

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
July 11-July 18, 2011
Council Summer Recess July 13-August 15, 2011**

Monday, July 11

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

Tuesday, July 12

Public Safety & Public Works and Development Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

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

Council Meeting.....6:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, July 13

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

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

Thursday, July 14

No Meetings

Friday, July 15

No Meetings

Monday, July 18

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

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

URBAN COUNTY COUNCIL
COMMITTEE OF THE WHOLE WORK SESSION MINUTES
AND MOTIONS

July 5, 2011

Vice Mayor Gorton chaired the meeting, calling it to order at 3:00 pm. All Council Members were present except CM Crosbie.

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

Several CMs asked questions and they were answered by employees from the appropriate departments.

A motion by CM Blues to recommend placing on the docket without a hearing an ordinance changing the zone from a Neighborhood Business (B-1) zone to a Professional Office (P-1) zone for 2.70 net (3.43 gross) acres; and from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone 2.31 net (2.69 gross) acres, with a conditional use permit and a dimensional variance, for property located at 119, 124, and 125 Louis Place (Dennis Anderson Inv. 1700, LLC), seconded by CM Beard, passed without dissent.

A motion by CM Lawless to recommend removing #8 under Ordinances 1st Reading, seconded by CM Martin, failed by a 5-9 vote.

- IV. Review of Budget Amendments-Reviewed and no questions asked.
- V. Agenda Items Referred from Council Members
 - A. 7.7.11 NDF List (for informational purposes only)-No action needed; already placed on docket.

A motion by CM Lane to recommend a resolution establishing the procedure for approval of collective bargaining agreements by the

Lexington-Fayette Urban County Council, seconded by CM Martin, passed by a 11-3 vote.

VI. Committee Report

A. 5.12.11 Special Social Services Committee

This report was given by Chair CM Myers. No motions came forward.

VII. Council Report

CM Stinnett-Reminded everyone about the NASCAR haulers coming to Town on tomorrow; -will be parading through downtown Lexington to Newtown Pike to the interstate; asked Comm. Graham about the fireworks noise in the recent state legislation; asked CAO Moloney to bring the new language forward to Council; VM Gorton stated that this issue has been placed in the Public Safety Committee.

CM McChord-Thanked administration and staff for making everything work so well for the July 4th celebration; also thanked Renee Jackson and the DLC; asked Acting Comm. Baradaran and Parks to give Council a plan or proposal by Nov. 15, 2011 about what it would take for golf to not lose a dime or break even; stated that last Monday, Lexington made national news-Men's Health magazine said that Lexington is the most sedentary city in America; and was also called out on Steven Colbert's show; invited the mayor, FCPS superintendent and UK president to go with him to PA to Men's Health and ask them to do a follow-up article on Lexington in a year.

CM Beard-Stated that Council does not need to paint itself in a corner about July 4th fireworks; the issue is the noise, not the event.

CM Lawless-Announced that the Ayelsford NA will meet tonight at 7 pm at the Woodland Christian Church and on 7/12/11 at 6 pm the Historic South Hill NA will meet in the basement of the 1st United Methodist Church; the Southland Jamboree will feature the Mountain Connection tonight at 7 pm at the side of Collins Bowling Alley; stated that she forwarded information to Kevin Atkins about KABOOM! On 7/6 Summer fest at the Arboretum begins.

CM Martin-Reminded everyone of the Moon dance at Midnight Pass every Thursday out Beaumont; also stated that Forbes magazine

ranked Lexington one of the best places to do business.

CM Ford-Asked David Barberie of the Law Dept. to explain the process for the veto.

VM Gorton-Asked about the 13 resignations from Community Corrections that was listed in today's COW WS packet.

A motion by VM Gorton to recommend placing on the docket for Thursday night the changes to the rules and procedures and Council structuring with the elements as follows: the Work Sessions will revert to every Tuesday; the Mayor will chair the Work Sessions; we will maintain the six current Standing Committees and the Economic Development Committee will change to a quarterly meeting of the Committee of the Whole; every Standing Committee will have 10 members; every Standing Committee will meet monthly, and we will start the new system on Sept. 12, 2011, seconded by CM Beard, passed without dissent.

