

URBAN COUNTY COUNCIL
June 20-June 27, 2011

Monday, June 20

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

Design Excellence Task Force Meeting.....3:00 pm
Conference Room-3rd Floor Phoenix Building

Special Quarterly Committee of the Whole Meeting.....4:30 pm
Conference Room-5th Floor Government Center

Tuesday, June 21

Council Core Staff Work Group Meeting.....10:00 am
Conference Room-5th Floor Government Center

Special Environmental Quality Committee Meeting.....11:00 am
Council Chambers-2nd Floor Government Center

Council Meeting-FY 12 Budget 1st Reading.....3:00 pm
Council Chambers-2nd Floor Government Center

Committee of the Whole Work Session Meeting.....3:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, June 22

MPO Certification Review Team Meeting.....8:00 am
Conference Room-5th Floor Government Center

MPO-Transportation Policy Committee Meeting.....2:30 pm
Council Chambers-2nd Floor Government Center

Charles Young Center Task Force Community Meeting.....5:30 pm
Charles Young Center, 540 E Third St

Thursday, June 23

Keep Lexington Beautiful Commission Meeting.....9:00 am
Conference Room-5th Floor Government Center

Redistricting Meeting.....10:00 am
Conference Room-3rd Floor Phoenix Building

Council Meeting-including FY 12 Budget 2nd Reading.....6:00 pm
Council Chambers-2nd Floor Government Center

Friday, June 24

No Meetings

Monday, June 27

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

COMMITTEE OF THE WHOLE WORK SESSION AGENDA

June 21, 2011

- I. **Public Comment – Issues on Agenda**
- II. **Approval of Summary-None**
- III. **Review of Docket below, pp.1-14;-complete Council Meeting work copy, pp.81-94**
Items will remain on docket unless one of the following actions are taken:
 - a. *Refer a matter to a council committee*
 - b. *Recommend that the administration provide additional information*
 - c. *Recommend that an item be removed*

ORDINANCES – FIRST READING (New Business)

16. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$10,080 Commonwealth of Ky. funds, are for the renovation of the Dunbar Community Center kitchen, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY2012 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/ Dept. of General Services, Gooding/Baradaran, BS 205-11, p.15]**
17. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Justice and Public Safety Cabinet, for the acceptance of additional Federal funds for the Ticketing Aggressive Cars and Trucks Program in the amount of \$25,000, the acceptance of which obligates the Urban County Government for the expenditure of \$6,250 as a local match, and appropriating funds pursuant to Schedule No. 127. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 220-11, p.16]**
18. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$368,000 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$87,000 as a local match, appropriating funds pursuant to FY2012 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of**

**Community Development/Dept. of Public Works & Development,
Gooding/Taylor, BS 211-11, p.17]**

19. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute a Change Order to the Contract with RRT Design and Construction, for additional engineering and design services, for the Materials Recovery Facility, increasing the contract price by the sum of \$70,675 from \$1,382,345 to \$1,453,020 and appropriating funds pursuant to Schedule No. 128. **[Dept. of Environmental Quality, Taylor, BS 213-11, pp.18-19]**

RESOLUTIONS – FIRST READING (New Business)

17. A Resolution accepting the bid of Claunch Construction, LLC, in the amount of \$787,999.10, for the Meadows-Northland-Arlington Neighborhood Improvements Project Phase 3D, for the Div. of Community Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Claunch Construction, LLC, related to the bid. **[Gooding]** (4 Bids, Low)
18. A Resolution accepting the bid of C & R Asphalt, establishing a unit price contract for crack sealing in the amount of \$1.15 per pound, for the Div. of Streets, Roads and Forestry. **[Williams]** (4 Bids, Low)
19. A Resolution accepting the bid of American Pavements, Inc., establishing a unit price contract for asphalt emulsion slurry seal in the amount of \$2.18 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (3 Bids, Non-Low)
20. A Resolution accepting the bid of Pavement Technology, Inc., establishing a unit price contract for asphalt surface maintenance with an asphalt rejuvenating agent in the amount of \$0.74 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (1 Bid)
21. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the proposal from Securus Technologies, for provision of offender telephone service at the Detention Center. **[Div. of Community Corrections, Bishop, BS 221-11, p.20]**
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to CHDO Agreement with the Fayette County Local Development Corp., for an additional \$15,656 in HOME Investment Partnership Program funds for development of four rental housing units. **[Div. of Community Development, Gooding, BS 200-11, p.21]**
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Fayette County Local Development Corp. and G.P. Russell Apartments, LLLP, for an additional \$194,000 in HOME funds for development of the Russell School property into rental unit for the elderly. **[Div. of Community Development, Gooding, BS 204-11, p.22]**

24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Adopt-a-Spot Program Agreements with Lexington Swingers Golf Club, Inc. (\$1,616), Alpha Kappa (\$1,023.12) and Alpha Kappa Alpha – Eta Rho Chapter (\$636.12) for participation in the Adopt-a-Spot Roadway Cleanup Program, at a cost not to exceed \$3,275.24. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 210-11, p.23]**
25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 14 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$2,088,076 from \$6,856,315.51 to \$8,944,391.51. **[Div. of Community Development/Dept. of Public Works & Development, BS 214-11, pp.24-27]**
26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement for Cost Sharing for the Central Ky. E-911 Network, with Jessamine County, Woodford County and additional jurisdictions approved by Lexington-Fayette Urban County Government's E-911 Board, at no cost to the Urban County Government. **[Div. of Emergency Management/911, Lucas, BS 217-11, p.28]**
27. A Resolution authorizing the Div. of Emergency Management/911 to obtain professional services related to the acquisition of a new public safety radio system from RCC Consultants, Inc., a sole source provider, at a cost not to exceed \$100,000.00, and authorizing the Mayor to execute any necessary documents. **[Div. of Emergency Management/911, Lucas, BS 218-11, pp.29-32]**
28. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements. **[Div. of Engineering, Rayan, BS 212-11, p.33]**
29. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, at a cost not to exceed \$209,000. **[Dept. of Environmental Quality, Taylor, BS 201-11, p.34]**
30. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Mary D. (Dee) Teater, d/b/a Teater Hats, for lease of 126 N. Broadway. **[Dept. of General Services, Baradaran, BS 197-11, p.35]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Lease with Legal Aid of the Bluegrass, to amend Contract 143-2010 for use of additional space and rent

at Black and Williams Community Center. **[Dept. of General Services, Baradaran, BS 199-11, p.36]**

32. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed, transferring 3,257 square feet of land located at 211 Corral St., from the Urban County Government to William L. Hassett, Jr. as a trustee under the Restated Revocable Living Trust for the Benefit of William L. Hassett, Jr., Charles D. Mitchell, Jr., Elizabeth Mitchell, Executrix, Estate of James L. Mitchell and Anne Hassett Zelle, upon the expiration of the contract extension for the 166 N. Martin Luther King Blvd. on December 31, 2011. **[Dept. of General Services, Baradaran, BS 209-11, p.37]**
33. A Resolution ratifying the probationary civil service appointment of: Brian Reynolds, Environmental Inspector, Grade 113N, \$17.132 hourly, in the Div. of Water Quality, effective June 27, 2011; ratifying the probationary sworn appointment of: Matthew Brotherton, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective May 23, 2011; ratifying the permanent civil service appointment of: Pamela Proctor, Accountant, Grade 113E, in the Div. of Accounting, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
34. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: David Price, \$12.459 hourly, Andrew Jackson, \$12.097 hourly, Sherman Cook, \$13.912 hourly, Carson Ritchie, \$12.459 hourly, Sonya Taylor, \$16.814 hourly, Anthony Sullivan, \$12.459 hourly, Ross Strong, \$13.524 hourly, Robert Bailey, \$18.750 hourly, Eric Wheeler, \$16.814 hourly, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resources, Jarvis]**
35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Sanitary Sewer Easement, releasing a portion of a sanitary sewer easement on property located at 3050 Spurr Rd. **[Dept. of Law, Graham, BS 207-11, p.38]**
36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing a portion of a utility easement and a portion of a storm water detention easement on property located at 1650 Bryan Station Rd. **[Dept. of Law, Graham, BS 208-11, p.39]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Settlement Agreement with TCF National Bank, for payment of liens and securing of Pennington Place, 205-215-245 Codell Dr. **[Dept. of Law, Graham, BS 215-11, p.40]**
38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY2012 for excess worker's

compensation insurance from New York Marine & General Insurance Co. at a cost not to exceed \$303,672; excess property, boiler and machinery insurance from Public Entity Property Insurance Program at a cost not to exceed \$260,806; excess special liability from National Casualty Co. at a cost not to exceed \$460,995; and aviation liability from Old Republic Insurance Co. and Phoenix Aviation Managers at a cost not to exceed \$8,054; and subject to sufficient funds being appropriated for the purposes; and authorizing the Mayor to execute all relevant documents. **[Dept. of Law, Graham, BS 216-11, pp.41-43]**

39. A Resolution approving the granting of an inducement to Specialty Vehicle Acquisition Corp. (SVAC d/b/a ASC), pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by ASC for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement ASC has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 222-11, pp.44-46]**
40. A Resolution approving the granting of an inducement to Transposagen Biopharmaceuticals, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Transposagen Biopharmaceuticals, Inc. for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Transposagen Biopharmaceuticals, Inc. has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 223-11, pp.47-49]**
41. A Resolution approving the granting of an inducement to Lockheed Martin Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Lockheed Martin Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Lockheed Martin Corporation has with the Ky. Economic Development Finance Authority and the Urban

County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 224-11, pp.50-52]**

42. A Resolution approving the granting of an inducement to Neogen Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Neogen Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Neogen Corporation has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 225-11, pp.53-55]**
43. A Resolution approving the granting of an inducement to Tempur-Pedic International, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Tempur-Pedic International for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Tempur-Pedic International has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 226-11, pp.56-58]**
44. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues, for use of baseball fields. **[Div. of Parks & Recreation, Hancock, BS 206-11, p.59]**
45. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizen's Police Academy Alumni Association (CPAAA) of various items and \$660 for the Junior Citizen Police Academy Program and \$350 for supplies to the Bureau of Patrol, Div. of Police. **[Div. of Police, Bastin, BS 198-11, p.60]**
46. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an ACH Credit Authorization with Open Portal Solutions, Inc., for credit deposits. **[Div. of Police, Bastin, BS 219-11, p.61]**

ORDINANCES –SECOND READING

1. An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1E) zone for 0.3329 net (0.4017 gross) acre, for property located at 221 Devonian Dr. (Lexington Habitat for Humanity, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King]**

2. An Ordinance changing the zone from a High Density Residential (R-4) zone to a Professional Office (P-1) zone for 1.26 net (3.99 gross) acres, with dimensional variances, for property located at 858 Malabu Dr. (a portion of) (SRG Properties, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King]**

3. An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter consolidating the Dept. of Environmental Quality and the Dept. of Public Works and Development and creating the Dept. of Environmental Quality and Public Works; creating the Office of the Chief Development Officer; abolishing the office of the Office of the Chief Information Officer; changing the name of the Dept. of Finance and Administration to the Dept. of Finance; changing the name of the Div. of Streets, Roads and Forestry to the Div. of Streets and Roads; changing the name of the Div. of Community Development to the Div. of Grants and Special Programs; transferring the Divs. of Environmental Policy, Water Quality and Waste Management from the Dept. of Environmental Quality to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Engineering, Streets, Roads and Forestry (Streets and Roads) and Traffic Engineering from the Dept. of Public Works and Development (Dept. of Public Works) to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Community Development (Div. of Grants and Special Program) and Risk Management from the Dept. of Finance and Administration (Dept. of Finance) to the Office of the Chief Administrative Officer; transferring the Divs. of Computer Services, Government Communications, Enterprise Solutions from the Office of the Chief Information Officer to the Office of the Chief Administrative Officer; transferring the Divs. of Historic Preservation, Planning and Purchase of Development Rights from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Office of the Chief Administrative Officer; transferring the Div. of Budgeting from the Office of Policy and Budget to the Dept. of Finance and Administration (Dept. of Finance); transferring the Div. of Human Resources from the Dept. of Finance and Administration (Dept. of Finance) to the Dept. of Law; transferring the Div. of Building Inspection from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Dept. of Public Safety; transferring the Office of Economic Development from the Office of the Senior Advisor to the Office of the Chief Development Officer; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Human Resources Manager, Grade 119E, one position of Payroll Analyst, Grade 115E and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Accounting; abolishing one (1) position of Human Resources Manager, Grade 119E, one (1) position of Payroll Analyst, Grade 115E, and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Human Resources; creating two (2) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Trades Supervisor, Grade 113N, all in the Div. of Fire and Emergency Services; abolishing one (1) position of Operations Manager, Grade 116E, five (5) positions of Trades Supervisor, Grade 113N, six (6) positions of Skilled Trades Worker Sr., Grade 112N, one (1)

position of Public Service Supervisor, Grade 111N, five (5) positions of Skilled Trades Worker, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Stores Clerk, Grade 107N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Public Service Worker, Grade 106N, all in the Div. of Facilities and Fleet Management; creating four (4) positions of Trades Supervisor, Grade 113N, one (1) position of Public Service Supervisor, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Stores Clerk, Grade 107N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Public Service Worker, Grade 106N, five (5) positions of Skilled Trades Worker, Grade 111N, four (4) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Operations Manager, Grade 116E, all in the Div. of Parks and Recreation; abolishing one (1) position of Urban Forester, Grade 116E, one (1) position of Arborist Technician, Grade 112N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Streets, Roads and Forestry (Div. of Streets and Roads); abolishing one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, and four (4) positions of Engineering Technician, Grade 111N, all in the Div. of Engineering; creating one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, four (4) positions of Engineering Technician, Grade 111N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Water Quality; creating one (1) position of Urban Forester, Grade 116E, and one (1) position of Arborist Technician, Grade 112N, all in the Div. of Environmental Policy; and creating three (3) positions of Managing Attorney, Grade 123E, all in the Dept. of Law; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Senior Advisor, Grade 212E and three (3) positions of Administrative Aide to Mayor, Grade 118E, all in the Office of the Mayor; creating one (1) position of Chief Development Officer, Grade 212E, in the Office of the Chief Development Officer; creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Accounting; creating three (3) positions of Administrative Officer, Grade 118E, in the Office of the Chief Administrative Officer; and abolishing one (1) position of Senior Advisor, Grade 212E and one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Administrative Officer; transferring all incumbents and all vacant positions at the current job classification, pay grade and salary; amending Section 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 177-11]**

4. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 123. **[Div. of Budgeting, Barrow]**
5. An Ordinance creating and establishing for bid a non-exclusive electric franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from electric service provided within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11]**
6. An Ordinance creating and establishing for bid a non-exclusive gas franchise for the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from the sale, distribution, and/or delivery of gas within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11]**
7. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of \$1,916,118 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 187-11]**
8. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$1,963,475 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 12, and authorizing the

Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 189-11]**

9. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown Pike Extension Project in the amount of \$5,088,000, and appropriating funds pursuant to Schedule No. 122. **[Div. of Community Development/Dept. of Public Works and Development, Gooding/Taylor, BS 195-11]**
10. An Ordinance creating and enacting Chapter 2B of the Code of Ordinances of the Lexington-Fayette Urban County Government pertaining to Code Enforcement Administrative Hearing Boards created pursuant to KRS 65.8801 et. seq., and providing for creation of boards; membership, appointment, reappointment, alternates, terms, residency, and vacancies of members; organization and meetings; powers, enforcement proceedings and civil citations; hearings, procedure and final orders; appeals; liens, releases and personal liability; and immediate abatement actions; amending Subsection 12-16(b) of the Code to provide for thirty days to appeal; amending Sections 13-73.5, 16-76, 16-76.1, 17-4.1, and 17-4.2 and Subsections 16-8(h), 16-50(f), (g), (h), (i), 16-202(b), and 16-206(c) and (f) of the Code to reference and be consistent with the provisions of Chapter 2B of the Code; deleting Sections 16-77, 16-79, 16-80, 16-81, 16-82, 17-4.3, 17-4.5, 17-4.6, and 17-4.7 of the Code; and amending Sections 16-78, 16-83, and 17-4.4 of the Code to be consistent with the provisions of Chapter 2B of the Code and renumbering to Sections 16-77, 16-78, and 17-4.3 of the Code; all effective on July 1, 2011. **[Dept. of Law, Graham, BS 196-11]**
11. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,796.91 from Neighborhood Development Funds in the Div. of Fire and Emergency Services for purchase of training equipment, and appropriating and re-appropriating funds, Schedule No. 124. **[Council Office, Williams]**
12. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for purchase of a scoreboard for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 125. **[Council Office, Williams]**
13. An Ordinance amending Section 4-12.5(d)(7) of the Code of Ordinances, relating to standards for kennels, to require that a tether for a dog be at least twelve (12) feet in length. **[Dept. of Public Safety, Mason, BS 179-11]**
14. An Ordinance amending Section 2-382 of the Code of Ordinances, relating to the Court-Appointed Special Advocate Board, to change the length of term for board members from two (2) years to four (4) years and to remove the Fayette

