 This request will authorize approval to extend contract with Humana through December 31, 2011 with a 5.5% increase in the cost of Medicare Advantage Plan to be effective January 1, 2011. The Medicare Advantage Plan is fully funded by retired employees. **p.16**
- B. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within Various LFUCG Departments and Divisions. (521-10) (L. Jarvis/Rumpke)
 This request will authorize amendments to Sections 21-5 and 22-5 (as applicable) of the Code of Ordinances within various LFUCG Departments and Divisions. **p.17**
1. Transfer one (1) position of Risk Management Analyst (Grade 115E) and incumbent, from the Division of Risk Management to the Department of General Services effective June 21, 2010. (Section 21-5)
 2. Abolish two (2) positions of Communications Officer P/T (Grade 111N) within the Division of Police effective June 21, 2010. (Section 22-5)
 3. Abolish two (2) positions of Custodial Worker P/T (Grade 102N) within the Division of Facilities & Fleet Management effective June 21, 2010. (Section 22-5)
 4. One (1) position of Environmental Inspector (Grade 113N), one (1) position of Engineering Technician Principal (Grade 115E), one (1) position of Engineering Technician (Grade 111N) and two (2) positions of Environmental Inspector II (Grade 117E) within the Division of Water Quality were approved and reclassified at Grade 114E. Through the creation process and work responsibilities, the duties are at Grade 117E level. Request positions be upgraded from Grade 114E to Grade 117E. The fiscal impact for FY2011 is \$18,323.55. The annual impact is \$31,760.82. (Section 21-5)
 5. Create one (1) position of Custodial Worker (Grade 102N) within the Division of Facilities & Fleet Management. (Section 21-5)
 6. Create one (1) position of Environmental Enforcement Specialist (Grade 115E) within the Division of Environmental Policy. (Section 21-5)
 7. Create one (1) position of Commodity Marketing Manager (Grade 115E) within the Division of Waste Management. This position was originally approved at Grade 112E. Through the creation process and work responsibilities, the duties are at a Grade 115E level. Request position be upgraded from Grade 112E to Grade 115E. The fiscal impact for FY2011 is \$6,191.25 and will be funded from the Division's Operating Supplies and Expense account. The annual impact is \$10,731.50. (Section 21-5)

8. Abolish two (2) positions of Communications Officer P/T (Grade 111N) within the Division of Police. (Section 22-5)

C. Authorization of a Modification to an Agreement Offered by the Kentucky Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) under the Chemical Stockpile Emergency Preparedness Program (CSEPP) – FY2009. (511-10) (Gooding/Bennett)

This request will authorize acceptance of a modification to agreement offered by KYEM to extend the performance period through September 30, 2011 under the CSEPP. There are no other changes associated with this modification.**p.18**

D. Authorization to Submit Grant Application to the Kentucky Office of Homeland Security and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Police under the State Homeland Security Grant Program. (519-10) (Gooding/Bennett)

This request will authorize the submission of a grant application for federal funds in the amount of \$76,321 to the Kentucky Office of Homeland Security and accept the award if offered on behalf of the Division of Police, Police Hazardous Device Unit under the State Homeland Security Grant program. Funds will be used to upgrade the Andros F6A Hazardous Duty Robot platform to improve capabilities and extend the working life of machine, allow for future upgrades to the platform, and upgrade the operating system that meets federal requirements for electronic interoperability. The source of funds is the US Department of Homeland Security. No matching funds are required.**p.19**

E. Authorization to Accept an Award Offered by the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Divisions of Police, Fire & Emergency Services and Emergency Management/911 under the 2010 State Homeland Security Grant Program. (522-10) (Gooding/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$337,700 offered by the Kentucky Office of Homeland Security on behalf of the Divisions of Police, Fire & Emergency Services and Emergency Management/911 under the 2010 State Homeland Security Grant program for:

1. Purchase of professional quality SCUBA, wet suits, regulators, buoyancy control devices, air tanks for use in hazardous materials environment and a side-scan sonar device in the amount of \$113,500 for the Division of Fire & Emergency Services, Public Safety Dive Team.
2. Purchase of portable radios in the amount of \$69,400 to facilitate interoperable communications between the Divisions of Police, Fire & Emergency Services and Emergency Management/911 (Enhanced 911 system).
3. Purchase of a bomb suit, current probes, night vision goggles, electric breach for remote firing pan disrupter, fiber optic scope system, vehicle access kit, digital x-ray system upgrade, non-

sparkling personal protective equipment, flame resistant, robot upgrades and a portable generator in the amount of \$116,500 for the Division of Police.

4. Purchase of CBRNE night vision equipment under the Chemical, Biological, Radiological, Nuclear and Explosive program in the amount of \$20,300 for the Division of Police, Emergency Response Unit and the Aviation Unit.
5. Purchase of an acoustical listening device for structural collapse response in the amount of \$18,000 for the Division of Fire & Emergency, Urban Rescue Team.

The source of funds is the US Department of Homeland Security. No matching funds are required.**pp.20-21**

- F. Authorization to Accept an Award Offered by the Kentucky Commercial Mobile Radio Service Emergency Telecommunications Board (CMRS Board) for Improvements to the Regional 911 System. (523-10) (Gooding/Bennett)

This request will authorize the acceptance of \$175,000 offered by the Kentucky CMRS Board's Grant program for improvements to the ten-county regional IP 911 system network operated and managed by LFUCG. Funds will be used for purchase of computers, software, professional services and network connectivity. No matching funds are required.**p.22**

- G. Authorization to Accept an Award from the Institution of Fire Engineers on Behalf of the Department of Public Safety, Division of Fire & Emergency Services to Participate in a Test Pilot Project - Integrated Risk Management Program. (529-10) (Gooding/Bennett)

This request will authorize the acceptance of two hundred (200) dual chamber smoke alarms and five (5) drill sets, valued at \$3,200, from the Institution of Fire Engineers on behalf of the Division of Fire & Emergency Services for a test pilot project - Integrated Risk Management program. The Division will identify high-risk areas to conduct home safety visits, check smoke alarms and install a new smoke alarm when necessary, collect data of home visits and submit final report. The source of funds for this program is the US Department of Homeland Security under the 2009 Assistance to Firefighters Grant. No matching funds are required.**p.23**

- H. Authorization to Accept an Award Offered by the Kentucky Office of Homeland Security for Continuation of the Metropolitan Medical Response System (MMRS) – FY2011. (530-10) (Gooding/Bennett)

This request will authorize the acceptance of federal funds in the amount of \$307,896.50 offered by the Kentucky Office of Homeland Security to continue the MMRS. Funds will be used to support the MMRS project coordinator, to purchase capital and minor equipment, for professional services, and for operating and travel expenses. The source of funds is the US Department of Homeland Security, Federal Emergency Management Agency. No matching funds are required.**p.24**

- I. Authorization of a Trademark/Service Mark Application with the Commonwealth of Kentucky, Secretary of State, to Register Lexington Division of Police Emblem and Approve the Commissioner of Public Safety or Designee to Sign Application. (512-10) (Bastin/Bennett)
This request will authorize approval of a Trademark/Service Mark Application with the Secretary of State to register a new Lexington Division of Police emblem and authorize the Commissioner of Public Safety or designee to signed application. A \$10 filing fee is required and budgeted.**p.25**
- J. Authorization to Submit Grant Application to the Kentucky Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) under the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). (510-10) (Gooding/Bush)
This request will authorize approval to submit grant application for federal funds in the amount of \$453,004 (75%) and state funds in the amount of \$72,481 (12%) to KYEM under FEMA HMGP. Funds will be used for the acquisition and demolition of four (4) residential properties in the Lafayette/Southbend area. A local match of \$78,521 (13%) is required. Funds are budgeted.**p.26**
- K. Authorization of an Amendment to Agreement with EnergyCAP® Inc., Energy Management Software and Implementation Services under the Energy Efficiency and Conservation Block Grant (EECBG). (513-10) (Gooding/Bush)
This request will authorize approval of an amendment to agreement with EnergyCAP® Inc to include subrecipient or subcontractor flowdown requirements for all agreements for use of EECBG funds for energy management software and implementation services.**p.27**
- L. Authorization of an Agreement with Paladin under the Energy Efficiency & Conservation Block Grant for an Energy Assessment Services for Energizing the Arts Activity. (527-10) (Gooding/Bush)
This request will authorize approval of an agreement in the amount of \$46,182.50 with Paladin under the EECBG for an Energy Assessment Services for Energizing the Arts activity by Bluegrass PRIDE who will oversee the acceptance and rating of applications from nonprofit arts organization and make funding recommendations. Funds are budgeted.**p.28**
- M. Authorization of a Resolution to Award Funds under the 2010 EcoART Grant Program to Lansdowne Elementary School. (516-10) (Bush)
This request will authorize amendment of a Resolution to award funds in the amount of \$5,000 to Lansdowne Elementary School under the 2010 EcoART Grant program. This is an increase of \$750. Funds are budgeted.**pp.29-31**