County Family Court Judges as ex officio board members. **[Dept. of Social Services, Mills, BS 191-11]**

15. An Ordinance amending Section 18-129(2) of the Code of Ordinances related to parking of vehicles in any residential section to prohibit parking in residential back yards. **[Council Office]**

RESOLUTIONS – SECOND READING

23. A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for vehicle steam cleaning, for the Div. of Facilities and Fleet Management. **[Baradaran]** (1 Bid)
24. A Resolution accepting the bids of National Coatings & Supplies; Freedom Dodge-Chrysler-Jeep; Lexington Truck Sales, Inc.; World-Wide Equipment; Republic Diesel; Alton Blakley Ford-Lincoln-Mercury-Mazda-Honda; Nandino Industrial Electric, Inc.; S&S Tire Truck Alignment & Brake Center, Inc.; Cummins Crosspoint, LLC; Paul Miller Ford; NAPA Auto Parts; General Parts Distribution, LLC d/b/a Carquest Auto Parts; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Peterbilt of Louisville; Bluegrass International; Clarke Power Services; KOI Auto Parts; Power Train of Ky.; Lexington Auto Spring Co.; Truck Pro; and Fleet Pride, establishing price contracts for automotive and truck parts, for the Div. of Facilities and Fleet Management. **[Baradaran]** (22 Bids, Low)
25. A Resolution accepting the bid of Red River Ranch, LLC, in the amount of \$103,361 for Compost Pond Discharge Improvements, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
26. A Resolution accepting the bid of Leak Eliminators, LLC, in the amount of \$225,060 for Haley Pike Landfill Leachate Treatment System Wetlands Improvements, for the Div. of Waste Management. **[Feese]** (2 Bids, Low)
27. A Resolution accepting the bid of Moore Gabbard Bridges General Contractor, in the amount of \$184,800 for Building Renovation – Electronics Recycling Center, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
28. A Resolution accepting the bid of National Workwear for work shoes, for the Div.'s of Waste Management, Facilities and Fleet Management, Streets, Roads and Forestry and Water Quality. **[Feese, Baradaran, Williams, Martin]** (2 Bids, Low)
29. A Resolution changing the property address numbers of 3, 2, 5, 4, 7, 6, 9, 8, 11, 10, 13, 12, 15, 14, 17, 16, 19, 18, 21, 20, 23, 22, 25, 24, 27, 26, 29, 28, 31, 28 ½, 33, 30, 35, 32, 37, 34, 39, 36, 41, 38, 43, 40, 43 ½, 42, 45, 44, 47, and 51 Richmond Ave. to 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Richmond Ave., effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**

30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification with M2D Design Group, for the design of Corridor Enhancement Grant for the Newtown Pike Landscaping Project, at a cost not to exceed \$10,000. **[Div. of Community Development/Council Office, Gooding/Williams, BS 183-11]**
31. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,806,712.50 Federal funds and \$289,074.00 Commonwealth of Ky. funds under the Federal Emergency Management Agency's Hazard Mitigation Grant Program, and are for the acquisition and demolition of twelve residential properties on Lansdowne Dr., Medlock Rd. and Argonne Circle. **[Div. of Community Development/Dept. of Environmental Quality, Gooding/Taylor, BS 194-11]**
32. A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase Zumro air shelters and equipment under the Metropolitan Medical Response System Project from Zumro, Inc., a sole source provider, at a cost not to exceed \$69,055.20. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 181-11]**
33. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$143,243 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 188-11]**
34. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Neighbors of Montclair, Inc. (\$2,000), Columbia Heights Neighborhood Association, Inc. (\$2,000), Seedleaf, Inc. (\$1,000), Radcliffe-Marlboro Neighborhood Association, Inc. (\$900), Highlands Neighborhood Association, Inc. (\$447), Georgetown St. Area Neighborhood Association, Inc. (\$1,000), Historic Western Suburb Neighborhood Association, Inc. (\$184), Cardinal Valley Neighborhood Association, Inc. (\$1,270), CASA for Children of Lexington (\$1,000), Joyland Neighborhood Association (\$100), Batesbrook Neighborhood Association, Inc. (\$2,080), Andover Neighborhood Association, Inc. (\$300), Wellington Elementary PTA Corporation (\$500), Bluegrass Community Foundation, Inc. (\$2,500), Beaumont Centre Family YMCA (\$875), Hope Center, Inc. (\$2,325), American Lung Association of Ky., Inc. (\$1,600), Chrysalis House, Inc. (\$1,400), Downtown Lexington Corporation (\$1,000), Lexington Humane Society (\$1,125), The Temple of Prayer of God in Christ (\$300), Harrod Hills Neighborhood Association, Inc. (\$900), Dogwood Trace Neighborhood

Association, Inc. (\$900), and Garden Springs Neighborhood Association, Inc. (\$900), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Right of Entry with Commonwealth of Ky., Div. of Waste Management, for performance of remedial activities at Raven Run Nature Sanctuary, at no cost to the Urban County Government. **[Div. of Environmental Policy, Bush, BS 184-11]**
36. A Resolution ratifying the probationary civil service appointment of: Kenneth Newby, Public Service Supervisor, Grade 111N, \$19.089 hourly, in the Div. of Water Quality, effective May 30, 2011; ratifying the permanent civil service appointments of: Cynthia Shuster, Administrative Officer Sr., Grade 120E, in the Dept. of Finance and Administration, effective May 22, 2011; Shandra McCauley, Stores Clerk, Grade 107N, effective April 26, 2011; Nelson Wright, Vehicle and Equipment Mechanic, Grade 110N, effective April 29, 2011; Anthony King, Public Service Supervisor Sr., Grade 114E, effective April 25, 2011, in the Div. of Streets, Roads and Forestry; Charles Burchett, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective April 25, 2011; ratifying the unclassified civil service appointment of: Linda Taylor, Program Administrator, Grade 117E, \$2,463.92 bi-weekly, in the Div. of Youth Services, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Chrysalis House, Inc., for participation in the Police Activities League. **[Div. of Police, Bastin, BS 193-11]**
38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Pasadena Neighborhood Association, Inc. (\$900), and Neighbors United for South Elkhorn Creek, Inc. (\$692), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

IV. Review of Budget Amendments, p.62

V. Agenda Items Referred from Council Members-None

Items will remain on docket unless one of the following actions are taken:

- a. *Refer a matter to a council committee*
- b. *Recommend that the item be placed on the docket of an official session of the Urban County Council*
- c. *Recommend that no action be taken*

VI. Committee Reports

A. 5.12.11 Special Social Services Committee, pp.63-77

B. 6.7.11 General Government Committee, pp.78-80

VII. Council Reports

VIII. Public Comment – Issues Not on Agenda

IX. Adjournment



205-11
15

Mayor Jim Gray
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

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

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

DATE: JUNE 2, 2011

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION, AND ACCEPT AWARD IF OFFERED, TO THE
BLUEGRASS AREA DEVELOPMENT DISTRICT FOR
ALLOCATION OF AREA DEVELOPMENT FUND—FY 2012**

Bluegrass Area Development District has announced that the Lexington-Fayette Urban County Government is eligible to receive an allocation of \$10,080 in Area Development Fund dollars for Fiscal Year 2012. These are state general fund dollars approved by the Legislature that may only be used for capital projects. The project for which the LFUCG will be making application for this year is the renovation of Dunbar Community Center Kitchen Renovation. This will include appliances, plumbing, electrical, flooring, and storage improvements.

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

Irene Gooding, Acting Director

Xc: Jamshid Baradaran, Acting Commissioner of General Services

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov



220-11
16

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

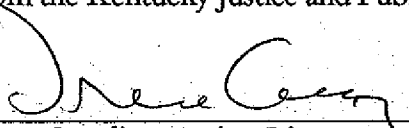
DATE: JUNE 6, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MEMORANDUM OF AGREEMENT, ACCEPTING ADDITIONAL
FEDERAL FUNDS FROM THE KENTUCKY JUSTICE AND PUBLIC
SAFETY CABINET, KENTUCKY STATE POLICE FOR TICKETING
AGGRESSIVE CARS AND TRUCKS GRANT PROGRAM - FY 2011

The Kentucky State Police has received high priority Motor Carrier Safety Assistance Program funds from the United States Department of Transportation, Federal Motor Carrier Safety Administration for continuation of TACT ("Ticketing Aggressive Cars and Trucks") Grant Program in Kentucky. The Kentucky Justice and Public Safety Cabinet awarded Lexington-Fayette Urban County Government's Division of Police funds to conduct TACT activities. Council approved acceptance of funds on August 26, 2010 (Ordinance No. 143-2010)

Additional federal funding in the amount of \$25,000 will be provided by Kentucky Justice and Public Safety Cabinet to LFUCG for officer overtime in the performance of TACT activities. A 20% match is required. The match of \$6,250 will come from existing budgeted staff salaries in the Division of Police. Total cost of the project is now \$62,500.

Council authorization to execute Memorandum of Agreement, accepting additional federal funds from the Kentucky Justice and Public Safety Cabinet, is hereby requested.


Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD



211-11

17

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 2, 2011

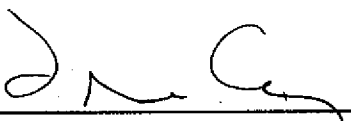
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE
KENTUCKY TRANSPORTATION CABINET FOR ITS/CMS (INTELLIGENT
TRANSPORTATION SYSTEM/CONGESTION MANAGEMENT SYSTEM)
TRAFFIC IMPROVEMENTS PROJECT FOR FY 2012

The Kentucky Transportation Cabinet has offered the Lexington-Fayette Urban County Government an award of \$348,000 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 civil service salaries, overtime, fringe benefits, professional development, 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 \$87,000 is required. Total project cost is \$435,000. Grant match has been requested in the Division of Traffic Engineering Fiscal Year 2012 general fund budget.

Council authorization to accept the award is hereby requested, subject to the availability of sufficient funds in FY 2012.



Irene Gooding, Acting Director

Xc: Cheryl Taylor, Commissioner of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD



213-11

18

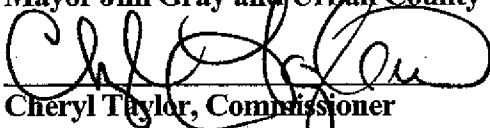
Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl Taylor
Commissioner

MEMORANDUM

TO: Mayor Jim Gray and Urban County Council

FROM: 
Cheryl Taylor, Commissioner
Department of Environmental Quality

DATE: May 31, 2011

RE: Request for Approval of a Change Order to RRT Design and Construction for \$70,675 to Purchase Order #LF00072375 for Proposal 20-2010 for Design and Engineering Services for the access road to the new MRF and storm pipe work required to accomplish the overall project

We are requesting approval of a change order to Purchase Order #LF0072375 in the amount of \$70,675 to RRT Design and Construction for additional engineering and design service for the off-site roadway and storm pipe work to be completed as part of the current project.

The work to be performed in these areas is outside the boundaries of the 31-acre site which the RRT Team is currently providing engineering and design services for the new material recovery facility (MRF).

We have attached the requested fees associated with this proposed Change order.

CONTRACT HISTORY FORM

Contractor: RRT Design and Construction
Project Name: LFUCG MRF Design Project

Project Number and Date 272-013 2010

Responsible LFUCG Division: Division of Waste Management

CHANGE ORDER DETAILS

	<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A.	Original Contract Amount: \$		1,382,345
B.	Cumulative Amount of Previous Change Orders: \$		<u>0</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order: \$	1,382,345	
<u>Current Change Order</u>			
D.	Amount of This Change Order: \$	70,675	<u>5</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order : \$	1,453,020	<u>1.05</u> % (Line E / Line A)

SIGNATURE LINES

Project Manager:

Joyce Thomas

Date: 6/9/11

Reviewed by:

J. B. [Signature]

Date: 6-9-2011

Steven D. [Signature]

Division Director:

Date: 6-9-11

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETYJim Gray
MayorClay Mason
Commissioner

MEMORANDUM

TO : Brian Marcum, Director
Division of Central Purchasing

FROM : Ron Bishop
Ron Bishop, Director
Division of Community Corrections

DATE : June 9, 2011

SUBJECT: **OFFENDER TELEPHONE SERVICE FOR COMMUNITY CORRECTIONS
PROPOSAL RECOMMENDATION**

The Division is in receipt of the submitted proposals for RFP #4-2011 for the provision of the offender telephone service at the Division of Community Corrections. The companies that submitted proposals were: GTL, VAC, Paytel, CenturyLink, Legacy Inmate Communications, Telmate, and Securus Technologies.

The proposals were reviewed by a committee comprised of Community Corrections and Purchasing personnel. The committee members were Todd Slatin (Purchasing), and from the Division of Community Corrections: Gina Dulin, Capt. Dwight Hall, Capt. Jeff Carter, and Major Noland Hill. Each committee member reviewed the proposals and submitted a scoring sheet to Mr. Slatin.

Securus Technologies was the vendor selected by the committee members. Securus Technologies met all of the requirements outlined by the proposal. Securus Technologies offered a high commission rate with low telephone rates. The proposed rate is \$1.85 (plus applicable taxes) for a local call with a 72% commission rate. This commission rate is a 16% increase from the current offender telephone service, while the rates charged to the inmates did not increase.

The other vendors did not meet all of the requirements outlined in the proposal, offered a lower commission rate, and/or higher telephone rates.



200-11
21

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 27, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO CHDO AGREEMENT WITH FAYETTE
COUNTY LOCAL DEVELOPMENT CORPORATION (URBAN
LEAGUE) FOR USE OF HOME INVESTMENT PARTNERSHIPS
FUNDS

On April 23, 2009 (Ordinance # 52-2009), Council authorized execution of an agreement with Fayette County Local Development Corporation providing an allocation of \$210,000 in Home Investment Partnerships Program funds for partial funding of four new rental housing units and \$40,000 for CHDO (Community Housing Development Organization) operations, in accordance with the 2009 Consolidated Plan.

Fayette County Local Development Corporation has provided evidence that additional funds are needed for production of rental units due to need to excavate the site deeper, remove excessive debris, and to fill abandoned cisterns. Additional production costs are \$15,656, creating total HOME rental production costs of \$225,656.

An amendment to agreement providing for additional funds to be added to the agreement and to modify how the LFUCG reimburses the organization for operating costs is hereby proposed. Funds are being budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3120	900207	0001	71101	HOME 2008	H02	2008

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

Irene Gooding, Acting Director

Xc: Richard Moloney, Chief Administrative Officer

HORSE CAPITAL OF THE WORLD



204-11
22

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

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

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

DATE: MAY 27, 2011

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO AGREEMENT WITH FAYETTE COUNTY
LOCAL DEVELOPMENT CORPORATION (URBAN LEAGUE)
AND G.P. RUSSELL APARTMENTS FOR ADDITIONAL
FUNDING FOR DEVELOPMENT OF APARTMENT UNITS FOR
ELDERLY PERSONS**

On August 26, 2010 (Ordinance # 146-2010), Council authorized execution of a HOME agreement with Fayette County Local Development Corporation providing an allocation of \$300,000 in Home Investment Partnerships Program funds for partial funding of conversion of space at Russell School property into rental units for elderly persons. Fayette County Local Development Corporation has created G.P. Russell Apartments, LLLP to serve as entity to owner and operator of the project.

The developer has provided evidence that additional funds in the amount of \$194,000 are needed for conversion of a portion of the structure to rental units to improve accessibility and safety, and to provide for long-term building maintenance. The building will include 27 units of affordable rental housing for elderly households. Total HOME Investment will be \$494,000.

Funds are being budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3120	900207	0001	71101	HOME 2008	H03	2008

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


Irene Gooding, Acting Director

Xc: Richard Moloney, Chief Administrative Officer

HORSE CAPITAL OF THE WORLD



210-11
23

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 6, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENTS
WITH VARIOUS NONPROFIT ORGANIZATIONS FOR PARTICIPATION
IN THE ADOPT-A-SPOT ROADWAY CLEANUP PROGRAM— FY 2011

The Lexington-Fayette Urban County Government is a recipient of state funds from the Kentucky Pride Fund providing for litter cleanups on Fayette County roadways. The LFUCG Department of Public Works uses a portion of these funds to support the Adopt-a-Spot program. The Adopt-a-Spot program includes the participation of non-profit organizations who conduct litter pickups on designated roadways four times per year. This program, modeled after a successful state adopt-a-spot program, was implemented several years ago in response to a request from citizens who voiced a need for litter pick-up on public roadways. The dollar amounts are based upon mileage and difficulty.

Agreements are proposed with the following organizations that will conduct clean-ups on inner city roadways:

- Lexington Swingers Golf Club, Inc., in the amount of \$1,616.00
- Alpha Kappa in the amount of \$1,023.12
- Alpha Kappa Alpha-Eta Rho Chapter in the amount of \$636.12

Funds for these activities are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3400	303301	0001	71299	KYPRIDE 2011	2011	STA GRANT

Council authorization to execute agreements with various nonprofit organizations is hereby requested.