- N. Authorization of an Engineering Services Agreement with Paladin for Energy Improvements at the Dunbar and Black & Williams Community Centers. (526-10) (Gooding/Bush)
This request will authorize approval of a Professional Services Agreement at a cost not to exceed \$65,010 with Paladin for the design and development of bid specifications for energy efficiency improvements at the Dunbar and Black & Williams Community Centers. This project is funded through the American Recovery & Reinvestment Act, Energy Efficiency & Conservation Block Grant. No matching funds are required.**p.32**
- O. Authorization of Change Order No. 1 to Contract with Lagco, Inc. for the North Pointe Detention Basin Repair Project. (FINAL) (524-10) (Martin/Bush)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$1,902.08 with Lagco, Inc. for the North Pointe Detention Basin Repair project. Original contract amount was \$30,774. Final contract amount is \$32,676.08. Funds are budgeted.**pp.33-35**
- P. Authorization to Amend Section 5-32 of the Code of Ordinances to Adopt Fees Established in 815 KAR 8:070. (514-10) (Crowe/Webb)
This request will authorize approval to amend Section 5-32, Mechanical permit fees for the installation, replacement or addition of heating, ventilation and air conditioning systems, of the Code of Ordinances to implement fees and charges to be paid for HVAC installation permits and inspections established by 815 KAR 8:070, Installation Permits, to be effective January 1, 2011.**pp.36-38**
- Q. Authorization of a Facility Usage Contract with the Fayette County Board of Education on Behalf of the Department of General Services, Division of Parks & Recreation for the the Kiddie Kapers Program. (515-10) (Hancock/Cole)
This request will authorize approval of a Facility Usage Contract at a cost of \$988.73 with FCBE for rental of the Norsworthy Auditorium for the Kiddie Kapers Program to be held December 4, 2010. Funds are budgeted.**pp.39-40**
- R. Authorization of Change Order No. 1 to Contract with Woodall Construction, Inc. for the Meadows/Northland/Arlington Public Improvements Design Project – Phase 3C. (FINAL) (528-10) (Gooding/Webb)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$3,769.14 with Woodall Construction, Inc. for the Meadows/Northland/Arlington Public Improvements Project – Phase 3C. This change order adjusts the quantities required to complete the project. Original contract amount was \$564,965. Final contract amount is \$568,734.14. Funds are budgeted.**pp.41-45**

- S. Authorization to Recognize and Accept the Donation of an Appaloosa/Draft Horse from Mr. Brad Mitchell for the Masterson Station Park Equestrian Program. (518-10) (Hancock/Cole)
This request will recognize and accept the donation of Coco, an Appaloosa/Draft horse, from Mr. Brad Mitchell for the Masterson Station Park Equestrian program.**p.46**
- T. Authorization of Amendment No. 2 to the Management Agreement (Contract No. 5727) with the Kentucky Theater Management Group, Inc. for the Kentucky Theater Complex. (517-10) (Baradaran/Cole)
This request will recognize Amendment No. 2 to a Management Agreement (Contract No. 5727) to extend the period of performance from December 31, 2010 to March 31, 2011, with the Kentucky Theater Management Group, Inc. for the Kentucky Theater Complex. There are no other changes associated with this amendment.**pp.47-48**
- U. Authorization of a Software License and Services Agreement with Oracle® for PeopleSoft® Enterprise Reported Budget Program. (525-10) (Nugent/Dhuwaraha)
This request will authorize approval of a Software License and Services Agreement with Oracle® for \$203,418 for PeopleSoft® Enterprise Reported Budget program for additional license fee of \$40,951.11 and an increase in the annual maintenance for a total of \$244,369.11. Funds are budgeted.**p.49**
- V. Authorization of a Partial Release of Easement of a Portion of a Sanitary Sewer Easement on Property Located at 3598 Rabbits Foot Trail. (531-10) (Askew)
This request will authorize approval of a Partial Release of Easement of a portion of a sanitary sewer easement on property located at 3598 Rabbits Foot Trail. This Release has been reviewed and approved by the Divisions of Engineering, Water Quality, and Traffic Engineering and the Law Department. There is no budgetary impact for LFUCG.**p.50**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 26, 2010

Mayor Newberry chaired today's work session meeting. All Council Members were present, except CM Myers.

Mayor Newberry acknowledged the employees who had completed the Winner's Circle Customer Service Training.

- I. Public Comment – Issues on Agenda-None
- II. Requested Rezoning / Docket Approval-None
- III. Approval of Summary-Yes

A motion by CM Crosbie to approve the summary from October 19, 2010, seconded by CM Gorton, passed without dissent.

- IV. Budget Amendments-None

- V. New Business

- A. Authorization of Change Order No. 1 to Contract with ATS Construction for City Street Resurfacing. (495-10) (Williams/Webb)
- B. Authorization of Change Order No. 1 to Contract with Kentucky Utilities Company (KU) for the Downtown Lexington Streetscape Project. (FINAL) (500-10) (Webb)
- C. Authorization of Change Order No. 1 to Contract with Kentucky Utilities Company (KU) for the South Limestone Lexington Downtown Streetscape Project. (FINAL) (501-10) (Webb)
- D. Authorization of Change Order No. 1 to Contract with Insight Kentucky II, LP for the South Limestone Downtown Lexington Streetscape Project, (FINAL) (502-10) (Webb)

- E. Authorization of Change Order No. 1 to Contract with Windstream Kentucky East, LLC for the South Limestone Lexington Downtown Streetscape Project. (FINAL) (503-10) (Webb)
- F. Authorization of Change Order No. 1 to Contract with AT&T Southeast for the South Limestone Lexington Downtown Streetscape Project – Phase I. (FINAL) (504-10) (Webb)
- G. Authorization to Accept an Award from PNC Foundation to Support a Financial Literacy Campaign for Low-Income Census Tracts – FY2011. (505-10) (Gooding/Rumpke)
- H. Authorization to Submit Grant Application to the Kentucky Division of Emergency Management (KYEM) and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Fire & Emergency Services – FY2011. (506-10) (Gooding/Bennett)
- I. Authorization of a Rental Agreement with the Lexington Convention Center and a Catering Contract with Hyatt Regency Lexington on Behalf of the Department of Public Safety, Division of Police. (507-10) (Bastin/Bennett)

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

VI. Continuing Business / Presentations-Yes

A. Council Planning Committee Update

This update was given by Chair CM Gorton. There were two motions to come forward.

A motion by CM Gorton to have Council to approve the proposed recommendations of the Tree Board to initiate text amendments on the Zoning Ordinance recommendations and the planned subdivision regulations and to move forward the Code of Ordinance recommendations, seconded by CM Blues, passed without dissent.

A motion by CM Gorton to ask Council to adopt the Lexington Fayette Urban County Mobile Home Park Guide for use by the LFUCG, seconded by CM McChord, passed without dissent.

B. Leaf Collection Presentation

This presentation was given by Tim Clark, Div. of Parks & Recreation. Several CMs asked questions and made statements.

VII. Council Report

CM Stinnett-Wished CMs with opposition in the upcoming election the best of luck; also wished Chris King, Dir. of Planning, a happy birthday.

CM Feigel-Commented about a recent news article about how well Lexington's Water Quality division s.

CM Blues-Announced two neighborhood meetings on 11/1/10: Georgetown Street will meet at 6 pm and Green Acres/Hollow Creek/Breckinridge will meet at 7 pm.

CM Henson-Stated that she will meet with the citizen who sent an email to all of them about the Water Quality fee.

CM Lawless-Announced the Goodrich NA meeting on 10/28 at the end of Goodrich; Thriller parade on 10/30/10 at 8:30 pm at the CentrePointe field; on 10/31/10 from 6-8 pm will be the actual trick -o-treating celebrated; had question for Comm. Bennett.

A motion by CM Lawless to place into the Services Committee for review the issue of the revision of the taxicab ordinance, seconded by CM Crosbie, passed without dissent.

CM Crosbie-Announced that on 12/1 the FOP will have the largest fundraiser for their toy program-the Chuck Williams Auction; you can call any fire station for information, drop off, or pickup.

CM James-Gave a report on the Lyric-grand re-opening is this Thursday; school children have been invited and the Mayor will do the ribbon-cutting at noon; on Friday there will be a black and white film showing for the seniors for \$1 and a tour afterwards; that evening will be art by LaVon Williams, dedication of the quilt, and panel discussion; on Saturday-breakfast with CM James and that evening performances by local artists and headline performer Miki Howard.

CM Lane-Welcomed UK Journalism students.

VII. Mayor's Report-None

Mayor Newberry proclaimed October 26, 2010 as Harmon Parker Day. Mr. Parker is a Lexington resident who has been chosen as one of CNN's Heroes for building bridges in Kenya.

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

X. Adjournment

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

Work session was adjourned at 3:48 pm.

JOURNAL	46940-41	DIVISION	Streets, Roads, and Forestry	Fund Name	General Fund
				Fund Impact	3,120.67
					3,120.67CR
					.00

To provide funds for overtime by recognizing reimbursement for overtime worked during events.

JOURNAL	47049-50	DIVISION	Purchase of Development Rights	Fund Name	General Fund
				Fund Impact	1,735.00
					1,735.00CR
					.00

To provide funds for PDR by recognizing donations to the Fayette County Rural Land Management Board.

JOURNAL	47394-95	DIVISION	Mayor's Office	Fund Name	General Fund
				Fund Impact	496.41
					496.41CR
					.00

To provide funds for operating expenses by recognizing revenue reimbursement.

JOURNAL	47396-97	DIVISION	Mayor's Office	Fund Name	General Fund
				Fund Impact	300.00
					300.00CR
					.00

To provide funds for operating expenses by recognizing revenue reimbursement.

JOURNAL	47399-400	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	262,170.00
					262,170.00CR
					.00

To recognize a transfer from Sewer Construction Fund for odor control chemicals, welding supplies, radios, etc.

JOURNAL	47401	DIVISION	Water Quality	Fund Name	Sanitary Sewer Construction
				Fund Impact	262,170.00
					262,170.00CR
					.00

To transfer capital savings from FY2010 pump station outages to Sanitary Sewer Operating Fund for odor control chemicals, welding supplies, radios, etc.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	.00
Fund	4003	Sanitary Sewer Construction Fund	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

November 9, 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
519-10	BA 3218	Community Development	To establish grant budget for Homeland Security – Hazardous Devices Unit.
D			<div>3200 76,321.00</div> <div>3200 76,321.00CR</div> <div>0.00 *</div>
521-10	CB0046	Waste Management	To provide additional funds for one position of Commodity Marketing Manager (Grade 115E) by reducing operating supplies and expenses. Position was originally approved as a Buyer (Grade 112E), but duties are at level of Grade 115E.
B			<div>1115 6,200.00</div> <div>1115 6,200.00CR</div> <div>0.00 *</div>
521-10	CB0047	Water Quality	To provide funds for two positions of Environmental Inspector II (Grade 117E) by reducing Personnel Contingency. These positions were budgeted as Grade 114E but created at higher grade based on duties and will be funded by Sewer and Water Quality Funds.
B			<div>4002 16,480.00</div> <div>4002 16,480.00CR</div> <div>0.00 *</div>
521-10	CB0048	Water Quality	To provide funds for two positions of Environmental Inspector II (Grade 117E) by reducing Personnel Contingency. These positions were budgeted as Grade 114E but created at higher grade based on duties and will be funded by Sewer and Water Quality Funds.
B			<div>4051 9,160.00</div> <div>4051 9,160.00CR</div> <div>0.00 *</div>
522-10	BA 3225	Community Development	To establish grant budget for CBRNE Equipment grant.
E			<div>3200 20,300.00</div> <div>3200 20,300.00CR</div> <div>0.00 *</div>
522-10	BA 3226	Community Development	To establish grant budget for Bomb Squad grant.
E			<div>3200 116,500.00</div> <div>3200 116,500.00CR</div> <div>0.00 *</div>

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST	
522-10	BA 3227	Community Development	To establish grant budget for Homeland Security portable radios.	
E			3200	69,400.00
			3200	69,400.00CR
				0.00 *
522-10	BA 3228	Community Development	To establish grant budget for the Structural Collapse Equipment grant.	
E			3200	18,000.00
			3200	18,000.00CR
				0.00 *
522-10	BA 3230	Community Development	To establish grant budget for Homeland Security Dive Team grant.	
E			3200	113,500.00
			3200	113,500.00CR
				0.00 *
523-10	BA 3229	Community Development	To establish grant budget State Homeland Security CMRS.	
F			3400	175,000.00
			3400	175,000.00CR
				0.00 *
529-10	BA 3232	Community Development	To establish grant budget for Assistance to Fire Fighters – Institution of Fire Engineers grant.	
G			3200	3,200.00
			3200	3,200.00CR
				0.00 *
530-10	BA 3231	Community Development	To establish grant budget for Metropolitan Medical Response System grant.	
G			3200	307,896.50
			3200	307,896.50CR
				0.00 *

EFFECT ON FUND BALANCES			
FUND 1115	0*	NO IMPACT TO:	URBAN SERVICE DISTRICT FUND
FUND 4002	0*	NO IMPACT TO:	SANITARY SEWER REVENUE AND OPERATING FUND
FUND 4051	0*	NO IMPACT TO:	WATER QUALITY MANAGEMENT FUND
FUND 3200	0*	NO IMPACT TO:	US DEPARTMENT OF HOMELAND SECURITY
FUND 3400	0*	NO IMPACT TO:	GRANTS - STATE

Budget Information For New Business Items

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November 9, 2010 Work Session

Item	Number	Amount	Fund	Name / Description
A	509-10	NA		
B	521-10	6,200 16,480 9,160	1115 4002 4051	Urban Service District Fund Sewer Revenue and Operating Fund Water Quality Management Fund Budget Journals
C	511-10	NA		
D	519-10	76,321	3200	US Department of Homeland Security Budget Journals
E	522-10	337,700	3200	US Department of Homeland Security Budget Journals
F	523-10	175,000	3400	Grants – State Budget Journals
G	529-10	3,200	3200	US Department of Homeland Security Budget Journals
H	530-10	307,896.50	3200	US Department of Homeland Security Budget Journals
I	512-10	10	1101	General Fund
J	510-10	NA		
K	513-10	NA		
L	527-10	46,182.50	3210	US Department of Energy
M	516-10	750	1115	Urban Service District Fund
N	526-10	65,010	3210	US Department of Energy
O	524-10	1,902.08	4051	Water Quality Management Fund
P	514-10	NA		
Q	515-10	988.73	1101	General Fund
R	528-10	3,769.14	3120	US Dept of Housing and Urban Development
S	518-10	NA		
T	517-10	NA		
U	525-10	244,369.11	1101	General Fund
V	531-10	NA		



509-10
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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: October 19, 2010

SUBJECT: Contract Services with Humana Insurance – Medicare Advantage Plan

The attached action authorizes the Mayor to extend the current contract with Humana for the Medicare Advantage Plan for the period beginning January 1, 2011 through December 31, 2011.

The cost for the Medicare Advantage Plan will increase 5.5% in 2011 from \$271 per retiree per month to \$286.00. This is a fully insured plan and these costs will be passed on to the retirees through an increase in their rates for 2011.

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

Attachment

cc: Darrylyn Combs, Senior Human Resources Manager, Division of Human Resources
Vonda Melton, Senior Human Resources Manager, Division of Human Resources

Log # 11-0016



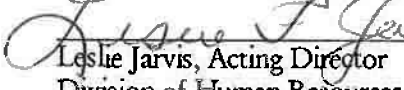
Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

MEMORANDUM

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

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: October 25, 2010

RE: Create Positions

The attached action amends Section 21-5 creating positions that were funded and approved in the FY 11 budget process and transfers one position of Risk Management Analyst (Grade 115E) from the Division of Risk Management to the Department of General Services and the incumbent; abolishing two (2) positions of Communications Officer P/T (Grade 111N); this action also amends section 22-5 of the Code of Ordinances abolishing two (2) positions of Custodial Worker P/T (Grade 102N), to become effective June 21, 2010, the first day of the first pay period in Fiscal Year 2011;

These positions include the following:

- one (1) position of Environmental Inspector (Grade 113N), one (1) position of Engineering Technician Principal (Grade 115E) and one (1) position of Engineering Technician (Grade 111N) two (2) positions of Environmental Inspector II (Grade 117E). These positions were originally approved at a Grade 114E level but through the creation process the duties were at a level of a Grade 117E. The fiscal impact for FY 11, 15 pay periods, is \$18,323.55 (includes benefits) and will be funded one half from the Divisions Contingency account and one half from Professional Services Other account. The annual impact is \$31,760.82 (includes benefits); in the Division of Water Quality;
- create one (1) position of Custodial Worker (Grade 102N) and abolishing two (2) positions of Custodial Worker P/T (Grade 102N) in the Division of Facilities and Fleet Management;
- create one (1) position of Environmental Enforcement Specialist (Grade 115E) in the Division of Environmental Policy;
- create one (1) position of Commodity Marketing Manager (Grade 115E) in the Division of Waste Management. This position was originally approved at a Grade 112E level but through the creation process the duties were at a level of a Grade 115E. The fiscal impact for FY 11, 15 pay periods, is \$6,191.25 (includes benefits) and will be funded from Operating Supplies and Expense account. The annual impact is \$10,731.50 (includes benefits);
- and abolish two (2) positions of Communications Officer P/T in the Division of Police to correct an error in section 21-5 of the codified Code of Ordinances.