Irene Gooding, Acting Director

Xc: Cheryl Taylor, Commissioner of Department of Environmental Quality and Public works

HORSE CAPITAL OF THE WORLD



214-11
24

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 6, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT
#14 TO AGREEMENT WITH ENTRAN (FORMERLY KNOWN AS
AMERICAN CONSULTING ENGINEERS, PLC) FOR THE NEWTOWN
PIKE EXTENSION PROJECT

The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension was authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

The Urban County Council approved a professional services contract with American Consulting Engineers, PLC, in the amount of \$1,666,699 on October 11, 2001 (Resolution No. 633-2001).

- Amendment #1 in the amount of \$70,049.00 was approved by Council on March 21, 2002 (Resolution No. 150-2002).
- Amendment #2 in the amount of \$128,900 was approved by Council on December 12, 2002 (Resolution No. 750-2002).
- Amendment #3 in the amount \$699,834.84 was approved by Council on May 29, 2003 (Resolution No. 246-2003).
- Amendment #4 in the amount of \$16,770 was approved by Council on November 6, 2003 (Resolution No. 591-2003).
- Amendment #5 in the amount of \$589,878 was approved by Council on September 9, 2004 (Resolution No. 475-2004).
- Amendment #6 in the amount of \$949,886 was approved by Council on July 12, 2005 (Resolution No. 392-2005).
- Amendment #7 in the amount of \$586,703.68 was approved by Council on February 8, 2007 (Resolution No. 39-2007).
- Amendment #8 in the amount of \$752,396 was approved by Council on June 26, 2008 (Resolution No. 381-2008).

HORSE CAPITAL OF THE WORLD

- Amendment #9 in the amount of 605,853 was approved by Council on December 8, 2009 (Resolution No. 792-2009).
- Amendment #10 in the amount of \$159,036 was approved by Council on May 6, 2010 (Resolution No. 233-2010).
- Amendment #11 in the amount of \$350,496 was approved by Council on June 24, 2010 (Resolution No. 358-2010)
- Amendment #12 in the amount of \$37,850 was approved by Council on October 14, 2010 (Resolution No. 545-2010)
- Amendment #13 in the amount of \$241,964 was approved by Council on March 17, 2011 (Resolution No. 101-2011)

Amendment #14 with Entran (Formerly American Consulting Engineers, PLC) is in the amount of \$2,088,076 making a new contract total of \$8,944,391.51 for professional services. The purpose is to develop right-of-way plans and construction plans for Phase II (Versailles Road to South Broadway) and to develop construction plans for a new reinforced concrete box culvert for the Lower Town Branch. This Contract modification also includes all outstanding items that have been completed by Entran for the Phase I design modifications and the construction of Phase IV. Sub-consulting services shall also be extended for Hall-Harmon Engineers to make modifications to the development plan and the construction plans for the Phase I redevelopment area, for EHI Inc. to perform oversight for the community and housing components, for Michael Brown (Burlington and Associates) to provide ongoing assistance to the Lexington Community Land Trust, for Louis F. Cohn to perform a modified noise analysis, and to extend the Neighborhood Liaison's contract for another twelve months.

The Kentucky Transportation Cabinet has reviewed Change Order #14, and has determined the manhours, fees, and scope of work are reasonable and meet the requirements set forth in the Record of Decision and the Final Environmental Impact Statement. They have approved the processing of Change Order #14.

Funds for Amendment #14 are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	ACTIVITY	BUD REF
3160	303202	3211	91715	NEWTOWNPK_2011	FED_GRANT	2011

Council authorization to execute amendment #14 to the agreement with ENTRAN is hereby requested.


Irene Gooding, Acting Director

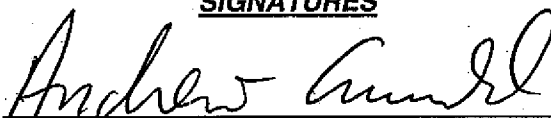
Xc: Cheryl Taylor, Commissioner of the Department of Environmental Quality and Public Works

CONTRACT HISTORY FORMProject Name: Newtown Pike ExtensionContractor: Entran (Formerly American Consulting Engineers, PLC)Contract Number and Date: 4661 October 11, 2001Responsible LFUCG Division: Division of Engineering**CONTRACT AND CHANGE ORDER DETAILS**A. Original Contract Amount: \$ 1,666,698.99Next Lowest Bid Amount:
N/A

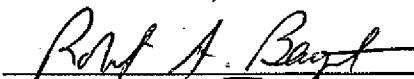
B. Amount of Selected Alternate or Phase: \$ _____

C. Cumulative Amount of All Previous Alternates or Phases: \$ 1,666,698.99D. Amended Contract Amount: \$ 1,666,698.99E. Cumulative Amount of All Previous Change Orders: \$ 5,189,616.52 311.4%
(Line E / Line D)F. Amount of This Change Order: \$ 2,088,076.00 125.3%
(Line F / Line D)G. Total Contract Amount: \$ 8,944,391.51**SIGNATURES**


Project Manager:


Andrew Grunwald, P.E.Date: 6/2/11

Reviewed by:


Robert Bayert, P.E.Date: 6/2/11

Division Director:


Marwan Rayan, P.E.Date: 6/2/11

AMENDMENT NO. 14
Newtown Pike Extension Project
Contract Dated October 11, 2001

Purpose/Reason for Amendment:

The purpose will be to amend Entran (Formerly American Consulting Engineers, PLC) contract to develop right-of-way plans for Phase II (Versailles Road to South Broadway), construction plans for Phase II as well as develop construction plans for a new reinforced concrete box culvert for the Lower Town Branch. This Contract modification also includes all outstanding items that have been completed by Entran for the Phase I design modifications and the construction of Phase IV. Sub-consulting services shall also be extended for Hall-Harmon Engineers to make modifications to the development plan and the construction plans for the Phase I redevelopment area, for EHI Inc. to perform oversight for the community and housing components, for Michael Brown (Burlington and Associates) to provide ongoing assistance to the Lexington Community Land Trust, for Louis F. Cohn to perform a modified noise analysis, and to extend the Neighborhood Liaison's contract for another twelve months.

Original Contract Amount	.....\$1,666,698.99
Amendment No. 1	.....\$ 70,049.00
Amendment No. 2	.....\$ 128,900.00
Amendment No. 3	.....\$ 699,834.84
Amendment No. 4	.....\$ 16,770.00
Amendment No. 5	.....\$ 589,878.00
Amendment No. 6	.....\$ 949,886.00
Amendment No. 7	.....\$ 586,703.68
Amendment No. 8	.....\$ 752,396.00
Amendment No. 9	.....\$ 605,853.00
Amendment No. 10	.....\$ 159,036.00
Amendment No. 11	.....\$ 350,496.00
Amendment No. 12	.....\$ 37,850.00
Amendment No. 13	.....\$ 241,964.00
Amendment No. 14	.....\$2,088,076.00
NEW CONTRACT AMOUNT	.....<u>\$8,944,391.51</u>

Owner:

Jim Gray
Mayor
Lexington Fayette Urban County Government
200 East Main Street, 12th Floor
Lexington, Kentucky, 40507

Attest

Consultant:

Glenn A. Hardin, P.E.
Transportation Engineering Manager
Entran
Formerly - American Consulting Engineers, PLC
400 East Vine Street, Suite 100
Lexington, Kentucky, 40507-1577

Attest



217-11
28

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

June 7, 2010

TO: Mayor Jim Gray and Urban County Council
FROM: David S Lucas, Director of Enhanced 9-1-1 *(DCL)*
RE: Agreement for Central Kentucky 9-1-1 Network
VIA: Clay Mason, Commissioner of Public Safety

This request will authorize the mayor to enter an agreement with other 9-1-1 call centers within the Central Kentucky 9-1-1 Network (CKY Network). The attached agreement is a cost sharing plan between the founder partners; LFUCG, Jessamine County and Woodford County.

The initial cost savings to LFUCG is approx \$40,000 per year based on the original participants with expected savings surpassing \$100,000 by FY2013 as other participants come online. All revenues obtained thru the cost sharing plan are dedicated to the ongoing maintenance, operation and servicing of the CKY Network's hardware, software, database and related peripherals.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Cost Sharing Agreement
3. Estimated Partnership Cost



218-11
29

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

June 7, 2010

TO: Mayor Jim Gray and Urban County Council

FROM: David S Lucas, Director of Enhanced 9-1-1 

RE: Services from RCC Consultants, Inc

VIA: Clay Mason, Commissioner of Public Safety

This request will authorize the mayor to obtain professional services from RCC Consultants, as a sole source provider, to provide assistance in the development of RFP specifications for a new LFUCG Radio system along with technical analysis, review and consultation of related responses.

The total cost for services is not to exceed \$100,000 and all funds are currently budgeted within the Division of Enhanced 911 (Fund 4204) within FY2011 & FY2012. The requested services meet all state specifications and are acceptable 911 expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Justification for Sole Source Certification
3. RCC Scope of work



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

Sole Source Purchases are defined clearly, based upon a legitimate need, and are limited to a single supplier. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and/or cost effective feature requirement. The use of sole source purchases must be justified and shall be limited only to those specific instances in which compatibility or technical performance needs are being satisfied.

Sole Source Services are defined as a service provider providing technical expertise of such a unique nature that the service provider is clearly and justifiably the only practicable source available to provide the service. The justification shall be based on the uniqueness of the service, sole availability at the location required, or warranty or defect correction service obligations of the service provider.

This form must be filled out for the request to purchase any good or non-professional service that requires a competitive procurement process (informal quotes (\$1001-\$10,000), formal quotes (\$10,001 - \$19,999.99), or formal bid (\$20,000 or more) as defined in the LFUCG's Purchasing Manual. This form must be completed in its entirety and attached to the purchase requisition.

Note: Sole Source Purchase requests for goods exceeding \$20,000 will require approval by the Urban County Council by submitting an Administrative Review Form. A copy of this form must be signed off by Central Purchasing and attached to the Administrative Review Form.

Requesting Division

Name David Lucas Division/Dept Division of E911

Phone 859-258-3380 Email davidl@lexingtonky.gov

Type of Purchase: () Goods/Materials/Equipment (X) Services

Cost: \$100,000

Sole Source Request for the Purchase of:

Consulting services related to the development of RFP specifications for a new LFUCG Radio System and related analysis: before, during and after vendor(s) selection.

☐ One Time Purchase ☒ To Establish Sole Source Provider Contract
(subject to annual review and approval by Central Purchasing and/or Urban County Council)

Vendor Information

Business Name RCC Consultants, Inc

Contact Name Darek Wieczorek

Address 118 Greenwing Ct; Georgetown, KY 40324

Phone 502-370-4381 Email dwieczorek@rcc.com



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

STATEMENT OF NEED: (Add additional pages as needed)

My division/department's recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the LFUCG. I know of no conflict of interest on my part, and I have no personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials, persons or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

1. Describe the product or service and list the necessary features this product provides that are not available from any other option.

Due to the short timeframe to meet federal requirements and RCC's experience studying LFUCG's current system and others within Central Kentucky, RCC is the only consultant who has the expertise related to LFUCG's unique situation, extensive experience with radio system acquisitions and the ability to meet our aggressive timeline.

2. Below are eligible reasons for sole source. Check one and describe.

☐ Licensed or patented product or service. No other vendor provides this. Warranty or defect correction service obligations to the consultant. Describe why it is mandatory to use this licensed or patented product or service.

☐ Existing LFUCG equipment, inventory, custom-built information system, custom-built data inventory system, or similar products or programs. Describe. If product is off-the-shelf, list efforts to find other vendors (i.e. web site search, contacting the manufacturer to see if other dealers are available to service this region, etc.)

☒ Uniqueness of the service. Describe.

RCC completed a Radio Interoperability Study for LFUCG that identifies our radio deficiencies and outlines recommended solutions. Due to this extensive study, RCC is uniquely qualified to provide technical expertise for RFP preparation, review and related consultation for radio infrastructure and subscriber unit acquisition. RCC does not provide radio hardware, software or other services that will be requested within the RFP.

☐ The LFUCG has established a standard for this manufacturer, supplier, or provider and there is only one vendor. Attach documentation from manufacturer to confirm that only one dealer provides the product.

☐ Factory-authorized warranty service available only from this single dealer. Sole availability at the location required. Describe.

☐ Used item with bargain price (describe what a new item would cost). Describe.

☐ Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

3. Describe efforts to find other vendors or consultants (i.e. phone inquiries, web site search, contacting the manufacturer to see if other dealers are available to service region, etc.).

RCC was selected to perform the initial assessment based on recommendations from other jurisdictions that have performed similar analysis. At that time, other consultants were reviewed but were not selected due to their relationships with vendors and/or proximity to LFUCG. Cost was a consideration as well.

4. How was the price offered determined to be fair and reasonable?

(Explain what the basis was for comparison and include cost analyses as applicable.)

The cost was based on hourly rate as used with previous work performed for LFUCG and other entities. Additionally, travel costs were reduced and are a reimbursement basis only. After review with other jurisdictions, the hourly rates and total hours required was deemed reasonable based on industry standards.

5. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

Due to the consultants proximity to Lexington (Georgetown, KY) travel cost are very minimal. Expertise obtained during the Interoperability Study has greatly reduced the total hours required for all services related to the RFP process. RCC has demonstrated an ability to greatly reduce final vendor cost, thus further savings are anticipated during the negotiating process.



212-11

33


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

Jim Gray
Mayor

Cheryl A. Taylor
Commissioner

MEMORANDUM

TO: Mayor Jim Gray

FROM: Marwan Rayan, P.E.
Urban County Engineer 

DATE: May 26, 2011

RE: Bridge Posting Requirements

We are requesting that the Mayor and Council authorize the signing of the attached "Statement of Compliance" bridge posting requirements.

Each year the Kentucky Department of Highways informs the LFUCG of our bridge weight limit posting needs. According to the attached memo from Mr. James E. Ballinger, P.E., Chief District Engineer, all substandard bridges in Fayette County were found to be properly posted, and therefore, are in compliance with the "National Bridge Inspection Standards, Bridge Posting Requirement". In order to remain in compliance with and be eligible to receive Federal Bridge Rehabilitation or Replacement funds, we must sign and return the attached form as soon as possible.

As of March, 2011 all bridge posting requirements have been met and were confirmed visually by Traffic Engineering. A copy of LFUCG Division of Traffic Engineering, posting inventory is included for review.

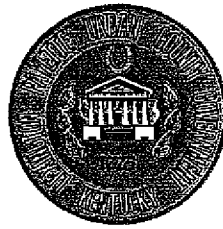
After signing, please return the form to us, and we will get it to the appropriate State personnel. Please call Andrew Grunwald or myself if you need additional information.

MR: AG: md

Attachment

C: Bob Bayert, P.E.
Andrew Grunwald, P.E.
File

11.1000.116.Bridge Posting Requirements5-26-11.doc




Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Cheryl Taylor
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Richard Moloney, CAO
Urban County Council

From: 
Cheryl A. Taylor, Commissioner
Department of Environmental Quality & Public Works

Date: May 31, 2011

Re: Requesting authorization to award a contract to Group CJ for FY 2012 stormwater education/outreach

The Department of Environmental Quality and Public Works is requesting authorization to award a contract with Group CJ for the Division of Environmental Policy. The selection committee recommended Group CJ from the six proposals received in response to the RFP.

The state Municipal Separate Storm Sewer System permit requires Lexington to have a Public Education and Public Involvement component for its stormwater program. Group CJ is expected to develop messaging related to stormwater pollution issues such as runoff, litter, proper lawn care, and proper disposal of automotive fluids, pet waste and other subjects as determined by the Division. The contract is a 1-year contract with an option for two, 1-year renewals.

For the services described, Group CJ shall be compensated for Message Development and Project Management at an estimated cost not to exceed \$9,000. Mass media expenditures will be determined by the Division and Group CJ will be reimbursed for these costs at an amount not to exceed \$200,000. The total cost for the FY2012 shall not exceed \$209,000. Funds are budgeted in the Water Quality Management Fund under 4051-313201-3095-71299.

CAT:db




Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran 
Acting Commissioner General Services

DATE: May 31, 2011

RE: Lease Agreement

I am requesting Urban County Council approval to enter into a lease agreement with Mary D (Dee) Teater, dba TEATER HATS, for the space located at 126 North Broadway Street, aka the Broadway Shoppes. This lease is for approximately 1,119 sq. ft of space and no building fit-up is required to make the space usable by the new Tenant. A hat store will be operated at the location and the agreement will be for a period of sixty (60) months, expiring on June 30, 2016.