The fiscal impact for FY2011 \$24,514.75 (15 pay periods) includes benefits, will be funded from fund balance. All original funding for the new positions was included in the FY 2011 adopted budget.



511-10
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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: OCTOBER 18, 2010

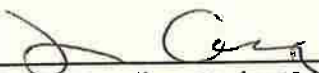
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MODIFICATION TO AGREEMENT WITH THE KENTUCKY
DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF
EMERGENCY MANAGEMENT FOR FEDERAL FUNDS UNDER
THE CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS
PROGRAM (CSEPP) FOR FY 2009, EXTENDING THE
PERFORMANCE PERIOD**

On April 9, 2009 (Ordinance # 47-2009), the Urban County Council accepted award of federal funds from the Kentucky Department of Military Affairs, Division of Emergency Management in the amount of \$373,200 for the continuation of the Chemical Stockpile emergency Preparedness Program (CSEPP) for Fiscal Year 2009, for the period of October 1, 2008 through June 30, 2010. On September 9, 2010 (Resolution No. 474-2010), Council approved execution of modification to agreement extending the performance period through September 30, 2010.

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.

The Kentucky Department of Military Affairs, Division of Emergency Management has offered the LFUCG a modification to this agreement extending the performance period through September 30, 2011.

Council authorization to execute modification to agreement is hereby requested.


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner of Public Safety



519-10

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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: OCTOBER 27, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION,
AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY OFFICE
OF HOMELAND SECURITY UNDER THE STATE HOMELAND
SECURITY GRANT PROGRAM FOR POLICE HAZARDOUS DEVICE
UNIT

The Kentucky Department of Homeland Security is now accepting applications for use of leftover federal State Homeland Security funds from multiple grant projects prior to these funds expiring and being returned to the Federal government. The Division of Police has prepared an application requesting federal funds in the amount of \$76,321 for the upgrade of the Hazardous Devices Unit's robot. In 2004, the Lexington Division of Police purchased a Hazardous Duty Robot, an Andros, F-6A. Since that time, the robot has been utilized on countless incidents in approximately 35 Kentucky counties as well as in Southern Indiana. Advances in technology have resulted in available upgrades to the robotic platform to significantly improve capabilities, provide a platform for future upgrades, and to extend the functional working life of the machine. A significant benefit to the requested upgrade is the replacement of the operating system with a system that meets the federal requirements for electronic interoperability. If approved, the following items will be purchased:

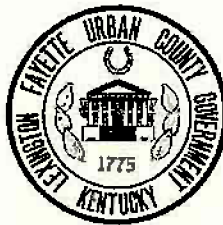
Andros F-6A + Upgrade
Tac 1 Controller
Truck-Mount Kit
KRAFT Gripper Tool Kit Assembly
Robot Training System

The source of funds is the federal Homeland Security Grant Program from the U.S. Department of Homeland Security. No matching funds are required.

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



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: NOVEMBER 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF
HOMELAND SECURITY FOR VARIOUS PUBLIC SAFETY
PROJECTS UNDER THE 2010 STATE HOMELAND SECURITY
GRANT PROGRAM**

On May 6, 2010 (Resolution No. 253-2010), and on May 27, 2010 (Resolution No. 280-2010), Council approved submission of various applications to the Kentucky Office of Homeland Security request federal funds under the Fiscal Year 2010 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism. The states have the responsibility for apportioning funding to local governments. All projects must be related to the Goals and Objectives of the State Homeland Security Strategy. No matching funds are required.

The Kentucky Office of Homeland Security has offered the LFUCG the following grants:

- **Public Safety Dive Team** (Division of Fire and Emergency Services), in the amount of \$113,500 for purchase of professional quality SCUBA, wet suits, regulators, buoyancy control devices, air tanks for use in hazardous materials environment, and a Side-Scan Sonar device.
- **Purchase of Portable Radios** in the amount of \$69,400 to facilitate interoperable communications between Police, Fire, and E 9-1-1.
- **Hazardous Devices Unit** (Division of Police) in the amount of \$116,500 for purchase of Bomb Suit, Current Probes, Night Vision Goggles, Electric Breach for Remote Firing Pan Disrupter, Fiber Optic Scope system, Vehicle Access Kit, Digital X-Ray System Upgrade, PPE-Non-Sparking, Flame Resistant, Robot Upgrades, and Portable Generator.

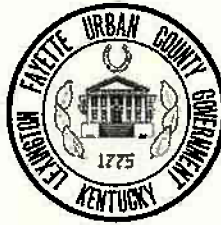
- **CBRNE Equipment** (Division of Police Emergency Response Unit and the Aviation Unit) in the amount of \$20,300. Funds will be used for the purchase of night vision equipment.
- **Structural Collapse Response Capabilities** (Division of Fire and Emergency Services) in the amount of \$18,000 for the purpose of an acoustical listening device for the urban rescue team.

Council authorization to accept the awards is hereby requested



Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



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: NOVEMBER 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
CMRS GRANT FUNDS FROM THE KENTUCKY OFFICE OF
HOMELAND SECURITY FOR IMPROVEMENTS TO THE REGIONAL
911 SYSTEM**

The Kentucky CMRS Board has offered the LFUCG an award of \$175,000 in CMRS Grant Funds for improvements to the regional 911 system. The LFUCG currently operates and manages an IP 911 network involving ten counties. CMRS board has approved funds for three Proof of Concept projects, which are:

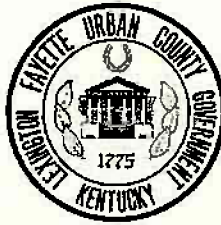
- Connecting the existing Windstream/IP-network to the Cincinnati Bell IP-network to further facilitate a seamless transfer of 911 calls amongst networks with different service providers as well as different 911 Customer Premise Equipment.
- Assisting Bluegrass Wireless in the delivery of wireless calls from its current analog delivery method to an IP delivery method suitable for those Public Service Answering Points (PSAPs) currently utilizing an IP-network for 911 delivery and routing.
- Provisioning existing Solocom Selective Routers currently used to direct traffic within the Central KY 911 IP-Network to also serve as an IP 911 Controller, thus enabling current and future PSAPs participating on the network the opportunity to share CPE applications.

Funds will be used for computers, software, professional services and network connectivity. No matching funds are required.

Council authorization to accept the award is hereby requested.


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner of Public Safety



529-10

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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: NOVEMBER 2, 2010

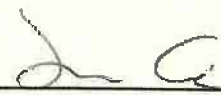
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM THE INSTITUTION OF FIRE ENGINEERS FOR
PARTICIPATION IN AN INTEGRATED RISK MANAGEMENT
PROGRAM**

The Institution of Fire Engineers has offered the LFUCG's Division of Fire and Emergency Services the opportunity to participate in an Integrated Risk Management Program. The Division of Fire and Emergency Services will receive 200 dual chamber smoke alarms and five drill sets for a pilot test of this project. The LFUCG will be responsible for the following:

- Identifying high risk areas within the jurisdiction that would benefit from home safety visits and smoke alarm checks (and installations).
- Installing the agreed upon number of smoke alarms during the grant period.
- Collecting data (check list provided) for each home visit; compiling that data on either an access data base (provided) or an excel spreadsheet and submitting it to TriData for compilation and a final report (produced by TriData) on grant activities.

The value of materials to be provided to the LFUCG is \$3,200. The Institution of Fire Engineers has received funding for this program from the U.S. Department of Homeland Security under the 2009 Assistance to Firefighters Grant Program.

Council authorization to accept the award is hereby requested.


Irene Gooding, Acting Director

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



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**

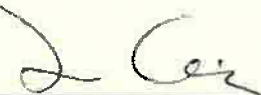
DATE: NOVEMBER 2, 2010

**SUBJECT: AUTHORIZATION TO ACCEPT AWARD FROM THE KENTUCKY
OFFICE OF HOMELAND SECURITY FOR CONTINUATION OF THE
METROPOLITAN MEDICAL RESPONSE SYSTEM— FY 2011**

The Kentucky Office of Homeland Security has offered the Lexington-Fayette Urban County Government federal funds in the amount of \$307,896.50 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. These are federal funds that originate from the Federal Emergency Management Agency in the U.S. Department of Homeland Security.