LFUCG will receive an initial rate of \$1,641.20 per month for use of this space, or, \$19,694.40 for the first 12 months of occupancy. During each of the second and third years of the Lease, the rental rate shall be adjusted upward 2% per annum and during each of the fourth and fifth years of the Lease, the rental rate shall be adjusted upward 2.5% per annum. Annual rate increases and monthly payments are defined as an Exhibit within the Agreement. The Lease includes one (1) parking space @ no cost to the Tenant in the Victorian Square parking garage. In addition, this agreement also contains a penalty clause for early termination by the tenant.



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran
Acting Commissioner of General Services

DATE: May 31, 2011

RE: Amendment to Lease Agreement

I am requesting Urban County Council approval to amend Contract #143-2010 (R 397-2010). This is a Lease Agreement for space owned by LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT (Lessor) located at 498 Georgetown Street, Lexington, Fayette County, KY (aka Black and Williams Community Center) with LEGAL AID OF THE BLUEGRASS (Lessee).

The Amendment is for use of approximately 876 additional square feet of space within the facility at the annual rental rate of \$8.00 per square foot used. All other terms and conditions of the Lease Agreement shall remain the same.



209-11

37


Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran 
Acting Commissioner General Services

DATE: June 06, 2011

RE: Transfer of Property Owned by LFUCG

I am requesting Urban County Council approval to quitclaim the LFUCG owned lot known as 211 Corral Street to the owners of 166 N Martin Luther King Blvd. The subject property is a vacant lot consisting of approximately 3,257 square feet (city deed book 335-513) and located adjacent to 166 N Martin Luther King Blvd. In exchange, we are using the lot as a negotiating tool to satisfy incurred lease obligations and transition to an amicable solution for upcoming vacation of the property. Terms and conditions for an amendment of the lease agreement (Contract #5698; O-49-2006) would remain the same until expiration on December 31, 2011.



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: June 6, 2011

RE: Partial Release of Sanitary Sewer Easement
3050 Spurr Road

This memo is to request a Resolution authorizing the Mayor to sign a Partial Release of Sanitary Sewer Easement releasing a portion of a sanitary sewer easement on property located at 3050 Spurr Road.

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.

A handwritten signature in black ink, appearing to read "Ed Gardner", is written over a horizontal line.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office

X:\Cases\WATER-AIR\11-CC0061\COP\00303036.DOC



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: June 6, 2011

RE: Partial Release of Easements
1650 Bryan Station Road

This memo is to request a Resolution authorizing the Mayor to sign a Partial Release of Easements releasing a portion of a utility easement and a portion of a storm water detention easment on property located at 1650 Bryan Station Road.

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: Richard Moloney, CAO
Council Office

X:\Cases\WATER-AIR\11-CC0061\COR\00303030.DOC



215-11

40

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Urban County Council

FROM: Janet M. Graham, Commissioner
Department of Law

DATE: June 7, 2011

Re: Settlement Agreement with TCF National Bank

I am requesting the Urban County Council approve and enter into a Settlement Agreement with TCF National Bank regarding Pennington Place Apartments located at 205-215-245 Codell Drive, Lexington, Kentucky.

The terms of the settlement agreement authorize TCF Bank to pay one-half of the \$97,600.00 civil penalty liens plus interest to Lexington-Fayette Urban County Government, and one-half of the amount of the civil penalty liens plus interest into an escrow account to help the Bank secure the property. The Bank will board up all first floor entrances into the buildings, clean up the debris and mow the property to a height not exceeding 12 inches, fence the entrances to the property and engage security personnel to monitor the property.

The Master Commissioner's sale scheduled for June 27, 2011 will be postponed. The Bank shall pay the cost associated with the cancellation of this sale. If the Bank has not conveyed the property on or before November 1, 2011 the Bank will request the Fayette Circuit Court to reschedule the Master Commissioner's sale of the property on a date no later than December 31, 2011.

The purpose of the agreement is to allow the Bank time to find a viable buyer for the property and at the same time for the Bank to secure the property during this process.

Lexington-Fayette Urban County Government
DEPARTMENT OF LAWJim Gray
MayorJanet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: June 7, 2011

RE: FY 2012 Property & Casualty Insurance
Excess Workers' Compensation, Property, Special Liability and Aviation Liability

The current excess insurance policies on the above Coverages expire June 30, 2011.

The Department of Law drafted Insurance Requests for Proposals (RFP's) similar to documents used for FY 2011 insurance. The draft insurance RFP was forwarded to the State Auditor's office for review and comment, as well as to the Director of the Division of Risk Management. The finalized RFPs were solicited for the individual Coverages detailed below. Per the RFP specifications, the policies may be renewed annually for up to three years. A Selection committee met on June 3, 2011 and recommended the following policies, which in total are an overall savings of \$23,200 over last year:

SPECIAL EXCESS LIABILITY (RFP 7-2010)

Expiring Premium:	\$523,997	
Proposals Received:	\$449,897	(\$2 mil retention, with one-time \$500,000 corridor)
	\$460,995	(\$2 mil retention)
	\$524,897	(\$2 mil retention)

The committee recommended a policy with \$2 million self insured retention (same as last year) with \$5,000,000 per occurrence/aggregate limits. Due to large losses from incidents occurring 2003-2006, liability premiums have risen slightly during the last few years. However, we are not at a point as in 2003, where premiums were so high that no excess liability was purchased for 15 months.

Our current excess liability insurance is placed with the Ironshore Speciality Insurance Company. The committee recommended National Casualty Company through local broker, Powell-Walton-Milward. This represents a savings of \$63,000 over last year.

Jim Gray, Mayor
 Members, Urban County Council
 June 7, 2011
 Page 2 of 3

WORKER'S COMPENSATION (RFP 8-2011)

Expiring Premium: \$257,921
 Proposal Received: \$303,672

The committee accepted the bid received, which is a renewal with the current insurance company. The self insured retention remains the same as in prior years at \$750,000 and meets the Department of Workers' Claims requirements. The insurer is New York Marine & General Insurance Company, proposed by Alliant Insurance Services, Inc. This represents an increase of \$45,751 over last year.

PROPERTY, BOILER & MACHINERY (RFP 12-2011)

Expiring Premium: \$258,810 (\$751 million Total Insured Values)
 Proposal Received: \$260,806 (\$751 million Total Insured Values)

The committee accepted the bid received, which is a renewal with the current insurance company. The self insured retention remains the same as in prior years at \$250,000, with \$500,000,000 limit for real property and varying sub-limits. The insurer is Public Entity Property Insurance Program ["PEPIP"], proposed by Alliant Insurance Services, Inc. at an annual premium of \$260,806. This represents an increase of \$1,996 over last year.

AVIATION LIABILITY (RFP 7-2011)

Expiring Premium: \$8,054
 Proposal Received: \$8,054

Both the current policy and renewal are for a \$20,000,000 combined single limit per occurrence for two Bell helicopters. The proposed policy from Old Republic Insurance Company and Phoenix Aviation Managers is provided through the Hylant Group. The committee recommended accepting the renewal policy offered by Hylant Group with no change in premium over last year.

In view of the above, I recommend that you accept these insurance proposals for FY 2012. The total of these policies is a savings of \$23,200 over last year:

Liability	National Casualty Company	\$	460,955
Workers' Compensation	New York Marine		303,672
Property	PEPIP		260,806
Aviation	Old Republic/Phoenix Aviation		<u>8,054</u>
	TOTAL	\$	1,033,487

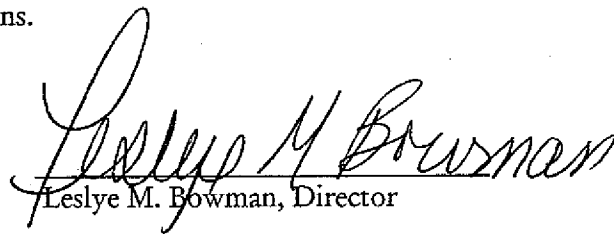
Jim Gray, Mayor
Members, Urban County Council
June 7, 2011
Page 3 of 3

The funds for insurance premiums are included in the proposed FY 2012 budget - General Insurance:

1101-160902-0001-73101	\$671,766.87
1115-160902-0001-73101	\$103,348.75
4002-160902-0001-73101	\$258,371.87

Because of timing issues regarding the RFP selection committee, which met on Friday, June 3, 2011, we will be asking for two readings regarding this resolution.

Please advise if you have any questions.

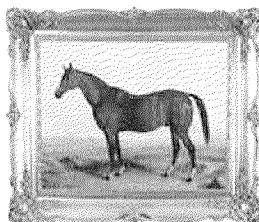


Leslye M. Bowman, Director

Enclosures

cc: Janet M. Graham, Commissioner
Thomas Sweeney, Claims Manager

X:\Admin\COMMISSIONER\RM\00302126.DOC




Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

M E M O R A N D U M

To: Mayor
Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: June 17, 2011

Subject: Kentucky Business Investment (KBI) Incentive program

I have attached documentation from Commerce Lexington supporting the request of 1% occupational license tax abatement for Specialty Vehicle Acquisition Corp., Transposagen Biopharmaceuticals, Inc., Lockheed Martin Corporation, Neogen Corporation and Tempur-Pedic International Inc., as part of their participating in Kentucky Business Investment KBI Incentive program.

The attached documentation provides the estimated payroll for these companies and the Lexington-Fayette Urban County Government's portion of the wage assessment going toward this incentive for a period of 10 years. The Lexington-Fayette Urban County Government will receive new revenue at the rate of 1.25% for the new jobs these companies will create in Fayette County.

cc: file


FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



TO: Mayor Jim Gray
Lexington Fayette Urban County Council

FROM: Gina Greathouse 
Senior Vice President, Economic Development, Commerce Lexington Inc.

DATE: June 9, 2011

RE: Kentucky Business Investment program
Specialty Vehicle Acquisition Corp. (SVAC dba ASC)

Specialty Vehicle Acquisition Corp. (SVAC dba ASC) has submitted an application and received preliminary approval from the Kentucky Economic Development Finance Authority to participate in the Kentucky Business Investment (KBI) program. ASC's decision to invest in our community and expand their manufacturing operations in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and Fayette County and the surrounding area.

The company plans to add 10 new jobs with an average wage of approximately \$30,000 per year plus benefits. ASC estimates its total capital investment costs to be \$600,000 in equipment.

With the KBI program, the state and local government enter into a ten-year agreement with an approved company under which the business can recover up to 100% of its start-up costs and 50% of the annual rent through Kentucky corporate income tax credits and a wage assessment fee of up to 4%. Although the company may not actually use the full KBI benefit, we demonstrate in the chart below the maximum amount that the company could recover through the local 1% wage assessment.

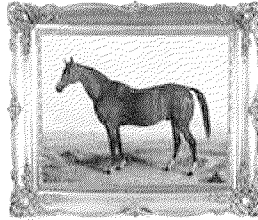
Specialty Vehicle Acquisition Corp. (SBAC dba ASC)**June 9, 2011****Page 2**

The maximum potential fiscal impact of this project is summarized in the following table.

New		Total	KY portion	LFUCG portion	LFUCG
F-T	Total	Wage	of Wage	of Wage	Projected
Jobs	Payroll	Assessment	Assessment	Assessment	Collections
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
10	\$280,000.00	\$11,200.00	\$8,400.00	\$2,800.00	\$3,500.00
	\$2,800,000.00	\$112,000.00	\$84,000.00	\$28,000.00	\$35,000.00

This is an excellent project for our community and I strongly recommend approval of the local 1% wage assessment benefit through KBI.

CC: Kevin Atkins, LFUCG
Jane Driskell, LFUCG




Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

M E M O R A N D U M

To: Mayor
Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: June 17, 2011

Subject: Kentucky Business Investment (KBI) Incentive program

I have attached documentation from Commerce Lexington supporting the request of 1% occupational license tax abatement for Specialty Vehicle Acquisition Corp., Transposagen Biopharmaceuticals, Inc., Lockheed Martin Corporation, Neogen Corporation and Tempur-Pedic International Inc., as part of their participating in Kentucky Business Investment KBI Incentive program.

The attached documentation provides the estimated payroll for these companies and the Lexington-Fayette Urban County Government's portion of the wage assessment going toward this incentive for a period of 10 years. The Lexington-Fayette Urban County Government will receive new revenue at the rate of 1.25% for the new jobs these companies will create in Fayette County.

cc: file


FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



TO: Mayor Jim Gray
Lexington Fayette Urban County Council

FROM: Gina Greathouse 
Senior Vice President, Economic Development, Commerce Lexington Inc.

DATE: June 9, 2011

RE: Kentucky Business Investment program
Transposagen Biopharmaceuticals, Inc.

Transposagen Biopharmaceuticals, Inc. has submitted an application and received preliminary approval from the Kentucky Economic Development Finance Authority to participate in the Kentucky Business Investment (KBI) program. Transposagen's decision to remain and grow in our community and expand its operations in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area.

The company plans to create 21 new high-tech jobs with an average wage of approximately \$50,000 per year plus benefits. Transposagen plans to invest \$900,000 in equipment, building improvements and start-up costs.

With the KBI program, the state and local government enter into a ten-year agreement with an approved company under which the business can recover up to 100% of its start-up costs and 50% of the annual rent costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%. Although the company may not actually use the full KBI benefit, we demonstrate in the chart below the maximum amount that the company could recover through the local 1% wage assessment.

Transposagen Biopharmaceuticals, Inc.

June 9, 2011

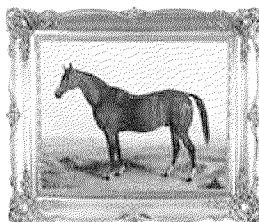
Page 2

The maximum potential fiscal impact of this project is summarized in the following table.

New		Total	KY portion	LFUCG portion	LFUCG
F-T	Total	Wage	of Wage	of Wage	Projected
Jobs	Payroll	Assessment (4%)	Assessment (3%)	Assessment (1%)	Collections(1.25%)
13	\$614,000.00	\$24,560.00	\$18,420.00	\$6,140.00	\$7,675.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
21	\$1,044,000.00	\$41,760.00	\$31,320.00	\$10,440.00	\$13,050.00
	\$10,010,000.00	\$400,400.00	\$300,300.00	\$100,100.00	\$125,125.00

This is an excellent project for our community and I strongly recommend approval of the 10 year local 1% wage assessment benefit through KBI.

Cc: Kevin Atkins, LFUCG



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

M E M O R A N D U M

To: Mayor
Urban County Council

From: Kevin Atkins *KA*
Chief Development Officer

Date: June 17, 2011

Subject: Kentucky Business Investment (KBI) Incentive program

I have attached documentation from Commerce Lexington supporting the request of 1% occupational license tax abatement for Specialty Vehicle Acquisition Corp., Transposagen Biopharmaceuticals, Inc., Lockheed Martin Corporation, Neogen Corporation and Tempur-Pedic International Inc., as part of their participating in Kentucky Business Investment KBI Incentive program.

The attached documentation provides the estimated payroll for these companies and the Lexington-Fayette Urban County Government's portion of the wage assessment going toward this incentive for a period of 10 years. The Lexington-Fayette Urban County Government will receive new revenue at the rate of 1.25% for the new jobs these companies will create in Fayette County.

cc: file

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



TO: Mayor Jim Gray
Lexington Fayette Urban County Council

FROM: Gina Greathouse *HH*
Senior Vice President, Economic Development, Commerce Lexington Inc.

DATE: June 9, 2011

RE: Kentucky Business Investment program
Lockheed Martin Corporation

Lockheed Martin Corporation has submitted an application and received preliminary approval from the Kentucky Economic Development Finance Authority to participate in the Kentucky Business Investment (KBI) program. Lockheed Martin's decision to remain and grow in our community and expand its operations at Bluegrass Station will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area.

In addition to the 1,700 jobs retained, the company plans to create 224 new jobs with an average wage of approximately \$40,000 per year plus benefits. Lockheed Martin plans to invest \$26,000,000 as a result of their decision to remain in Lexington. The project will include building improvements and new equipment.

With the KBI program, the state and local government enter into a ten-year agreement with an approved company under which the business can recover up to 100% of its start-up costs and 50% of the annual rent costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%. Although the company may not actually use the full KBI benefit, we demonstrate in the chart below the maximum amount that the company could recover through the local 1% wage assessment.

Lockheed Martin Corporation

June 9, 2011

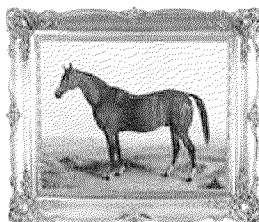
Page 2

The maximum potential fiscal impact of this project is summarized in the following table.

New		Total	KY portion	LFUCG portion	LFUCG
F-T	Total	Wage	of Wage	of Wage	Projected
Jobs	Payroll	Assessment (4%)	Assessment (3%)	Assessment (1%)	Collections(1.25%)
224	\$8,864,461.00	\$354,578.44	\$265,933.83	\$88,644.61	\$110,805.76
224	\$9,086,073.00	\$363,442.92	\$272,582.19	\$90,860.73	\$113,575.91
224	\$9,313,224.00	\$372,528.96	\$279,396.72	\$93,132.24	\$116,415.30
224	\$9,546,055.00	\$381,842.20	\$286,381.65	\$95,460.55	\$119,325.69
224	\$9,784,706.00	\$391,388.24	\$293,541.18	\$97,847.06	\$122,308.83
224	\$10,029,324.00	\$401,172.96	\$300,879.72	\$100,293.24	\$125,366.55
224	\$10,280,057.00	\$411,202.28	\$308,401.71	\$102,800.57	\$128,500.71
224	\$10,537,059.00	\$421,482.36	\$316,111.77	\$105,370.59	\$131,713.24
224	\$10,800,485.00	\$432,019.40	\$324,014.55	\$108,004.85	\$135,006.06
224	\$11,070,497.00	\$442,819.88	\$332,114.91	\$110,704.97	\$138,381.21
	\$99,311,941.00	\$3,972,477.64	\$2,979,358.23	\$993,119.41	\$1,241,399.26

This is an excellent project for our community and I strongly recommend approval of the 10 year local 1% wage assessment benefit through KBI.

Cc: Kevin Atkins, LFUCG




Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

M E M O R A N D U M

To: Mayor
Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: June 17, 2011

Subject: Kentucky Business Investment (KBI) Incentive program

I have attached documentation from Commerce Lexington supporting the request of 1% occupational license tax abatement for Specialty Vehicle Acquisition Corp., Transposagen Biopharmaceuticals, Inc., Lockheed Martin Corporation, Neogen Corporation and Tempur-Pedic International Inc., as part of their participating in Kentucky Business Investment KBI Incentive program.

The attached documentation provides the estimated payroll for these companies and the Lexington-Fayette Urban County Government's portion of the wage assessment going toward this incentive for a period of 10 years. The Lexington-Fayette Urban County Government will receive new revenue at the rate of 1.25% for the new jobs these companies will create in Fayette County.

cc: file

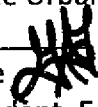
FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



TO: Mayor Jim Gray
Lexington Fayette Urban County Council

FROM: Gina Greathouse 
Senior Vice President, Economic Development, Commerce Lexington Inc.

DATE: June 9, 2011

RE: Kentucky Business Investment program
Neogen Corporation

Neogen Corporation has submitted an application and received preliminary approval from the Kentucky Economic Development Finance Authority to participate in the Kentucky Business Investment (KBI) program. Neogen's decision to remain and grow in our community and expand its operations in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area.

The company plans to create 75 new jobs with an average wage of approximately \$42,000 per year plus benefits. Neogen plans to invest over \$5.5 million in the purchase of an existing building, as well as building improvements, new equipment and start-up costs.

With the KBI program, the state and local government enter into a ten-year agreement with an approved company under which the business can recover up to 100% of its start-up costs and 100% of the building costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%. Although the company may not actually use the full KBI benefit, we demonstrate in the chart below the maximum amount that the company could recover through the local 1% wage assessment.

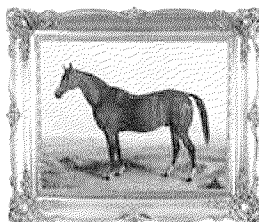
Neogen
June 9, 2011
Page 2

The maximum potential fiscal impact of this project is summarized in the following table.

New		Total	KY portion	LFUCG portion	LFUCG
F-T	Total	Wage	of Wage	of Wage	Projected
Jobs	Payroll	Assessment (4%)	Assessment (3%)	Assessment (1%)	Collections(1.25%)
35	\$1,553,040.00	\$62,121.60	\$46,591.20	\$15,530.40	\$19,413.00
45	\$1,971,680.00	\$78,867.20	\$59,150.40	\$19,716.80	\$24,646.00
55	\$2,370,320.00	\$94,812.80	\$71,109.60	\$23,703.20	\$29,629.00
65	\$2,788,960.00	\$111,558.40	\$83,668.80	\$27,889.60	\$34,862.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
75	\$3,207,600.00	\$128,304.00	\$96,228.00	\$32,076.00	\$40,095.00
	\$27,929,600.00	\$1,117,184.00	\$837,888.00	\$279,296.00	\$349,120.00

This is an excellent project for our community and I strongly recommend approval of the 10 year local 1% wage assessment benefit through KBI.

Cc: Kevin Atkins, LFUCG




Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

M E M O R A N D U M

To: Mayor
Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: June 17, 2011

Subject: Kentucky Business Investment (KBI) Incentive program

I have attached documentation from Commerce Lexington supporting the request of 1% occupational license tax abatement for Specialty Vehicle Acquisition Corp., Transposagen Biopharmaceuticals, Inc., Lockheed Martin Corporation, Neogen Corporation and Tempur-Pedic International Inc., as part of their participating in Kentucky Business Investment KBI Incentive program.

The attached documentation provides the estimated payroll for these companies and the Lexington-Fayette Urban County Government's portion of the wage assessment going toward this incentive for a period of 10 years. The Lexington-Fayette Urban County Government will receive new revenue at the rate of 1.25% for the new jobs these companies will create in Fayette County.

cc: file


FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



TO: Mayor Jim Gray
Lexington Fayette Urban County Council

FROM: Gina Greathouse 
Senior Vice President, Economic Development, Commerce Lexington Inc.

DATE: June 9, 2011

RE: Kentucky Business Investment program
Tempur-Pedic International

Tempur-Pedic International has submitted an application and received preliminary approval from the Kentucky Economic Development Finance Authority to participate in the Kentucky Business Investment (KBI) program. Tempur-Pedic's decision to remain and grow in our community and expand its world headquarters Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and Fayette County and the surrounding area.

In addition to the 237 jobs retained, the company plans to create 65 new jobs with an average wage of approximately \$72,000 per year plus benefits. Tempur-Pedic International plans to invest nearly \$18 million as a result of their decision to remain in Lexington. The project which includes construction of a new, approximately 100,000 square foot facility will be constructed in the University of Kentucky's Coldstream Research Campus.

With the KBI program, the state and local government typically enter into a ten-year agreement with an approved company under which the business can recover up to 100% of its start-up costs and 50% of the annual rent costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%. *For this project, the recovery period has been limited to the first 5 years.*

Tempur-Pedic International

June 9, 2011

Page 2

The maximum potential fiscal impact of this project is summarized in the following table.

New		Total	KY portion	LFUCG portion	LFUCG
F-T	Total	Wage	of Wage	of Wage	Projected
Jobs	Payroll	Assessment (4%)	Assessment (3%)	Assessment (1%)	Collections(1.25%)
65	\$4,732,000.00	\$189,280.00	\$141,960.00	\$47,320.00	\$59,150.00
65	\$4,873,960.00	\$194,958.40	\$146,218.80	\$48,739.60	\$60,924.50
65	\$5,020,179.00	\$200,807.16	\$150,605.37	\$50,201.79	\$62,752.24
65	\$5,170,784.00	\$206,831.36	\$155,123.52	\$51,707.84	\$64,634.80
65	\$5,325,908.00	\$213,036.32	\$159,777.24	\$53,259.08	\$66,573.85
	\$25,122,831.00	\$1,004,913.24	\$753,684.93	\$251,228.31	\$314,035.39

This is an excellent project for our community and I strongly recommend approval of the 5 year local 1% wage assessment benefit through KBI.

Cc: Kevin Atkins, LFUCG



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES
Division of Parks and Recreation

Jim Gray
Mayor

Jerry E. Hancock
Director

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members

FROM:


Jerry Hancock

RE: Facility Usage Contract

DATE: March 30, 2011

This is a request for Council approval of a Facility Usage Contract between the Lexington-Fayette Urban County Government and various youth baseball leagues.

These agreements are for the purpose of providing youth sports for the youth of the community by utilizing Park facilities. The Agreements are for Spring/Summer Leagues.

Please contact me if there are any questions.

CC: Jamshid Baradaran, Commissioner of General Services (Acting)

JEH/bac

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: May 24, 2011

RE: CPAAA Grant Donation

Please find attached a blue sheet requesting approval for the Lexington Division of Police to accept donated items from the Citizen's Police Academy Alumni Association (CPAAA). Total value of donated items: \$2,681.

1. One (1) Apple I Pad for electronic files for use in court, to be utilized by the Collision Reconstruction Unit (Valued at \$583)
2. Blu-Ray Burner and CD Player to be utilized by the Forensics Unit (Valued at \$400)
3. Funds to operate the Junior Citizen Police Academy program, to be utilized by the Community Services Section (Valued at \$660)
4. Front leg protection equipment for Mounted Patrol horses (Valued at \$398).
5. Funding for supplies and equipment for the Bureau of Patrol (Valued at \$350)
6. Two (2) copies of Windows 7, to be utilized by the Forensics Computer Unit (Valued at \$290)

There will be no budgetary impact. If you have any questions or require additional information, please contact me.

A handwritten signature in cursive script, reading "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

cc: Clay Mason, Commissioner of Public Safety

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: June 6, 2011

RE: **ACH Credit Authorization – Open Portal Solutions, Inc., Collision & Crime
Report Reimbursement**

Please find attached documentation and blue sheet requesting approval of the attached agreement with ACH Credit Authorization Open Portal Solutions, Inc., Collision & Crime Report Reimbursement.

This agreement authorizes Open Portal Solutions, Inc. (OPS) to make credit entries (deposits) to an LFUCG designated financial institution account. The deposits are from the sale of online reports.

Upon approval and signing, please forward a copy of the agreement to my office.

A handwritten signature in cursive script, appearing to read "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

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
205-11 (pg. 15)	TBD	Community Development	To establish grant budget for allocation of Area Development Fund – FY 2012. 3400 10,080.00 3400 10,080.00CR .00 *
211-11 (pg. 17)	TBD	Community Development	To establish grant budget for Intelligent Transportation System/Congestion Management System Traffic Improvements Project for – FY 2012. 3160 435,000.00 3160 435,000.00CR .00 *
213-11 (pgs. 18-19)	53233	Waste Management	To provide funds for additional services to be performed for the access road to the Material Recycling Facility and storm pipe work. 1115 17,602.00 1115 17,602.00CR .00 *
220-11 (pg. 20)	TBD	Community Development	To establish grant budget for Ticketing Aggressive Cars and Trucks Grant Program – FY 2011. 3160 31,250.00 3160 31,250.00CR .00 *

EFFECT ON FUND BALANCES

FUND 1115	0*	NO IMPACT TO:	FULL URBAN SERVICE DISTRICT
FUND 3160	0*	NO IMPACT TO:	US DEPARTMENT OF TRANSPORTATION
FUND 3400	0*	NO IMPACT TO:	GRANTS - STATE



MEETING NOTES

**Social Services Standing Committee
Thursday, May 12, 2011
2:30 PM, Council Chambers**

Members of the Social Services Standing Committee in attendance were Chair George Myers, Vice Chair Peggy Henson, Councilmember Chris Ford, Councilmember Diane Lawless, Councilmember Steve Kay, Councilmember Jay McChord, and Councilmember Kevin Stinnett.

Councilmember (CW) Myers chaired the meeting calling it to order at 2:30 PM. He introduced Ms. Beth Mills, Commissioner (Com.) of the Department of Social Services. He stated that after the presentation he will open the floor to the community and at the next meeting he plans to have both the United Way and the Department of Social Services return to meld the two proposals together. He added that the Committee is not in a hurry and that the timeline for implementing a proposal does not coincide with the budget.

Com. Mills stated that she wanted to make sure that all partner agencies knew what her proposal was and provided them with a copy prior to the meeting. Her proposal was given in a PowerPoint presentation.

Com. Mills stated that there are two issues on the table. She said that all LFUCG departments that oversee partner agencies need a more systematic funding approach, not just Social Services. It is consistent with the Administration's idea to have a business plan for government and to move towards performance management standards. The challenge is to figure out how to do that and meet the needs of each agency.

Com. Mills stated that in the Social Services department they depend on partner agencies to complete their mission to provide easily accessible services throughout Fayette County. Some are mandated to receive funding by both Kentucky Statute and the Government Code of Ordinance. She said that improving partner agency funding has been a goal for some time. When The United Way of the Bluegrass (UWBG) came forward it was the impetus for this proposal and Com. Mills expressed her appreciation to Mr. Bill Farmer for this.

Com. Mills introduced Craig Bencz who is with the Department of Social Services. Mr. Bencz has a Masters in Public Administration and 15 years of experience in urban planning and private planning. Com. Mills stated that Mr. Bencz was assigned partner agencies since he came to LFUCG and that he has been telling her since he came in the door that there is no rhyme or reason to how we do partner agency funding. He has been looking at doing this in a more standard way.

Mr. Bencz has also been working on this with Ms. Sheila Hupp who did urban planning in Texas. Com. Mills introduced Ms. Lisa Adkins, President/CEO of the Bluegrass Community Foundation (BGCF) and Barbara Fisher, Director of Nonprofit Services for BGCF. BGCF host a website called GoodGiving.net which has information that they might be able to access when partners are applying to the city for funding.

Com. Mills stated that with their proposal they have three goals: 1) they want to align funding with the identified social gaps in the community, prioritize where the money needs to go, and measure the outcomes that are being delivered through funded programs; 2) give every social service agency in Fayette County an equal opportunity to compete for these funds and to make sure the application process is as painless as possible; and 3) work with partner agencies and University of Kentucky's College of Social Work to make sure that everyone is getting as much funding as is available to them through more grants and collaboration. Com. Mills stated that this proposal is a framework and does not have all the details but it is a start.

Mr. Bencz stated that this presentation has four objectives: 1) to review partner agency funding history; 2) to present tasks and timeline for the overall partner agency funding improvement process; 3) discussing specific applications of specific improvements for the process of funding Social Services agencies; and 4) a discussion of items that they would like the Committee's guidance on as they move forward with this process.

Mr. Bencz presented a slide of the Mayor's overall proposed budget for fiscal year (FY) 2012 and compared it to funding between FY 2000 and 2011. Funding levels over the past eight years have generally fluctuated between \$15 and \$18 million. Mr. Bencz highlighted a few years where there were drops in funding including a drop in FY 2004 and 2005 of \$4.4 million when Board of Health funding no longer came out of partner agency funds as well as FY2005 and 2006 when the Transit Authority funds no longer came out of partner agency funds amounting to \$3.4 million.

Mr. Bencz discussed some of the challenges of the current process that the Department of Social Services would like to address as they move forward. He stated that staff reports for partner agency funding requests are narrative

based and that there is not a scoring system for objective evaluation. Also more than half of Social Service's funding requests include funding for overall agency operations which creates challenges for outcome measurement. Reporting requires improvement in order to better measure outcomes. Each report should measure how successful partner agencies are in achieving outcomes proposed in their applications. Although it is understood that partner agencies are providing valuable services to the community, funding recommendations are not specifically tied to past performance. Finally, there are no funding limit guidelines in the current application process which could be implemented by tying funds to an overall percentage of the agency's budget to ensure that LFUCG funding does not result in creating agency reliance on government as a primary irreplaceable funding source.

Mr. Bencz stated that the proposed process improvement timeline would have internal meetings occurring in May and June between the Mayor and Commissioners to discuss the process. While that is happening liaisons are being asked to meet with partner agencies one-on-one to get their input. The result of these meetings will be a draft of the standardized measures for the application document, scoring and evaluation, as well as reporting templates delivered around July. In August of this year all of these items will be presented to the Committee for final approval.

Mr. Bencz presented a preliminary example of how the process may look when it is brought back for approval. He stated that the general timeline for applications and approval will be unchanged. Applications will still be due every January and will be evaluated consistent with the budget approval timeline.

Mr. Bencz stated that three new components are anticipated. The first major change would be advertising the funding process in September of this year and probably earlier moving forward, via the LFUCG website and local media sources. The second change is an annual pre-application meeting to introduce new applicants to the process, discuss changes to the application and answer questions. The third process would be a committee review made up of community experts, Social Services' staff, Social Services advisory council and members of Urban County Council. It is believed that this process will increase accountability, peer measurement of outcomes, and greater opportunities to fund innovative partner agency programs.

Mr. Bencz also proposed that special consideration be given to applications that address gaps in essential community services. The needs identified by senior staff within Mr. Bencz department in brief summary are services to senior citizens, mental and substance abuse services, alternatives to detention for youth and other youth services programming.

Mr. Bencz stated that there are a number of partnerships that they would like to explore including the long relationship with the UK College of Social Work through internships and course credit. In terms of grants they may act as co-applicants or partners for grants that address services or bring resources to the community. They are exploring streamlining the collection of information and the application process by partnering with existing community resources such as GoodGiving.net.

Mr. Bencz requested to turn the presentation over to Ms. Adkins and Ms. Fisher with BGCF to discuss the GoodGiving.net opportunity.

Ms. Adkins provided an overview of BGCF and GoodGiving.net. BGCF strives to be the region's go-to source for charitable giving and civic engagement. The organization is 43 years old and was founded in Lexington. It is a nationally certified community foundation and also a 501(c)(3) public charity. They work with all types of organizations to empower charitable giving and establish funds. Their mission is to make Lexington the most charitable community possible. To date they have more than 250 individual funds that when aggregated assets are worth \$45 million. Cumulatively since BGCF started they have awarded \$19 million out to the community; \$3 million of which was awarded by the various charitable funds of BGCF last year.