These funds will be used to support the MMRS Project Coordinator (salary and benefits), purchase of minor equipment, professional services, operating, travel, and purchase of capital equipment.

Council authorization to accept award from the Kentucky Office of Homeland Security for continuation of the Metropolitan Medical Response System (MMRS) is hereby requested.



Irene Gooding, Acting Director

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



LEXINGTON DIVISION OF POLICE

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

512-10

25

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: October 19, 2010

RE: Trademark/Service Mark Application

Please find attached Trademark/Service Mark Application with the Commonwealth of Kentucky. This application is to register the new Lexington Division of Police emblem (see attached). There is a \$10.00 filing fee for the Trademark/Service Mark Application.

The Division of Police is requesting approval from the Urban County Council to authorize Commissioner Tim Bennett or his designee to sign the attached application. Upon signing, please return the original documentation to the Chief's Office.

Cost for the filing fee is fully budgeted. Budgetary impact for FY11 is \$10.00.

If you have any question 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



510-10

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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: OCTOBER 19, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO
THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT
REQUESTING FEDERAL FUNDS UNDER THE FEDERAL EMERGENCY
MANAGEMENT AGENCY'S HAZARD MITIGATION GRANT PROGRAM

The Division of Water Quality has prepared an application requesting federal funds from the Kentucky Division of Emergency Management under the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

Federal funds in the amount of \$453,004 (75%) and state funds in the amount of \$72,481 (12%) are being requested to support the cost of acquisition and demolition of four residential properties in the Lafayette/Southbend area. These properties have experienced repeated home flooding for an extended period time. A 13% local match in the amount of \$78,521 is required. This match will come from the following accounting:

FUND	DEPT ID	SECT	ACCT
4051	303204	3334	92211

Total project cost is \$604,006.

The Hazard Mitigation Grant Program (HMGP) provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Council authorization to submit application is hereby requested.



Irene Gooding, Acting Director

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



513-10

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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: OCTOBER 20, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO
AGREEMENT WITH ENERGY CAP, INC., FOR ENERGY MANAGEMENT
SOFTWARE UNDER THE ENERGY EFFICIENCY AND CONSERVATION
BLOCK GRANT**

On April 22, 2010 (Resolution No. 217-2010), Council approved execution of agreement with EnergyCAP, Inc., in the amount of \$113,887.50 for software license, training, and maintenance for a three year period for the development of a centralized system for monitoring and analyzing energy consumption in all LFUCG facilities, including office buildings, fire and police stations, traffic lights, and other public facilities.

Funds for this project came from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. Later guidance from the U.S. Department of Energy required the inclusion of "Subrecipient or Subcontractor Flowdown Requirements" in all agreements for use of these funds. The attached Amendment to Agreement with EnergyCAP, Inc., includes these flowdown requirements as Exhibit A.

Council authorization to execute Amendment to Agreement with EnergyCAP, Inc., is hereby requested.

Irene Gooding, Acting Director

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



527-10

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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: NOVEMBER 2, 2010

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH
PALADIN UNDER THE ENERGY EFFICIENCY AND CONSERVATION
BLOCK GRANT FOR PROVISION OF ENERGY ASSESSMENT SERVICES FOR
ENERGIZING THE ARTS ACTIVITY— RFP 43-2010**

On November 19, 2009 (Ordinance No. 243-2009), Council approved acceptance of federal funds from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. In the approved application \$225,000 in grant funds was committed for energy upgrades to local nonprofit arts facilities through a competitive program. An application process for this competitive program was approved by Council on September 23, 2010 (Resolution 498-2010) authorizing Bluegrass PRIDE to accept and rate applications from nonprofit arts organizations, and to make funding recommendations. Also included in the approved federal award is \$50,000 for energy assessment services for this activity.

RFP 43-2010 was issued for solicitation of consulting services for energy audits and professional energy services to facilitate the determination of award(s), identify potential energy retrofit measures, and to support Energizing the Arts energy retrofits. Three proposals were received. Paladin was selected based upon experience, scope of services, availability, references, and technical approach. The amount negotiated with Paladin for the scope of work is \$46,182.50.

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	BUD REF	PROJECT	ACTIVITY
3210	313201	3093	71299	2010	EEBCG R 2010	E NP RETRO

Council authorization to execute agreement with Paladin in the amount of \$46,182.50 is hereby requested.

Irene Gooding, Acting Director

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



516-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Susan Bush
Commissioner

TO: Mayor Jim Newberry
Urban County Council

FROM: Louise Caldwell-Edmonds *LCE*
Administrative Officer

DATE: October 28, 2010

SUBJECT: Request Resolution to Award an EcoART Grant to Lansdowne Elementary School

This request will authorize approval of a resolution to award a grant to Lansdowne Elementary School in the sum not to exceed \$5,000 under the 2010 EcoART Grant program.

The EcoART grant will award 50% of funding at the start of the project, 25% at the completion, and 25% at the final report. Funds are available in 1115-313103-3161-78112. The project will begin in the spring of 2010 and will be completed by July 2010.

Lansdowne Elementary	\$5,000
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RESOLUTION NO. 432-2010

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AGREEMENTS, AWARDING ECOART GRANTS TO PAT BANKS (\$5,000.00), BLUEGRASS GREENWORKS, INC. (\$3,270.00), CARNEGIE CENTER (\$5,000.00), CHRYSALIS HOUSE, INC. (\$1,000.00), DIXIE MAGNET ELEMENTARY SCHOOL (\$5,000.00), FCPS GEAR UP (\$5,000.00), LAFAYETTE HIGH SCHOOL ORCHESTRA (\$5,000.00), LANSDOWNE ELEMENTARY (\$4,250.00), LEXINGTON ART LEAGUE (\$1,950.00), LEXINGTON PHILHARMONIC (\$5,000.00), LIVING ARTS AND SCIENCE CENTER (\$5,000.00), ROBERT MORGAN (\$5,000.00), MARY REZNY (\$4,550.00), ST. PETER AND PAUL REGIONAL CATHOLIC SCHOOL (\$4,669.00), AND UK ART MUSEUM (\$3,584.00), AT A COST NOT TO EXCEED THE SUMS STATED.

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

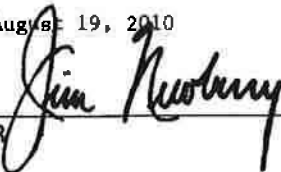
Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the agreements, which are attached hereto and incorporated herein by reference, awarding EcoArt Grants to Pat Banks, Bluegrass Greenworks, Inc., Carnegie Center, Chrysalis House, Inc., Dixie Magnet Elementary School, FCPS Gear Up, Lafayette High School Orchestra, Lansdowne Elementary, Lexington Art League, Lexington Philharmonic, Living Arts and Science Center, Robert Morgan, Mary Rezny, St. Peter and Paul Regional Catholic School, and UK Art Museum.

Section 2 - That an amount, not to exceed the sums stated, be and hereby is approved for payment to Pat Banks (\$5,000.00), Bluegrass Greenworks, Inc. (\$3,270.00), Carnegie Center (\$5,000.00), Chrysalis House, Inc. (\$1,000.00), Dixie Magnet Elementary School (\$5,000.00), FCPS Gear Up (\$5,000.00), Lafayette High School Orchestra (\$5,000.00), Lansdowne Elementary (\$4,250.00), Lexington Art League (\$1,950.00), Lexington Philharmonic (\$5,000.00), Living Arts and Science Center (\$5,000.00), Robert Morgan (\$5,000.00), Mary Rezny (\$4,550.00), St. Peter and Paul Regional Catholic School (\$4,669.00), and UK Art Museum (\$3,584.00), from account # 1115 313101 78112, pursuant to the terms of the agreements.

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

PASSED URBAN COUNTY COUNCIL: August 19, 2010

MAYOR





403-10

516-10

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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: August 4, 2010

RE: Requesting authorization to award EcoArt grant recipients.

The Department of Environmental Quality is requesting authorization to award the EcoArt grant to recipients. The EcoArt grant is awarding \$63,273 to eight non-profits, three individuals, and four public and private schools.

The EcoArt grant will award 50% of funding at the start of the project, 25% at the completion, and 25% at the final report. The funds are available in 1115-313103-3161-78112. The projects will begin in the spring of 2010 and will be completed by July ~~2010~~ 2011. 

Banks, Pat	5,000.00
Bluegrass Greenworks Inc.	3,270.00
Carnegie Center	5,000.00
Chrysalis House Inc.	1,000.00
Dixie Magnet Elementary School	5,000.00
FCPS Gear Up	5,000.00
Lafayette High School Orchestra	5,000.00
Lansdowne Elementary	4,250.00
Lexington Art League	1,950.00
Lexington Philharmonic	5,000.00
Living Arts and Science Center	5,000.00
Morgan, Robert	5,000.00
Rezny, Mary	4,550.00
St Peter and Paul Regional Catholic School	4,669.00
UK Art Museum	3,584.00



526-10

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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: NOVEMBER 2, 2010

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH PALADIN UNDER THE ENERGY EFFICIENCY AND
CONSERVATION BLOCK GRANT FOR PROVISION OF ENERGY
ASSESSMENT SERVICES FOR GOVERNMENT RETROFIT ACTIVITY—
RFP 43-2010**

On November 19, 2009 (Ordinance No. 243-2009), Council approved acceptance of federal funds from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. In the approved application grant funds were committed for energy upgrades to government buildings.

RFP 43-2010 was issued for solicitation of a firm to design building energy efficiency retrofits at the Dunbar and Black & Williams Community Centers. Three proposals were received. Paladin was selected based upon experience, scope of services, availability, references, and technical approach. Paladin will be responsible for the design and development of bid specifications relating to improvements to mechanical and electrical equipment. Paladin will also facilitate the bid review process and provide oversight during installation/construction. The amount negotiated with Paladin for the scope of work is \$65,010.

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	BUD REF	PROJECT	ACTIVITY
3210	313201	3093	91012	2010	EEBCG R 2010	E GV RETRO

Council authorization to execute agreement with Paladin in the amount of \$65,010 is hereby requested.

Irene Gooding, Acting Director

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




524-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Commissioner

To: Mayor Jim Newberry
Urban County Council
From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: October 21, 2010

Subject: Change Order # 1 for the North Pointe Detention Basin. (FINAL)

The Division of Water Quality requests approval of Change Order #1 with LAGCO Excavation for the North Point Detention Basin Project. The original amount of this project was \$30,774.00. Change Order #1 is for \$1,902.08. Change Order #1 gives a revised total contract amount of \$32,676.08. The sum of this Change Orders amounts to .06% of the original contract amount.

Description of Change Order

1. Additional 368 SF of erosion control blanket.
Add \$1,402.08
2. Cleaning out existing concrete flume not part of original scope of work.
Add \$500.00

Total Cost of Change Order #1: \$ 1,902.08



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Commissioner

Change Order

Change Order No.1
North Pointe Detention Basin
Lexington Fayette-Urban County Government
Division of Water Quality

Owner: Lexington Fayette-Urban County Government
200 East Main Street
Lexington KY, 40507

Contractor: LAGCO Excavation
P. O. Box 12510
Lexington KY, 40583

SUMMARY OF INFORMATION

Date of Change Order:	October 21, 2010
Date of Contract:	08/09/2010
Date of Notice to Proceed:	08/09/2010
Date of Contract Completion:	09/30/2010
Change in Contract Time (Calendar Days):	0
Original Contract Amount:	\$30,774.00
Previous Change Order Total:	\$0
Current Contract Amount:	\$30,744.00
Change Order # 1 Amount:	\$1,902.08
New Contract Amount Including Change Orders:	\$32,676.08
Percent of Change from Original Contract Amount:	.06%



524-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Susan Bush
Commissioner

CONTRACT HISTORY FORM

Contractor: LAGCO Excavation

Project Name: North Pointe Detention Basin

Contract Number and Date: # 147-2009

Responsible LFUCG Division: Division of Water Quality

CHANGE ORDER DETAILS

Summary of previous Change Orders to Date **Dollar Amount**

A. Original Contract Amount: \$30,744.00

B. Cumulative Amount of Previous Change Orders: \$0

C. Total Contract Amount Prior to this Change Order: \$30,774.00

Current Change Order

D. Amount of this Change Order: \$1,902.08

E. New Contract Amount Including this Change Order: \$32,676.08

SIGNATURE LINES

Project Manager: 

Reviewed By: 

Division Director: 



514-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT

Jim Newberry
Mayor

Mike Webb
Commissioner

Memorandum

TO: Mayor Jim Newberry
Urban County Council

FROM: Dewey Crowe, Director *DC*
Division of Building Inspection

DATE: October 21, 2010

RE: Mechanical Permit Fees

This is to request Council approval of the attached amendment to Section 5-32 of the Code of Ordinances relating to mechanical permit fees, effective January 1, 2011. The Kentucky Department of Housing, Buildings & Construction, as part of its implementation of a statewide program of HVAC permitting and inspections, has established mandatory fees and charges for HVAC installation permits. This will amend our local fees to comply with the requirements of 815 KAR 8:070.

The changes are estimated to be revenue neutral.

CC: Mike Webb, Commissioner

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 5-32 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO ADOPT THE FEES ESTABLISHED IN 815 KAR 8:070; ALL EFFECTIVE ON JANUARY 1, 2011.

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

Section 1 - That Section 5-32 of the Code of Ordinances be and hereby is amended to read as follows:

No mechanical permit shall be issued for the installation, replacement or addition of heating, ventilation and air conditioning systems until the applicant has paid to the division of building inspection a fee according to the following schedule, which shall be administered in accordance with the applicable provisions of 815 KAR 8:070:

- (1) The fee for each heating, ventilation, or air conditioning system installation permit for one- and two-family dwellings shall be seventy-five dollars (\$75.00) for the first system plus fifty dollars (\$50.00) for each additional system.
- (2) The fee for each heating, ventilation, or air conditioning system installation permit for multi-family dwellings other than duplexes shall be seventy-five dollars (\$75.00) for the first system plus twenty-five dollars (\$25.00) for each additional system.
- (3) The fee for each heating, ventilation, or air conditioning installation permit other than those provided for in subsections (1) or (2) above, shall be based upon either the actual or estimated total dollar value of each such installation as further provided below:

Amount in dollars	Permit fee
\$2,000 or less	\$75
\$2,001 to \$10,000	\$150
\$10,001 to \$25,000	\$225
\$25,001 to \$50,000	\$275
\$50,001 to \$75,000	\$325
\$75,001 to \$100,000	\$435

\$100,001 to \$150,000	\$550
\$150,001 to \$200,000	\$660
\$200,001 to \$250,000	\$770
\$250,001 to \$300,000	\$890
\$300,001 to \$400,000	\$1,000
\$400,001 to \$500,000	\$1,350
\$500,001 to \$600,000	\$1,500
\$600,001 to \$700,000	\$1,650
\$700,001 to \$800,000	\$1,850
\$800,001 to \$900,000	\$2,050
\$900,001 to \$1,000,000	\$2,250
\$1,000,001 to \$1,100,000	\$2,450
\$1,100,001 to \$1,200,000	\$2,650
\$1,200,001 to \$1,300,000	\$2,850
\$1,300,001 to \$1,400,000	\$3,050
\$1,400,001 to \$1,500,000	\$3,250
\$1,500,001 and above	\$3,450

- (4) The permit fee shall be the base fee of seventy-five dollars (\$75.00) if the application for permit does not include any new installation, but is to make corrections or provide testing for an installation made by someone else.
- (5) Each heating, ventilation, or air conditioning system permit shall include up to three (3) inspections of the system at no additional cost. Any additional inspection shall require payment of an additional permit fee of fifty dollars (\$50.00) for each inspection.

Section 2 - That this Ordinance shall become effective on January 1, 2011.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

MEMORANDUM

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

FROM: 
Jerry Hancock

RE: Facility Usage Contract

DATE: October 22, 2010

This is a request for Council approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation, Kiddie Kapers Program

This Facility Usage Contract is for the purpose of using FCPS facilities for our Kiddie Kapers program for rental of the Norsworthy Auditorium for Saturday December 4, 2010.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

**EXHIBIT A****THIS IS NOT A BILL -- INVOICE TO FOLLOW****DESIGNATION OF FACILITY/GROUNDS, PERSONNEL AND EQUIPMENT**

APPLICANT: Lexington-Fayette Urban County Government
(Parks & Recreation)

FACILITY: IAKSS -- Norsworthy Auditorium

DATE(S): Saturday, December 4, 2010 (Snow Date: Dec. 11, 2010)