GoodGiving.net is a new initiative of the community foundations launched December 1, 2010. BGCF is the 11th community foundation in the country to bring this resource to the region and to the state. The goal is to make charitable giving easy and accessible. It is a way to connect donors, grant makers and the community at large with nonprofit causes by sharing objective information. Ms. Adkins stated that research has shown that when people and organizations can give with confident knowledge, they give more. A driver for this was to help promote nonprofit transparency and Crit Luallen, the State Auditor helped launch this resource and it is in line with her standards.

Any member of the community can utilize this resource free of charge. There are 125 completed nonprofit portraits as of today and another 180 that are in the process of being completed.

Ms. Adkins stated that here are four buckets of information in GoodGiving.net which include: 1) general information; 2) management and governance; 3) financial and budget; and 4) programs.

Ms. Adkins stated that about 75 percent of the government's agencies have already completed portraits on GoodGiving.net. About once to twice a month information sessions are offered to any nonprofit board or staff member as well as to members of the community. There are also trainings for nonprofits so that they can work on developing their portrait. The portrait initially takes

about four hours to complete and a few minutes to update annually after a portrait has been established.

Ms. Adkins provided a live demonstration of the website's capabilities.

An analysis was made of LFUCG's current application process for partner agencies which has to be submitted in paper and include five copies. Ms. Adkins stated that every piece of information that is requested by LFUCG from partner agencies is available on GoodGiving.net.

BGCF runs about 12 competitive grant cycles a year. Beginning in January 2011 it is a condition that agencies who want to apply for grants through BGCF have to have a complete portrait on GoodGiving.net. As a result they have greatly reduced the application process.

The closest neighbor using GoodGiving.net service is Community Foundation of Middle Tennessee which covers 50 counties in and around Nashville. This has greatly reduced the application process but in exchange does require applicants to have a completed portrait on Giving Matters (the same tool as GoodGiving.net). Nashville's local government uses requires a portrait on Giving Matters for several different types of funding such as art and social services. This has simplified the funding process.

Mr. Bencz added that the proposal is intended to be an opportunity to streamline the process but not meant to be a requirement.

Mr. Bencz requested input from the Committee on:

- the frequency of partner agency reporting and the requirements for these reports;
- the funding caps (he added that his research has suggested 20 percent is about the maximum any agency should receive from one funding source for diversification purposes and that most of LFUCG's partner agencies already meet that qualification with the exception of one that receives 24 percent);
- funding for programs verses overall agency funding;
- how scoring should be handled (Mr. Bencz provided an example asking if the committee should have 100 percent of the scoring responsibility or if discretion should be distributed between a scoring committee as well as the Council and Mayor);
- centralization of the agency review and reporting process (right now partner agencies are spread out over seven departments and there is not necessarily a standard process for reporting or reviewing applications).

CM Lawless asked Ms. Adkins if what she is offering is free of charge. Ms. Adkins responded that is correct.

CM Lawless asked Mr. Bencz if there is any reason why a partner agency would not be required to have a profile online. Mr. Bencz responded that most agencies already have a profile but preliminarily they are looking at providing other options with the possibility of making it a requirement down the road. Com. Mills added that one reason would be to ensure that a grassroots agency that is just getting started is not excluded from the process and may not have all of the information available. Ms. Adkins added that if an agency does not have three years of audited financials or is not a 501(c)(3) then there will be a note added and there is a way to accommodate them with a public profile. However, they would not have the "Donate Now" option which allows anyone to click on a button and provide a charitable contribution via the website.

CM Lawless asked if a quasi-government agency such as the Downtown Lexington Corporation could have a "Donate Now" button. Ms. Adkins responded that if they have a 501(c)(3) designation they can have that option.

CM Myers reminded the public that there is a sign-up sheet in the back if anyone wants to make comments later in the meeting.

CM Henson asked Ms. Adkins if there is a charge for any of the services that BGCF offers. Ms. Adkins stated that there is not any fee affiliated with GoodGiving.net. If someone chooses to make a donation by using the "Donate Now" button then BGCF passes 100 percent through to the nonprofit, but the credit card processor and the bank do require a fee. About five percent of every dollar is taken by the credit card processor and bank vendor. On the charitable fund side, if someone wanted to set up an endowment or a scholarship, there is a 1 percent community support fee, but there are no fees associated with GoodGiving.net.

CM Henson asked Mr. Bencz and Com. Mills if LFUCG plans to help an agency get off its feet if after a period of time can a profile on GoodGiving.net be required. Com. Mills responded that she believes that the government can require whatever standards are desired. CM Henson added that she thinks what GoodGiving.net is offering is a great deal.

CM Henson asked if Com. Mills could provide a breakdown of partner agencies that are required to receive funding by state or federal law or by ordinance. Com. Mills stated that she does not know every one that is required to receive LFUCG funding but she does know that every county must have a Community Action agency, that an ordinance created the Hope Center

and that Community Mental Health is a requirement. Someone in the audience added The Nest and Com. Mills concurred.

CM Stinnett asked for Com. Mills to explain the benefit of partnering with BGCF rather than UWBG or someone else. Com. Mills responded that BGCF was chosen because it was known that they have a lot of items that they would want on the application but that is not to say that they would not need information from UWBG. Com. Mills stated that when Social Services originally started looking at this the Department of Social Services did not want an outside agency to be responsible for oversight. Com. Mills stated that they wanted to go to UWBG and ask how they measures agencies and what outcome measures they use. Com. Mills stated that she knew GoodGiving.net would have a lot of information that would be needed when working with partner agencies. She added that BGCF and UWBG were kind enough to share all of this information with Social Services but it was always the intent that LFUCG would set up a streamline process. Mr. Bencz spent an afternoon with both UWBG and GoodGiving.net to figure out how LFUCG could develop a schematic to do this internally.

CM Stinnett asked if BGCF is just an organization to gather data for LFUCG. Com. Mills responded that UWBG said that we could use their outcome information for any agency that is co-funded at no charge. Com. Mills added that the thing about outcome measures is that every agency has written their own outcome. She added that it would be great if only once a quarter they had to submit their reports rather than once a month. The idea is to try to get it simplified so that you can look at one page and see what the partner agency is going to do.

CM Stinnett thanked Ms. Adkins and asked her about the number of grant writers on staff at BGCF and the number of grants that they write per year. Ms. Adkins stated that they have grant making specialist and staff that do the grant writing but BGCF is not a primary grant-writing organization. What BGCF specializes in is working with individuals, families, companies and organizations that want to establish charitable funds. They help them set-up and administer those funds in terms of IRS regulations. They run about a dozen grant competitions per year but they are not an entity that constantly writes grants because they also do not want to be in a position to compete with the nonprofits that they serve.

CM Stinnett stated that he hopes to establish a partnership with someone to help the nonprofits leverage the LFUCG funds to get more grants. CM Stinnett asked if BGCF cannot do that what the benefit to working with that organization would be. Ms. Adkins stated that GoodGiving.net is a tool to streamline the process and create more transparency for funders making

decisions. This would allow the public to easily access the amount of funding an organization receives from LFUCG and what that organization does.

CM McChord stated that the Mayor's proposed budget would cut \$385 thousand from partner agency funds. He added that the last time the Committee heard from the Hope Center that they need \$75,000 and that the Commissioner is stretched thin. CM McChord said the question is how to get more outside money in and noted that government cannot do it all. In his seven years he has seen the same issues. CM McChord said to CM Myers credit, it is painfully obvious that LFUCG needs to get more money. CM McChord stated that at the end of the day he wants to know who is going to get more money. He noted that the Robert Woods Johnson Foundation has a half million dollars out there to reduce childhood obesity but everyone is stretched thin and he wants to know who is going to write grants for LFUCG and raise the funds. CM McChord stated that he has spent seven years looking for outside money and had built a lot of things with outside funds. He added that there are sources of money out there and that LFUCG needs to spend resources to get that money. CM McChord stated that the only thing he is interested in is when someone comes in with a plan where people are going to be looking full-time for those resources.

CM Ford was called to speak. CM Ford thanked Com. Mills and Ms. Adkins. CM Ford stated that he is a little confused and asked if the Committee could zero back in on what the purpose was. He asked if it is about funding, programs and outcomes, or processes. He stated that it is not clear to him and he would guess it is not clear to most people in the room. CM Ford added that it takes money to do what we need to do; money in itself is not the answer. He said that we need programs and services and he wants this committee to get back to being a Social Services Committee. He added that it is an issue of priorities and wants to talk about what these partner agencies do for us, government as a service provider and noted that we partner with some of these agencies for which we cannot get on street level to do. He asked CM Myers for clarity as to what we are talking about and asked if we are talking about processes, outcomes, or chasing dollars to be chasing dollars.

CM Myers stated that he thinks that we are after three things including chasing dollars but not for the purpose of just chasing dollars but because there is a \$385,000 cut in partner agency spending in the Mayor's proposed budget this year. CM Myers said that there are agencies at the meeting who are here because that is their main concern. CM Myers agreed with everything CM McChord stated. He sees a lot of agencies that can write a grant for the Robert Woods Johnson Foundation but a lot of other agencies are not big enough to do that. He added that the purpose is to look at the

process, at outcomes and about bringing non-tax dollars in to do what needs to be done.

CM Ford said that he appreciates that but to the point being talked about is general fund dollars to partner agencies and that there are not enough funds. CM Ford stated that residents do this all the time; when they don't have enough money you prioritize. CM Ford thinks that is the job of the Council to prioritize and that the partner agencies are smart enough and capable enough to go out and find the external resources they need. CM Ford added that he does not think that any partner agency is looking for the government to foot their whole bill and that he thinks the focus should be on LFUCG dollars and the relationship with these agencies and how the appropriation of those dollars are prioritized.

CM Lawless was called on to speak. CM Lawless said that like CM McChord she has partnered with UK and several other places to write grants. CM Lawless added that partner agencies are out there wearing the leather off the bottom of their shoes writing grants and doing fund raising every day. She offered examples including the Hope Center and Rape Crisis Center. CM Lawless helped write the Hope 6 grant which was a partnership of many agencies. She stated that she does agree that the problem is there are often times grants out there that cannot be applied for because the government does not have the match money. CM Lawless stated that if money is going to be put out there maybe the focus should be to see how it can be spent to help research what grants and what other communities and entities can be partnered with in order to go after the Robert Wood Johnson grants, the Kellogg Foundation Grants, and the others out there. CM Lawless does think that there are some mixed messages here and that she hopes that the people on behalf of the agencies will stay on point. She requested that they let the Committee know how this presentation applies to them.

CM Henson said that she thinks it is about accountability and that the agencies need to be accountable because this is tax payer dollars being spent and it needs to be spent appropriately. CM Henson does not think that the government should be in the business of writing grants. When CM Henson looks around the room she knows they work extremely hard to get every dollar to help the people they serve. CM Henson stated that it is the government's job to make sure that the agencies are accountable for the tax payer's money they receive.

CM Myers thanked CM Henson and stated that he wanted to be clear that no one is suggesting because the discussion is about outcomes that the agencies in the community are not doing a good job. CM Myers said an example is the Hope Center who writes \$10's of thousands if not millions of dollars in grants every year and has the capacity to do that and does a great

job bringing dollars in. CM Myers stated that he guarantees the Committee will hear from the Hope Center today that they are not happy about the funding cut that they are taking.

CM Myers said that if the focus is only on the dollars brought in by taxes and if every \$0.74 of a dollar comes in from employee payroll tax or from net profits from businesses, based on what Dr. Ken Troske told the Committee in his presentation Lexington has lost around 10,000 total jobs and maybe 6,000 white collar jobs, thus tax dollars are going away. CM Myers stated that when we lose 10,000 jobs, that is a whole lot of tax dollars that are gone. At the end of the day, if \$2 million is spent in social services agencies every year, the idea is to have the analytics behind that spending in order go back to the community and say why \$3 million should be spent instead of \$2 million and there is support for cutting the funds from somewhere else rather than within social services. That is the idea behind finding outside dollars and looking at the outcomes.

CM Myers said that the process piece is because right now it is a closed process. If the Mayor puts an agency in the budget it is historically very unlikely that the agency will be cut from receiving funding. He added that historically if you are not in the budget it is very difficult to get added because someone else will have to be cut in order to do so.

CM Myers stated that the reason that Partner Agency Oversight Committee started down this road was to bring more non-tax dollars into the system so that at the end of the day if fifteen groups have the metrics to prove they deserve the maximum funding but there is not enough funds, outside dollars can step-up spending in that area. CM Myers stated that he looks forward to hearing from the partner agencies and he thinks that the next step is to bring the two groups and plans together to discuss the similarities and differences in order to come up with one plan. CM Myers said that the Committee can then begin to discuss turning it into one plan over the next four, five or six months.

CM Ford was called to speak. CM Ford said he recognizes he is new but has some familiarity with government and he thinks that CM Myers made some statements that are borderline to say the least and he is not certain that they are accurate and he wants to present those to the room and people that are watching. CM Ford said that CM Myers stated that in order for social service's agencies and partner agencies to get General Fund dollars that they simply have to know the Mayor and added that CM Myers did clarify that this is not personal to Mayor Gray any Mayor. CM Ford does not think that this statement was accurate or that the process is that simple. CM Ford added that CM Myers said that once you are in the budget there is nothing that Council can do to take a partner agency out. CM Myers disagreed with CM

Ford. CM Ford stated that is what he thought CM Myers said and that if that is not what he said he wanted to clarify because others may have thought that is what he said also and that is not accurate and that he does not think the process is that simple. CM Ford added that CM Myers put government and the partner agencies in a bad light when he did that.

CM Myers responded to CM Ford by saying that he might want to get the tape and that what CM Myers said is that the process starts by getting in the Mayor's budget and that historically if you are in the budget it is very difficult for the Council to take you out.

CM Ford said he will get the tapes and asked CM Myers to let the partner agencies speak.

CM Myers responded that he has the floor and that he was polite to CM Ford even when he was misquoting him. CM Myers iterated that it is very difficult historically for Council to take something out of the budget and that it is also difficult to add something if it is not already there because you end up cutting something else in the process. CM Myers added that CM Ford did not quote him properly and that he did not put the government in a bad light nor did he put partner agencies in a bad light. CM Myers said that CM Ford is welcome to follow-up if he would like; if not he would let the partner agencies speak.

CM Ford thanked CM Myers for allowing the partner agencies to speak.

CM Lawless asked to add a comment and stated that she is a huge fan of outcome measures and that thirty years ago our agency did outcome measures and if that is what is desired, all that will need to be done is ask the partner agencies for outcome measures. CM Lawless thanked CM Myers for his efforts and added that she knows he is trying hard to make the best of a bad financial situation.

CM Myers asked to clarify that the issue is not about whether partner agencies are asked for outcome measures. The Partner Agency Oversight Committee has worked for the last six years to get outcomes added to the application process. CM Myers stated that they do get the quarterly and the monthly reports but that they are not getting an answer as to whether the Mayor received those outcomes and considered those as he deliberated on what to put in and take out of the budget nor did the Council receive those reports. CM Myers added that this is not a reflection on Com. Mills as this existed before she arrived.

CM Myers called Lindy Karns to speak. Ms. Karns stated that she is here because she is the former Treasurer of UWBG, the Chair of their audit committee, on the board of BGCF, the upcoming President of the Chrysalis

House, the Treasurer of the Salvation Army, and the Treasurer of the Divine Providence, another social service program in town. She said that she wanted to make clear that when we engage another program to go out and do our grant writing one of the concerns that has been expressed and is a valid concern is that we want to be sure that they are good at it adding that the city has given each of the organizations she represents and many of the others in attendance less money every year but quite frankly so has UWBG. She added that she is a CPA and that she gets the money part. Ms. Karns stated that agencies have gotten much more entrepreneurial and there is not a weekend that you cannot go to a fundraiser in Lexington. Ms. Karns added that she understands that the Robert Wood Johnson and the United Way is focusing on obesity but when you have people dropping in the Salvation Army with no place to live, making them thinner will not solve their problems.

Ms. Karns stated that she needs unfettered money for operations and the major funding sources which have been the city and the UWBG have not been able to increase their giving over the years and have in fact decreased their funding. Ms. Karns said that is the issue and that we can bring all kinds of grant money in here but what she thinks CM Ford was alluding to is that there are grants and then there are grants. She said the Chrysalis house enjoys a wonderful grant for postpartum and pregnant women and they have a ton of them and will be giving them services whether they have grants or not because that is an issue that they treat. Ms. Karns added that if there is a grant that requires you to do more work and the administration is taken out of the organization because they are administering the grant, it does not help.