TIME(S): 10:00 am - 5:30 pm

USAGE FEE:**\$988.73**

AREA(S) TO BE USED	NO. AREAS	NO. HOURS PER AREA	TOTAL NO. HOURS	HOURLY UTILITY / MAINTENANCE FEE	TOTAL UTILITY / MAINTENANCE COST
Classrooms / Library	0	0	0	\$20.50	\$0.00
Auditorium	1	7.5	7.5	\$42.75	\$320.63
Cafeteria	0	0	0	\$42.75	\$0.00
Kitchen	0	0	0	\$22.50	\$0.00
Gymnasium	0	0	0	\$60.00	\$0.00
Football Field	0	0	0	\$123.50	\$0.00
Running Track	0	0	0	\$51.50	\$0.00
Baseball Field	0	0	0	\$32.75	\$0.00
Softball Field	0	0	0	\$32.75	\$0.00
Other:	0	0	0	\$17.25	\$0.00
Subtotal	-----	-----	-----	-----	\$320.63
DISTRICT EMPLOYEES (If Applicable)	NO. EMPLOYEES	NO. HOURS PER EMPLOYEE	TOTAL NO. HOURS	HOURLY PERSONNEL FEE	TOTAL PERSONNEL COST
Custodian(s)	2	8.5	17	\$39.30	\$668.10
Food Service Manager(s) II	0	0	0	\$41.00	\$0.00
Technical Support Staff	0	0	0	\$44.05	\$0.00
Law Enforcement Officer(s)	0	0	0	\$51.55	\$0.00
Other	0	0	0	\$0.00	\$0.00
Subtotal	-----	-----	-----	-----	\$668.10
Total	-----	-----	-----	-----	\$988.73
ADDITIONAL RENTAL FEES (If Applicable)	0	0	0	\$0.00	\$0.00
Grand Total	-----	-----	-----	-----	\$988.73

COMMENTS:**Provide use of sound system and lights.**



528-10

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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: NOVEMBER 1, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER
NO. 1 WITH WOODALL CONSTRUCTION, INC. FOR AN INCREASE OF
\$3,769.14 FOR MEADOWS/NORTHLAND/ARLINGTON PUBLIC
IMPROVEMENTS DESIGN PHASE 3C**


The Division of Engineering has recommended the execution of a change order to increase the contract by \$3,769.14 with Woodall Construction, Inc. for the Meadows/Northland/Arlington Public Improvements Project, Phase 3C. The new contract total is \$568,734.14.

The change order adjusts final quantities to those required to complete the project. The Division of Community Development concurs with the Division of Engineering's request.

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3120	303202	3211	91713	CDBG_2008	2008	C03	\$3,769.14

Council authorization to execute the change order is requested.


Irene Gooding, Acting Director

Cc: Division of Engineering
James M. Webb, Commissioner of Public Works and Development

CONTRACT HISTORY FORMProject Name: Meadows-Northland-Arlington Neighborhood Improvements, Phase 3CContractor: Woodall Construction, Inc.Contract Number and Date: 951 February 12, 2009Responsible LFUCG Division: Engineering**CONTRACT AND CHANGE ORDER DETAILS**A. Original Contract Amount: \$ 564,965.00Next Lowest Bid Amount:
\$606,005.90B. Amount of Selected Alternate or Phase: \$ C. Cumulative Amount of All Previous Alternates or Phases: \$ 564,965.00D. Amended Contract Amount: \$ 564,965.00E. Cumulative Amount of All Previous Change Orders: \$ 0.00 0.0%
(Line E / Line D)F. Amount of This Change Order: \$ 3,769.14 0.7%
(Line F / Line D)G. Total Contract Amount: \$ 568,734.14**SIGNATURES**

Project Manager:

Robert A. Bort for WA Bort Date: 10/28/10

Reviewed by:

Robert A. Bort Date: 10/26/10

Division Director:

MASing Date: 10/28/10

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT				Date: October 20, 2010			
CONTRACT CHANGE ORDER				Project: Meadows-Northland-Arlington Neighborhood Imp.-Phase 3C			
				Location: Shawnee Avenue			
To (Contractor): Woodall Construction, Inc., 1332 Cahill Drive, Lexington, Ky. 40504				Contract No: 951		Change Order No: 1 (Final)	
You are hereby requested to comply with the following changes from the contract plans and specification;							
Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
3	add	Remove Trees	EA	13	\$ 600.00	\$ -	\$ 7,800.00
4	del	800 PSI Flowable Fill	CY	6	\$ 90.00	\$ 540.00	\$ -
6	del	SafeLoad 58" X 35" CMP and 12" CMP	CY	24	\$ 90.00	\$ 2,160.00	\$ -
7	add	Unclassified Excavation	LS	1	\$ 5,357.00	\$ -	\$ 5,357.00
8	add	DGA Base for Driveways	Tons	20.31	\$ 18.00	\$ -	\$ 365.58
9	del	Asphalt Surface for Driveways	Tons	11.33	\$ 89.22	\$ 1,010.86	\$ -
10	add	Concrete for Driveways	CY	7.3	\$ 145.00	\$ -	\$ 1,058.50
12	add	DGA Base for Roadway	Tons	1322.16	\$ 18.00	\$ -	\$ 23,798.88
13	del	No. 2 Stone Base for Roadway	Tons	932.73	\$ 18.00	\$ 16,789.14	\$ -
14	del	2" Asphalt Surface for Roadway	Tons	98.79	\$ 69.54	\$ 6,869.86	\$ -
15	add	3" Asphalt Base for Roadway	Tons	83.64	\$ 63.80	\$ -	\$ 5,336.23
16	del	4 1/2" Concrete Sidewalk	SY	291.4	\$ 32.00	\$ 9,324.80	\$ -
17	del	6" Concrete Sidewalk and Entrances	SY	105.5	\$ 45.00	\$ 4,747.50	\$ -
18	del	LFUCG Curb and Gutter, Type 1	LF	60	\$ 12.00	\$ 720.00	\$ -
19	del	Class A Concrete for Steps and Landings	CY	26.5	\$ 300.00	\$ 7,950.00	\$ -
20	del	Handrail, Type 1 Aluminum	LF	42.5	\$ 110.00	\$ 4,675.00	\$ -
27	del	Remove, Store, Reset 4' Wood Picket Fence	LF	38	\$ 30.00	\$ 1,140.00	\$ -

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
32	del	Remove, Replace 4' X 4' Wood Picket Gate	EA	2	\$ 275.00	\$ 550.00	\$ -
33	del	Remove, Replace 3' X 4' Chain Link Gate	EA	1	\$ 225.00	\$ 225.00	\$ -
34	del	Remove, Store, Reset 5' X 4' Chain Link Gate	EA	1	\$ 160.00	\$ 160.00	\$ -
35	del	Remove, Store, Reset 4' X 32" Chain Link Gate	EA	1	\$ 160.00	\$ 160.00	\$ -
36	del	Remove, Store, Reset 4' X 28" Chain Link Gate	EA	1	\$ 160.00	\$ 160.00	\$ -
39	del	Remove, Store, Reset 5' X 9' Vehicle Gate	EA	1	\$ 200.00	\$ 200.00	\$ -
40	del	Replace 3' X 4' Chain Link Gate	EA	1	\$ 225.00	\$ 225.00	\$ -
41	add	Remove and Replace 4' Walks, No Steps	EA	4	\$ 100.00	\$ -	\$ 400.00
42	del	Remove and Replace 4' Walks, 1 Step	EA	3	\$ 300.00	\$ 900.00	\$ -
43	del	Remove and Replace 4' Walks, 2 Steps	EA	1	\$ 600.00	\$ 600.00	\$ -
44	add	Remove and Replace 4' Walks, 3 Steps	EA	2	\$ 900.00	\$ -	\$ 1,800.00
45	del	Remove and Replace 4' Walks, 4 Steps	EA	1	\$ 1,150.00	\$ 1,150.00	\$ -
46	del	Remove and Replace 4' Walks, 5 Steps	EA	1	\$ 1,175.00	\$ 1,175.00	\$ -
47	add	Sod	SY	636	\$ 5.00	\$ -	\$ 3,180.00
49	del	Gravity Retaining Wall	CY	13	\$ 375.00	\$ 4,875.00	\$ -
50	add	Ashlar Stone Form Liner	SF	109	\$ 10.00	\$ -	\$ 1,090.00
52	add	18" Circular RCP, Class III	LF	4	\$ 64.00	\$ -	\$ 256.00
57	del	Sanitary Sewer Clean-out, Adjust-Pvmt.	EA	7	\$ 350.00	\$ 2,450.00	\$ -

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
61	del	Detectable Warning Tiles on Ramps	SF	5	\$ 55.00	\$ 275.00	\$ -
64	del	Reset Property Corners	EA	3	\$ 1,000.00	\$ 3,000.00	\$ -
67	del	Silt Fence	LF	390	\$ 3.50	\$ 1,365.00	\$ -
68	del	Silt Check	EA	6	\$ 50.00	\$ 300.00	\$ -
69	del	Straw Mulch, Temporary Erosion Control	Tons	1.5	\$ 100.00	\$ 150.00	\$ -
70	del	Temporary Seeding, Type 1	LB	50	\$ 1.25	\$ 62.50	\$ -
71	del	Temporary Seeding, Cereal Rye	LB	56	\$ 2.00	\$ 112.00	\$ -
74	add	Handrail	LF	37	\$ 162.00	\$ -	\$ 5,994.00
75	add	Sanitary Sewer Adjustments	LS	1	\$ 18,676.66	\$ -	\$ 18,676.66
76	add	Water Line Adjustments	LS	1	\$ 1,440.45	\$ -	\$ 1,440.45
77	add	Bryan Avenue Ditching	LS	1	\$ 1,237.50	\$ -	\$ 1,237.50
						\$ -	\$ -
Total decrease					\$	74,021.66	
Total increase							\$ 77,790.80
Net increase in contract price							\$ 3,769.14
Current Contract Amount = \$564,965.00					New Contract Amount = \$568,734.14		


Recommended by	<u>[Signature]</u>	(Proj. Engr.)	Date	<u>10/28/10</u>
Accepted by	<u>[Signature]</u>	(Contractor)	Date	<u>10-27-10</u>
Approved by	<u>[Signature]</u>	(Urban Co. Engr.)	Date	<u>10/28/10</u>
Approved by	<u>[Signature]</u>	(Commissioner)	Date	<u>10/28/10</u>
Approved by		(Mayor or CAO)	Date	



Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

MEMORANDUM

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

FROM: 
Jerry Hancock

RE: Donation

DATE: October 26, 2010

This is a request for Council approval of a donation to Parks and Recreation Equestrian Program of Coco, a 15 year old appaloosa/draft horse cross and to recognize Mr. Brad Mitchell of 900 N. Meadowhill Drive Paris, Ky. 40361, for this generous donation.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



517-10

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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
Commissioner General Services

DATE: November 1, 2010

RE: Management Agreement
Kentucky Theater Management Group, Inc.

I am requesting Urban County Council approval for an amendment to Contract #5797 (R-693-2006). The contract is for the management agreement entered into on December 1st, 2006 and ending November 30, 2009, amended in 2009 (~~R-709-2009~~) to expire December 31, 2010, and between the Lexington Fayette Urban County Government (Owner) and Kentucky Theater Management Group, Inc. (Manager). The agreement provides terms for the management and operation services for the theaters.

Kentucky Theater Management Group, Inc. has expressed an interest in continued operation of the theaters. All terms and provisions of the current amended agreement shall remain unchanged and will extend the contract period for three (3) additional months, during which time an RFP will be issued to solicit bids for management services of the theaters. The amended agreement would expire March 31, 2011.

RESOLUTION NO. 797-2009

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AMENDMENT TO CONTRACT # 5797 (R. 693-2006) WITH KENTUCKY THEATRE MANAGEMENT GROUP, INC., EXTENDING THE TERM OF MANAGEMENT FOR AN ADDITIONAL THIRTEEN MONTHS.

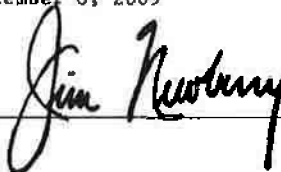
BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute an Amendment to Contract # 5797 (R. 693-2006), which is attached hereto and incorporated herein by reference, with Kentucky Theater Management Group, Inc., extending the term of management for an additional thirteen months.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: ~~December~~ 8, 2009

MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: December 17, 2009-lt



525-10

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Lexington-Fayette Urban County Government
OFFICE OF THE SENIOR ADVISOR / CIO

Jim Newberry
Mayor

Rama Dhuwaraha
Senior Advisor / CIO

To: Jim Newberry, Mayor
Urban County Council

Cc: Joe Kelly, Senior Advisor

Date: November 1, 2010

Subject: Requesting council authorization for payment of the Incremental License Fees for the RB Programs per the original Oracle Ordering Document O-294-2005.

Under the terms and conditions of the original Oracle/PeopleSoft contract attached, a License Verification form was completed and sent to Oracle to document the Urban County Governments reported budget as requested in section C.2 of the original contract titled "Incremental License Fees for the RB Programs".

The amount reported to Oracle was 502.3 million (net of inter-funds transfers) which resulted in an additional license fee of \$203,418.00, and an increase in the annual maintenance fee of \$40,951.11. These funds are budgeted in the FY 2011.

It is requested these amounts be approved for payment to Oracle for continuation of support and licensing.

Rama Dhuwaraha
Chief Information Officer



531-10
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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: November 3, 2010

RE: Partial Release of Easement
3598 Rabbits Foot Trail

This memo is to request a Resolution authorizing the Mayor to sign a Partial Release of Easement, releasing a portion of a sanitary sewer easement on property located at 3598 Rabbits Foot Trail.

The proposed Release has 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

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BUDGET & FINANCE COMMITTEE
OCTOBER 26, 2010
SUMMARY

CM Stinnett chaired the meeting calling it to order at 1:05 pm. All committee members present except James, Lane, and Myers.

1. Review and Discussion of FY 2010 Revenue for September, 2010

Bill O'Mara gave the financial update & FY2010 revenue for Sept. 2010. He said Fayette County unemployment rates were not available yet for September but showed the August rate which came in at 8.3%. He covered September actual/adopted budget numbers which totaled -3.9% and September YTD actual/adopted YTD budget which showed a variance of (272,027) for franchise fees, amnesty results, withholding and net profit.

Beard referred to Bureau of Vital Statistic numbers on unemployment asking O'Mara to consider the feasibility of using a three month rolling plan to smooth out unemployment spikes.

O'Mara said Fayette County numbers are somewhat seasonal due to hiring.

Stinnett told the committee that nationally, September foreclosures averaged 2990 per day, but retail sales were \$25 million ahead, with approximately \$2 million of that in car sales. He commented on consumer confidence, slow growth and recovery. He noted \$1 million was budgeted for amnesty and wanted to know how much amnesty should be taken out of the September YTD actual less amnesty/adopted YTD budget numbers. O'Mara replied \$ 1.3 million.

2. Discussion on Default Remedies & MOU Relating to Bonding of the Eastern State Hospital

Eastern State Hospital Capital Funding Overview was given by Ryan Barrow, Budgeting Director. He covered background information and key pieces of financing involved. He explained series of bonds, debt capacity, and details of the 2009C Memorandum of Understanding, both state and LFUCG authority and responsibility

Blues asked about House Bill 1 of the 2010 Extraordinary Session which authorizes the Cabinet of Health and Family Services (CHFS) to pay rental payment to LFUCG pursuant to a lease agreement, when the project is completed. He wanted to know what happens if the state doesn't pay and was concerned about LFUCG's potential liability. Barrow said there are not default provisions in these documents, but O'Mara indicated first step payments are included in the state's budget.

Gorton also wanted to know if LFUCG we would be liable if the state defaulted and Barrow replied yes, since the series was a general obligation bond. She also wanted to know if LFUCG would own the property, Barrow said he did not have the answer. She asked Barrow to further pursue this question. O'Mara clarified saying LFUCG has three options or areas of protection such as lease payment, surplus and finally defer to legal if that were to be the case. Gorton urged answers to all possible scenarios.

Gray wanted to know where the \$140 million currently resides in the bonding scenario. Is it already accounted for in the \$365 million? Barrow said \$65 million is outstanding and explained it is included in our general obligation debt. Gray wanted to know when we first heard about this, and when we were going to add this. Barrow showed background slide going back to April 2009. He's asking these questions for clarity of future capacity for servicing the debt and wondering if this is like the WT Young Library deal. Barrow said he was not familiar with that transaction, but as reference said it's similar to the airport deal. O'Mara said we are in the second stage of this and rating agencies have already evaluated our capacity.

Beard asked if \$8 million in BAN (Series 2009C) was included in \$65 million BAN (Series 2010E) and Barrow said it was. Beard remarked you may want to illustrate this in a different way, citing it's somewhat confusing. Beard asked if this is a true ground lease or a sale. Barrow said the entire project would be leased through maturity to the state. Beard asked how the revenue stream will work. Barrow explained how it's allocated via the General Assembly.

Stinnett asked about the Eastern State project. O'Mara explained historical context, saying there was nothing in the FY08 or FY09 budget in order to get started so Lexington and the state got together and entered into this financial arrangement in order to keep the project going. Stinnett asked about interest rates and the airport, court house and Lexington Center Corporation bonds saying we are holding about \$30 million worth wanting to know if that has been considered. He said its complex in terms of the amount of bonds we have issued.

3. Update on Debt Management Policy

Stinnett said a draft proposal of a debt management policy was completed at last Thursday's sub committee meeting. He asked committee members if there were any objections to kept this in committee until such time a capital management policy could be drafted. He noted the administration would like to see this done on a parallel path with both a debt management and capital management policy. There were no objections to keep this in committee (debt management policy) and bringing it forward at the same time with a capital policy. Stinnett said the next Budget & Finance Committee meeting will feature the police/fire pension accrual report. He asked Commissioner Rumpke if the audit might be available and was told it would not be ready in time for the next meeting.

Motion to adjourn, seconded meeting adjourned at 1:48 pm