Ms. Karns stated that what every organization needs is for UWBG to raise more money and give the community some of that money and for the city to give more money so that they can do what they know how to do. Ms. Karns suggested that as this is explored try to keep in mind that two of the primary spending sources are organizations that have given less money on the average over the last ten years so they have had to get more entrepreneurial. The money that the partner agencies are receiving from the government is not doing it. Ms. Karns stated that what she would really ask is if there is collaboration amongst these agencies, these organizations that help bring money like BGCF who has helped bring money to the community that was not here before, they need to not have declining monies but more monies. Ms. Karns added how can UWBG and the city collaborate to do better fundraising in the community because everyone is giving less money and when the agencies get cut every year from the city budget they are going to struggle to find those dollars.

Mr. Walter May was called to speak. Mr. May thanked CM Myers and everyone there today, also complimenting Com. Mills and the Department of Social Services. Mr. May stated that he does not have a problem with the city

looking at his agencies outcomes because he is proud of them. Mr. May commented on the timeline stating that he would like to not be working so hard on this right now and instead focusing on the budget for the next six weeks because that is the most immediate threat to social services within this community.

Mr. May stated that the Hope Center writes grants and gets grants but that there is not a lot of funding for emergency shelter. Mr. May stated that the city has given the Hope Center enough money for 118 beds; this year they have averaged over 220 men per night and the money that the city gives the organization is what pays for that shelter.

Mr. May stated that grants is what the Hope Center does and he has not seen a proposal that is really a plausible one for doing a better job. What he has seen is a proposal for one half-time person to write grants for all 27 agencies. Mr. May stated that in order to write grants and research them you must have knowledge of an agencies history, an understanding of the mission, the population served, the ability to judge which grants will be useful and which will not serve the agency well and experience to write the grants. Mr. May asked if it is really realistic to conclude that one person working halftime for anybody could provide any meaningful support for 27 vastly different organizations.

Mr. Jack Burch was called to speak. Mr. Burch started by thanking Com. Mills and her staff for what they have done since the last meeting and expressed appreciation to her for acknowledging the role of the partners in the community. Mr. Burch added that the sum total dollars that the agencies bring in far exceed anything this government has ever appropriated. Mr. Burch added that he appreciated that the partners received advanced copies of the proposal before it was presented to the Committee as well as the promise for further consultations before bringing the proposal back to the Committee.

Mr. Burch stated that he was one of the first organizations to join GoodGiving.net and that it answers every possible question that anyone could ever ask about a 501(c)(3) comparing it to the Good Housekeeping seal of approval. Mr. Burch thinks that there needs to be honesty about going to find money that is somehow not coming into this community and he guesses that there is not one nonprofit that did not write a grant last year. Last FY he brought \$3.2 million new dollars to the community and allocated \$1.8 million of that to other agencies. Mr. Burch's organization is only one part of it.

Mr. Burch serves on the board of the Hope Center and stated that every time he goes to a meeting they are announcing another grant. Mr. Burch said that grant writing is done well and he doubts that there are any better grant writers out there.

Mr. Burch welcomes the role of UWBG because he thinks they can help solve the three problems that they do have with writing grants. Mr. Burch stated that there needs to be more focused and organized collaboration adding that right now it is kind of ad hoc. He thinks that the Commissioner can provide leadership and bring all of the interested agencies together.

Mr. Burch stated that there is an issue with alignment between the community's need and what the money is available for and sometimes it is just not money that is wanted. Mr. Burch added that there just is not a whole lot of money left out there and that Congress is taking billions of dollars out of people programs. He stated that he would hazard a guess that there will be a third of the amount of competitive grant dollars for social services in the next Federal FY. Mr. Burch said that we will have to learn how to work better and come in here and tell what the community's needs are and the Council will have to determine what it can afford to support.

CM Kay was called to speak. CM Kay thanked Chairman Myers and everyone in the room for being there. He stated that he thinks there are two parts to the question and to put it in a metaphor the questions are how to slice the pie and how to grow the pie. CM Kay thinks the first question is what brought people to the table and he thinks that the allocation of existing resources, whether it is government resources, UWBG resources, or any other resources; it is still a primary question. CM Kay added that related to that is how to grow the pie and he thinks it will take a combination of all the resources in the room to do so.

CM Kay said he applauds the Chair and suggests that the outcome of this meeting is to encourage everyone to go back and work together to figure out what resources exist and to come up with a system that makes sense to the partner agencies and that makes the best use of these resources.

CM Lawless was called to speak. CM Lawless agreed with CM Kay and addressed something Ms. Karns stated. CM Lawless stated that the government is in the business of collecting taxes but not in the fundraising business although she likes to assist that effort in every way that she can. CM Lawless stated that there are hard decisions to make and right now the Council is looking at a proposal to lay off city employees. CM Lawless thinks that she might just start a donation campaign to get people to start donating to the city. CM Lawless added that if anyone wants to donate \$10 to the city to bring it on. She concluded that she appreciated the work of each and every person in the room.

CM Myers said in closing thank you to everyone for coming and for being a part of the process. CM Myers added that he thinks the government is in the

business of fundraising and listed departments that have grant writers to raise funds. Going back to what CM McChord said, it really is about how to bring more dollars to the table. At the next meeting he asked that both groups come to the table and demonstrate the two different software programs so that the Committee can see what they are capable of doing. CM Myers also would like to see what is missing from the two different proposals so that they can start to figure out how to fill that gap if that was amenable to the Committee.

A motion was made by CM Stinnett to adjourn. Motion was seconded by CM McChord. The motion carried.

General Government Committee
June 7, 2011
Summary & Motions

CM Ed Lane chaired the meeting and called it to order at 1:15 pm. All committee members were present except CM Crosbie.

Open Standards/Open Data

CM Martin spoke briefly on what an open data policy is and the history of this item in the committee. He stated that he had included a draft open data resolution and an article from the New York Times in the packet. He then introduced Chase Southard of Open Lexington, a nonprofit, nonpartisan organization working to promote local government transparency.

Mr. Southard presented information on open data, including principles of open data, other cities with open data policies, example data sets, and examples of applications created from government datasets.

CM Martin thanked Mr. Southard for sharing his expertise with the committee. CM Lane clarified that this policy would provide raw data to creative people in order to provide this information to citizens, such as restaurant scores from the health department. Mr. Southard agreed and stated that people with skills in his area would take data and build on top of it.

CM Lane asked how many firms in Lexington might be able to do this. Mr. Southard said a fair amount have participated, such as UK, startup companies, small software development companies, and independent developers. There are 46 people on the email list for Open Lexington.

CM Lane asked if there would be an event that could be held promoting the availability of the data if the Council were to adopt the proposed resolution. Mr. Southard said he would love to have an afternoon where councilmembers, division heads, city programmers, and other stakeholders could get together to figure out what applications and data sources are most important.

CM Kay said he thought LFUCG was behind the curve and was strongly supportive of efforts to move this forward.

CM Martin made a motion to approve and recommend to the full council the open data resolution included in the packet. Seconded by CM Kay.

CM McChord said he fully supported the transparency of government, but he would vote no because it would be important for the administration to come to Council and tell their thoughts. He said he was not opposed to this, but he would vote no at this time so he could hear from administration.

CM Myers said he was in agreement with CM McChord, and that last time IT had some issues with this item.

CM Kay said he sees no reason not move this forward to full Council as the administration would have opportunity to address this issue at that time.

CM Martin said he appreciated the concerns, but this is the 3rd or 4th meeting on the item and it is a non-binding resolution of support. He said Louisville is way ahead of us and we are 5 to 10 years behind in getting the datasets together.

CM Lane stated this would create economic development opportunities and that there will be further discussion when this item is reported out to the full council, including input from the administration.

CM Ford asked for restatement of motion. CM Martin restated the intent of the motion. CM Ford asked when this would be reported out to the full Council. CM Lane said his recommendation would be to report out in two weeks at the Committee of the Whole Work Session.

The motion by CM Martin, seconded by CM Kay passed 4-2.

Purchase of Energy Efficient Vehicles

George Myers introduced Acting Commissioner Jamshid Baradaran.

Acting Commissioner Baradaran presented an overview on the purchase of energy efficient vehicles. He stated that LFUCG has the largest light vehicle hybrid fleet in KY, also stating that propane vehicles and electric vehicles are being looked at. LFUCG uses 10 years as the traditional life of a city vehicle, and calculates costs and savings based on this. With regard to heavy vehicles, LFUCG has met and exceeded targets for bio-diesel Waste Management vehicles. Compressed Natural Gas (CNG) is another option being looked at for heavy vehicles. This technology has been around for some time but is mainly used on the west and east coasts. Presently there is a lack of infrastructure for fueling stations. Another challenge is funding for conversion of vehicles or the purchase of new CNG vehicles.

Commissioner Baradaran presented several charts on the amount of energy efficient vehicles, the divisions that use them, and cost savings. \$139,012 in fuel savings has been realized from replacement of traditional vehicles with hybrids. Hybrids average 35 MPG and traditional vehicles average 16.5-17.5 MPG. Charts were also displayed on unleaded fuel use and biodiesel versus diesel use.

CM Martin asked if they have explored plug-in hybrid electric vehicles. Commissioner Baradaran said they are exploring it.

CM Martin said they can recharge overnight for three hours on a normal outlet for about 50 cents and will go about 30 miles before switching to the hybrid system. He said we would be a leader with this and reduce fuel costs. There would be no tax credits for purchase, but it would help

with reducing emissions and petroleum use. CM Martin said there is also the Chevy Volt, another plug-in hybrid.

CM Lane asked about the cost difference between diesel and biodiesel. Commissioner Baradaran replied that he believed that tax credits that kept biodiesel costs down had been done away with last year and they are keeping an eye on cost differences. He said at one point biodiesel went just above diesel in cost. Also stating that if you go back and forth between the two fuels there are maintenance issues. Over the long term biodiesel is still better. He also believes that additional incentives will be introduced and he thinks the cost of biodiesel will drop a little.

CM Lane said it would be helpful if Commissioner Baradaran would evaluate buying an energy efficient vehicle that costs more but saves on fuel or maintenance. At the end of a five (5) year period, the residual value of the vehicle could be estimated and the overall cost of an energy efficient vehicle could be compared to a less expensive gasoline model. CM Lane said this would allow LFUCG to determine if buying higher valued vehicles with higher fuel efficiency is advantageous. Commissioner Baradaran said that information is available and all of that analysis is taken into consideration. CM Lane asked Commissioner Baradaran to provide a copy of the cost analysis report to all committee members.

No action was taken.

Items Referred to Committee

CM Lane stated that there will be a number of committee items to come from the General Services budget link. He recommended that these items be explored after the budget process has concluded.

CM Martin made a motion to adjourn. Seconded by CM Kay. Passed without dissent.

The meeting adjourned at 1:56 pm.

WORK COPY

DOCKET-REGULAR MEETING-LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT COUNCIL MEETING

June 23, 2011 – 6:00 P.M.

- I. ROLL CALL
- II. INVOCATION
- III. COMMITTEE REPORTS – Committee of the Whole – VM Gorton
- IV. ORDINANCES –SECOND READING
 1. An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1E) zone for 0.3329 net (0.4017 gross) acre, for property located at 221 Devonia Dr. (Lexington Habitat for Humanity, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King]**
 2. An Ordinance changing the zone from a High Density Residential (R-4) zone to a Professional Office (P-1) zone for 1.26 net (3.99 gross) acres, with dimensional variances, for property located at 858 Malabu Dr. (a portion of) (SRG Properties, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King]**
 3. An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter consolidating the Dept. of Environmental Quality and the Dept. of Public Works and Development and creating the Dept. of Environmental Quality and Public Works; creating the Office of the Chief Development Officer; abolishing the office of the Office of the Chief Information Officer; changing the name of the Dept. of Finance and Administration to the Dept. of Finance; changing the name of the Div. of Streets, Roads and Forestry to the Div. of Streets and Roads; changing the name of the Div. of Community Development to the Div. of Grants and Special Programs; transferring the Divs. of Environmental Policy, Water Quality and Waste Management from the Dept. of Environmental Quality to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Engineering, Streets, Roads and Forestry (Streets and Roads) and Traffic Engineering from the Dept. of Public Works and Development (Dept. of Public Works) to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Community Development (Div. of Grants and Special Program) and Risk Management from the Dept. of Finance and Administration (Dept. of Finance) to the Office of the Chief Administrative Officer; transferring the Divs. of Computer Services, Government Communications, Enterprise Solutions from the Office of the Chief Information Officer to the Office of the Chief Administrative Officer; transferring the Divs. of Historic Preservation, Planning and Purchase of Development Rights from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Office of the Chief Administrative Officer; transferring the Div. of Budgeting from the Office of Policy and Budget to the Dept. of

Finance and Administration (Dept. of Finance); transferring the Div. of Human Resources from the Dept. of Finance and Administrative (Dept. of Finance) to the Dept. of Law; transferring the Div. of Building Inspection from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Dept. of Public Safety; transferring the Office of Economic Development from the Office of the Senior Advisor to the Office of the Chief Development Officer; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Human Resources Manager, Grade 119E, one position of Payroll Analyst, Grade 115E and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Accounting; abolishing one (1) position of Human Resources Manager, Grade 119E, one (1) position of Payroll Analyst, Grade 115E, and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Human Resources; creating two (2) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Trades Supervisor, Grade 113N, all in the Div. of Fire and Emergency Services; abolishing one (1) position of Operations Manager, Grade 116E, five (5) positions of Trades Supervisor, Grade 113N, six (6) positions of Skilled Trades Worker Sr., Grade 112N, one (1) position of Public Service Supervisor, Grade 111N, five (5) positions of Skilled Trades Worker, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Stores Clerk, Grade 107N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Public Service Worker, Grade 106N, all in the Div. of Facilities and Fleet Management; creating four (4) positions of Trades Supervisor, Grade 113N, one (1) position of Public Service Supervisor, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Stores Clerk, Grade 107N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Public Service Worker, Grade 106N, five (5) positions of Skilled Trades Worker, Grade 111N, four (4) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Operations Manager, Grade 116E, all in the Div. of Parks and Recreation; abolishing one (1) position of Urban Forester, Grade 116E, one (1) position of Arborist Technician, Grade 112N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Streets, Roads and Forestry (Div. of Streets and Roads); abolishing one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, and four (4) positions of Engineering Technician, Grade 111N, all in the Div. of Engineering; creating one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, four (4) positions of Engineering Technician, Grade 111N, two (2) positions of Public

Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Water Quality; creating one (1) position of Urban Forester, Grade 116E, and one (1) position of Arborist Technician, Grade 112N, all in the Div. of Environmental Policy; and creating three (3) positions of Managing Attorney, Grade 123E, all in the Dept. of Law; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Senior Advisor, Grade 212E and three (3) positions of Administrative Aide to Mayor, Grade 118E, all in the Office of the Mayor; creating one (1) position of Chief Development Officer, Grade 212E, in the Office of the Chief Development Officer; creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Accounting; creating three (3) positions of Administrative Officer, Grade 118E, in the Office of the Chief Administrative Officer; and abolishing one (1) position of Senior Advisor, Grade 212E and one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Administrative Officer; transferring all incumbents and all vacant positions at the current job classification, pay grade and salary; amending Section 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 177-11]**

4. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 123. **[Div. of Budgeting, Barrow]**
5. An Ordinance creating and establishing for bid a non-exclusive electric franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from electric service provided within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11]**
6. An Ordinance creating and establishing for bid a non-exclusive gas franchise for the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least

three percent (3%) of each franchisee's gross annual revenues received from the sale, distribution, and/or delivery of gas within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11]**

7. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of \$1,916,118 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 187-11]**
8. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$1,963,475 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 189-11]**
9. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown Pike Extension Project in the amount of \$5,088,000, and appropriating funds pursuant to Schedule No. 122. **[Div. of Community Development/Dept. of Public Works and Development, Gooding/Taylor, BS 195-11]**
10. An Ordinance creating and enacting Chapter 2B of the Code of Ordinances of the Lexington-Fayette Urban County Government pertaining to Code Enforcement Administrative Hearing Boards created pursuant to KRS 65.8801 et. seq., and providing for creation of boards; membership, appointment, reappointment, alternates, terms, residency, and vacancies of members; organization and meetings; powers, enforcement proceedings and civil citations; hearings, procedure and final orders; appeals; liens, releases and personal liability; and immediate abatement actions; amending Subsection 12-16(b) of the Code to provide for thirty days to appeal; amending Sections 13-73.5, 16-76, 16-76.1, 17-4.1, and 17-4.2 and Subsections 16-8(h), 16-50(f), (g), (h), (i), 16-202(b), and 16-206(c)

and (f) of the Code to reference and be consistent with the provisions of Chapter 2B of the Code; deleting Sections 16-77, 16-79, 16-80, 16-81, 16-82, 17-4.3, 17-4.5, 17-4.6, and 17-4.7 of the Code; and amending Sections 16-78, 16-83, and 17-4.4 of the Code to be consistent with the provisions of Chapter 2B of the Code and renumbering to Sections 16-77, 16-78, and 17-4.3 of the Code; all effective on July 1, 2011. **[Dept. of Law, Graham, BS 196-11]**

11. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,796.91 from Neighborhood Development Funds in the Div. of Fire and Emergency Services for purchase of training equipment, and appropriating and re-appropriating funds, Schedule No. 124. **[Council Office, Williams]**
12. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for purchase of a scoreboard for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 125. **[Council Office, Williams]**
13. An Ordinance amending Section 4-12.5(d)(7) of the Code of Ordinances, relating to standards for kennels, to require that a tether for a dog be at least twelve (12) feet in length. **[Dept. of Public Safety, Mason, BS 179-11]**
14. An Ordinance amending Section 2-382 of the Code of Ordinances, relating to the Court-Appointed Special Advocate Board, to change the length of term for board members from two (2) years to four (4) years and to remove the Fayette County Family Court Judges as ex officio board members. **[Dept. of Social Services, Mills, BS 191-11]**
15. An Ordinance amending Section 18-129(2) of the Code of Ordinances related to parking of vehicles in any residential section to prohibit parking in residential back yards. **[Council Office]**

V. ORDINANCES – FIRST READING (New Business)

16. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$10,080 Commonwealth of Ky. funds, are for the renovation of the Dunbar Community Center kitchen, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY2012 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/ Dept. of General Services, Gooding/Baradaran, BS 205-11, p.15]**

WORK COPY

17. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Justice and Public Safety Cabinet, for the acceptance of additional Federal funds for the Ticketing Aggressive Cars and Trucks Program in the amount of \$25,000, the acceptance of which obligates the Urban County Government for the expenditure of \$6,250 as a local match, and appropriating funds pursuant to Schedule No. 127. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 220-11, p.16]**
18. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$368,000 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$87,000 as a local match, appropriating funds pursuant to FY2012 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 211-11, p.17]**
19. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute a Change Order to the Contract with RRT Design and Construction, for additional engineering and design services, for the Materials Recovery Facility, increasing the contract price by the sum of \$70,675 from \$1,382,345 to \$1,453,020 and appropriating funds pursuant to Schedule No. 128. **[Dept. of Environmental Quality, Taylor, BS 213-11, pp.18-19]**

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for vehicle steam cleaning, for the Div. of Facilities and Fleet Management. **[Baradaran]** (1 Bid)
2. A Resolution accepting the bids of National Coatings & Supplies; Freedom Dodge-Chrysler-Jeep; Lexington Truck Sales, Inc.; World-Wide Equipment; Republic Diesel; Alton Blakley Ford-Lincoln-Mercury-Mazda-Honda; Nandino Industrial Electric, Inc.; S&S Tire Truck Alignment & Brake Center, Inc.; Cummins Crosspoint, LLC; Paul Miller Ford; NAPA Auto Parts; General Parts Distribution, LLC d/b/a Carquest Auto Parts; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Peterbilt of Louisville; Bluegrass International; Clarke Power Services; KOI Auto Parts; Power Train of Ky.; Lexington Auto Spring Co.; Truck Pro; and Fleet Pride, establishing price contracts for automotive and truck parts, for the Div. of Facilities and Fleet Management. **[Baradaran]** (22 Bids, Low)
3. A Resolution accepting the bid of Red River Ranch, LLC, in the amount of \$103,361 for Compost Pond Discharge Improvements, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)

4. A Resolution accepting the bid of Leak Eliminators, LLC, in the amount of \$225,060 for Haley Pike Landfill Leachate Treatment System Wetlands Improvements, for the Div. of Waste Management. **[Feese]** (2 Bids, Low)
5. A Resolution accepting the bid of Moore Gabbard Bridges General Contractor, in the amount of \$184,800 for Building Renovation – Electronics Recycling Center, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
6. A Resolution accepting the bid of National Workwear for work shoes, for the Div.'s of Waste Management, Facilities and Fleet Management, Streets, Roads and Forestry and Water Quality. **[Feese, Baradaran, Williams, Martin]** (2 Bids, Low)
7. A Resolution changing the property address numbers of 3, 2, 5, 4, 7, 6, 9, 8, 11, 10, 13, 12, 15, 14, 17, 16, 19, 18, 21, 20, 23, 22, 25, 24, 27, 26, 29, 28, 31, 28 ½, 33, 30, 35, 32, 37, 34, 39, 36, 41, 38, 43, 40, 43 ½, 42, 45, 44, 47, and 51 Richmond Ave. to 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Richmond Ave., effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**
8. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification with M2D Design Group, for the design of Corridor Enhancement Grant for the Newtown Pike Landscaping Project, at a cost not to exceed \$10,000. **[Div. of Community Development/Council Office, Gooding/Williams, BS 183-11]**
9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,806,712.50 Federal funds and \$289,074.00 Commonwealth of Ky. funds under the Federal Emergency Management Agency's Hazard Mitigation Grant Program, and are for the acquisition and demolition of twelve residential properties on Lansdowne Dr., Medlock Rd. and Argonne Circle. **[Div. of Community Development/Dept. of Environmental Quality, Gooding/Taylor, BS 194-11]**
10. A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase Zumro air shelters and equipment under the Metropolitan Medical Response System Project from Zumro, Inc., a sole source provider, at a cost not to exceed \$69,055.20. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 181-11]**

WORK COPY

11. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$143,243 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 188-11]**
12. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Neighbors of Montclair, Inc. (\$2,000), Columbia Heights Neighborhood Association, Inc. (\$2,000), Seedleaf, Inc. (\$1,000), Radcliffe-Marlboro Neighborhood Association, Inc. (\$900), Highlands Neighborhood Association, Inc. (\$447), Georgetown St. Area Neighborhood Association, Inc. (\$1,000), Historic Western Suburb Neighborhood Association, Inc. (\$184), Cardinal Valley Neighborhood Association, Inc. (\$1,270), CASA for Children of Lexington (\$1,000), Joyland Neighborhood Association (\$100), Batesbrook Neighborhood Association, Inc. (\$2,080), Andover Neighborhood Association, Inc. (\$300), Wellington Elementary PTA Corporation (\$500), Bluegrass Community Foundation, Inc. (\$2,500), Beaumont Centre Family YMCA (\$875), Hope Center, Inc. (\$2,325), American Lung Association of Ky., Inc. (\$1,600), Chrysalis House, Inc. (\$1,400), Downtown Lexington Corporation (\$1,000), Lexington Humane Society (\$1,125), The Temple of Prayer of God in Christ (\$300), Harrod Hills Neighborhood Association, Inc. (\$900), Dogwood Trace Neighborhood Association, Inc. (\$900), and Garden Springs Neighborhood Association, Inc. (\$900), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Right of Entry with Commonwealth of Ky., Div. of Waste Management, for performance of remedial activities at Raven Run Nature Sanctuary, at no cost to the Urban County Government. **[Div. of Environmental Policy, Bush, BS 184-11]**
14. A Resolution ratifying the probationary civil service appointment of: Kenneth Newby, Public Service Supervisor, Grade 111N, \$19.089 hourly, in the Div. of Water Quality, effective May 30, 2011; ratifying the permanent civil service appointments of: Cynthia Shuster, Administrative Officer Sr., Grade 120E, in the Dept. of Finance and Administration, effective May 22, 2011; Shandra McCauley, Stores Clerk, Grade 107N, effective April 26, 2011; Nelson Wright, Vehicle and Equipment Mechanic, Grade 110N, effective April 29, 2011; Anthony King, Public Service Supervisor Sr., Grade 114E, effective April 25, 2011, in the Div. of Streets, Roads and Forestry; Charles Burchett, Computer Analyst, Grade 115E, in the Div. of Computer

WORK COPY

Services, effective April 25, 2011; ratifying the unclassified civil service appointment of: Linda Taylor, Program Administrator, Grade 117E, \$2,463.92 bi-weekly, in the Div. of Youth Services, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**

15. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Chrysalis House, Inc., for participation in the Police Activities League. **[Div. of Police, Bastin, BS 193-11]**
16. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Pasadena Neighborhood Association, Inc. (\$900), and Neighbors United for South Elkhorn Creek, Inc. (\$692), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

VII. RESOLUTIONS – FIRST READING (New Business)

17. A Resolution accepting the bid of Claunch Construction, LLC, in the amount of \$787,999.10, for the Meadows-Northland-Arlington Neighborhood Improvements Project Phase 3D, for the Div. of Community Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Claunch Construction, LLC, related to the bid. **[Gooding]** (4 Bids, Low)
18. A Resolution accepting the bid of C & R Asphalt, establishing a unit price contract for crack sealing in the amount of \$1.15 per pound, for the Div. of Streets, Roads and Forestry. **[Williams]** (4 Bids, Low)
19. A Resolution accepting the bid of American Pavements, Inc., establishing a unit price contract for asphalt emulsion slurry seal in the amount of \$2.18 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (3 Bids, Non-Low)
20. A Resolution accepting the bid of Pavement Technology, Inc., establishing a unit price contract for asphalt surface maintenance with an asphalt rejuvenating agent in the amount of \$0.74 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (1 Bid)
21. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the proposal from Securus Technologies, for provision of offender telephone service at the Detention Center. **[Div. of Community Corrections, Bishop, BS 221-11, p.20]**
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to CHDO Agreement with the Fayette County Local Development Corp., for an additional \$15,656 in HOME Investment Partnership Program funds for development of four rental housing units. **[Div. of Community Development, Gooding, BS 200-11, p.21]**

23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Fayette County Local Development Corp. and G.P. Russell Apartments, LLLP, for an additional \$194,000 in HOME funds for development of the Russell School property into rental unit for the elderly. **[Div. of Community Development, Gooding, BS 204-11, p.22]**
24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Adopt-a-Spot Program Agreements with Lexington Swingers Golf Club, Inc. (\$1,616), Alpha Kappa (\$1,023.12) and Alpha Kappa Alpha – Eta Rho Chapter (\$636.12) for participation in the Adopt-a-Spot Roadway Cleanup Program, at a cost not to exceed \$3,275.24. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 210-11, p.23]**
25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 14 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$2,088,076 from \$6,856,315.51 to \$8,944,391.51. **[Div. of Community Development/Dept. of Public Works & Development, BS 214-11, pp.24-27]**
26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement for Cost Sharing for the Central Ky. E-911 Network, with Jessamine County, Woodford County and additional jurisdictions approved by Lexington-Fayette Urban County Government's E-911 Board, at no cost to the Urban County Government. **[Div. of Emergency Management/911, Lucas, BS 217-11, p.28]**
27. A Resolution authorizing the Div. of Emergency Management/911 to obtain professional services related to the acquisition of a new public safety radio system from RCC Consultants, Inc., a sole source provider, at a cost not to exceed \$100,000.00, and authorizing the Mayor to execute any necessary documents. **[Div. of Emergency Management/911, Lucas, BS 218-11, pp.29-32]**
28. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements. **[Div. of Engineering, Rayan, BS 212-11, p.33]**
29. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, at a cost not to exceed \$209,000. **[Dept. of Environmental Quality, Taylor, BS 201-11, p.34]**

WORK COPY

30. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Mary D. (Dee) Teater, d/b/a Teater Hats, for lease of 126 N. Broadway. **[Dept. of General Services, Baradaran, BS 197-11, p.35]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Lease with Legal Aid of the Bluegrass, to amend Contract 143-2010 for use of additional space and rent at Black and Williams Community Center. **[Dept. of General Services, Baradaran, BS 199-11, p.36]**
32. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed, transferring 3,257 square feet of land located at 211 Corral St., from the Urban County Government to William L. Hassett, Jr. as a trustee under the Restated Revocable Living Trust for the Benefit of William L. Hassett, Jr., Charles D. Mitchell, Jr., Elizabeth Mitchell, Executrix, Estate of James L. Mitchell and Anne Hassett Zelle, upon the expiration of the contract extension for the 166 N. Martin Luther King Blvd. on December 31, 2011. **[Dept. of General Services, Baradaran, BS 209-11, p.37]**
33. A Resolution ratifying the probationary civil service appointment of: Brian Reynolds, Environmental Inspector, Grade 113N, \$17.132 hourly, in the Div. of Water Quality, effective June 27, 2011; ratifying the probationary sworn appointment of: Matthew Brotherton, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective May 23, 2011; ratifying the permanent civil service appointment of: Pamela Proctor, Accountant, Grade 113E, in the Div. of Accounting, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
34. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: David Price, \$12.459 hourly, Andrew Jackson, \$12.097 hourly, Sherman Cook, \$13.912 hourly, Carson Ritchie, \$12.459 hourly, Sonya Taylor, \$16.814 hourly, Anthony Sullivan, \$12.459 hourly, Ross Strong, \$13.524 hourly, Robert Bailey, \$18.750 hourly, Eric Wheeler, \$16.814 hourly, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resources, Jarvis]**
35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Sanitary Sewer Easement, releasing a portion of a sanitary sewer easement on property located at 3050 Spurr Rd. **[Dept. of Law, Graham, BS 207-11, p.38]**

36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing a portion of a utility easement and a portion of a storm water detention easement on property located at 1650 Bryan Station Rd. **[Dept. of Law, Graham, BS 208-11, p.39]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Settlement Agreement with TCF National Bank, for payment of liens and securing of Pennington Place, 205-215-245 Codell Dr. **[Dept. of Law, Graham, BS 215-11, p.40]**
38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY2012 for excess worker's compensation insurance from New York Marine & General Insurance Co. at a cost not to exceed \$303,672; excess property, boiler and machinery insurance from Public Entity Property Insurance Program at a cost not to exceed \$260,806; excess special liability from National Casualty Co. at a cost not to exceed \$460,995; and aviation liability from Old Republic Insurance Co. and Phoenix Aviation Managers at a cost not to exceed \$8,054; and subject to sufficient funds being appropriated for the purposes; and authorizing the Mayor to execute all relevant documents. **[Dept. of Law, Graham, BS 216-11, pp.41-43]**
39. A Resolution approving the granting of an inducement to Specialty Vehicle Acquisition Corp. (SVAC d/b/a ASC), pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by ASC for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement ASC has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 222-11, pp.44-46]**
40. A Resolution approving the granting of an inducement to Transposagen Biopharmaceuticals, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Transposagen Biopharmaceuticals, Inc. for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Transposagen Biopharmaceuticals, Inc. has with the Ky. Economic Development Finance Authority and the Urban County Government related to the

project; and taking other related action. **[Mayor's Office, Atkins, BS 223-11, pp.47-49]**

41. A Resolution approving the granting of an inducement to Lockheed Martin Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Lockheed Martin Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Lockheed Martin Corporation has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 224-11, pp.50-52]**
42. A Resolution approving the granting of an inducement to Neogen Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Neogen Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Neogen Corporation has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 225-11, pp.53-55]**
43. A Resolution approving the granting of an inducement to Tempur-Pedic International, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Tempur-Pedic International for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Tempur-Pedic International has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 226-11, pp.56-58]**
44. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues, for use of baseball fields. **[Div. of Parks & Recreation, Hancock, BS 206-11, p.59]**

WORK COPY

45. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizen's Police Academy Alumni Association (CPAAA) of various items and \$660 for the Junior Citizen Police Academy Program and \$350 for supplies to the Bureau of Patrol, Div. of Police. **[Div. of Police, Bastin, BS 198-11, p.60]**
46. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an ACH Credit Authorization with Open Portal Solutions, Inc., for credit deposits. **[Div. of Police, Bastin, BS 219-11, p.61]**

VIII. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointment of Mr. Timothy Brooks to the Arboretum Advisory Committee, with a term to expire 1-1-2012. Mr. Brooks will fill the unexpired term of Mr. Terrence Schneider.
2. Recommending the reappointment of Mr. James Griggs to the Board of Adjustment, with a term to expire 7-1-2015.
3. Recommending the reappointments of Ms. Kacy Allen-Bryant, Ms. Cindy Derer, Mr. Robert Lynch, Mr. John Riley, Mr. John Roth, and Mr. Gary Wallace to the Board of Health, with terms to expire 6-30-2013.
4. Recommending the appointments of Mr. Chris Ford, Ms. Peggy Henson, Mr. David O'Neill, and Ms. Joanna Rodes to the Community Action Council, with terms to expire 12-31-2014.
5. Recommending the appointment of Ms. Claire Brickman to the Domestic Violence Prevention Board, with a term to expire 1-1-2015.
6. Recommending the appointment of Ms. Kimberly Brennen to the Library Board of Advisors, with a term to expire 1-9-2014. Ms. Brennen will fill the unexpired term of Mr. Matthew Holt.
7. Recommending the appointment of Mr. Chris Ford to the Parks and Recreation Advisory Board, with a term to expire 1-14-2015. Mr. Ford will fill the District Council Member role.
8. Recommending the appointment of Ms. Leigh McKee to the Rural Land Management Board, with a term to expire 4-1-2015.

IX. COMMUNICATION FROM THE MAYOR (FOR INFORMATION ONLY)

1. Acting assignment of Mary C.S. Felty, Deputy Director for Administrative Services, Grade 120E, in the Div. of Water Quality, effective June 13, 2011.

X. ANNOUNCEMENTS

XI. PUBLIC COMMENT