CM Lane-Stated that the most recent unemployment rate in Lexington is 7.3%; the lowest of the state.

VIII. Public Comment – Issues Not on Agenda-Yes

Citizen, Billie Mallory, made a statement about the location of the upcoming Charles Young Center Task Force meeting.

IX. Closed Session

A motion by CM Ellinger to go into closed session pursuant to KRS 61.810 (1)(f) for a discussion that may lead to the employment of an individual, seconded by CM Kay, passed without dissent.

A motion by CM Farmer to go back into open session, seconded by CM Ellinger, passed without dissent.

X. Adjournment

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

COW Work Session adjourned at 4:37 pm.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

COMMITTEE OF THE WHOLE WORK SESSION AGENDA

July 12, 2011

- I. Public Comment – Issues on Agenda**
- II. Approval of Summary-Yes, July 5, 2011, pp.1-3**
- III. Review of Docket below, pp.1-10; complete Council Meeting work copy, pp.34-43**
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*

RESOLUTIONS – FIRST READING (New Business)

- 34. A Resolution accepting the bid of Columbia Gas of Ky., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Columbia Gas of Ky., Inc., incorporating the terms and conditions of Ordinance No. 73-2011. **[Chief Administrative Officer, Moloney, BS 256-11, p.14]**
- 35. A Resolution accepting the bid of Delta Natural Gas Co., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Delta Natural Gas Co., Inc., incorporating the terms and conditions of Ordinance No. 73-2011. **[Chief Administrative Officer, Moloney, BS 256-11, p.14]**
- 36. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with North Limestone Neighborhood Association (\$1,250), and Southern Heights Neighborhood Association (\$650), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
- 37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Customer Services Agreement with Windstream Communications, which is attached hereto and incorporated herein by reference, to provide ISDN dial tone service to the Div. of Emergency Management/911, at an annual cost not to exceed \$6,000 plus any additional long distance charges. **[Div. of Emergency Management/911, Lucas, BS 264-11, p.15]**

38. A Resolution accepting the response of Dean Dorton Allen Ford, PLLC to Request for Proposal No. 21-2011 to perform the auditing of financial statements for an amount not to exceed \$124,000, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement or documents with Dean Dorton Allen Ford, PLLC. **[Dept. of Finance, Driskell, BS 257-11, p.16]**
39. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Ky. World Trade Center Lexington, Inc., for rent of space at 101 E. Vine St. (aka Phoenix Building). **[Dept. of General Services, Baradaran, BS 265-11, p.17]**
40. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Metropolitan Medical Response System (MMRS) Project through December 31, 2011, at no cost to the Urban County Government. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 261-11, p.18]**
41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Louisville Center for Hazards Research, for consulting services for update of the Hazard Mitigation Plan, at a cost not to exceed \$107,701 in Hazard Mitigation Grant Program funds. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 262-11, p.19]**
42. A Resolution ratifying the permanent sworn appointment of: Craig Bencz, Administrative Officer, Grade 118E, in the Div. of Youth Services, effective June 28, 2011. **[Div. of Human Resources, Jarvis]**
43. A Resolution authorizing the Mayor or his designee, on behalf of the Lexington-Fayette Urban County Government, to execute and submit the Letter of Intent, Application, and any other necessary documents to the Ky. Arts Council requesting certification of the Town Branch Cultural District, and to provide any additional information requested in connection with this certification; and if so designated, creating the cultural district and establishing the necessary steering committee responsible for administering, planning, developing, implementing, and operating the cultural district, which shall be comprised of the directors or chief executive officers of the following entities – LexArts, the Lexington-Fayette Urban County Government, Downtown Lexington Corporation, Commerce Lexington, Lexington Convention and Visitors Bureau, Blue Grass Trust for Historic Preservation, Lexington Farmer's Market, Lexington Center/Opera House, and the 1st District Councilmember, the 2nd District Councilmember, and the 3rd District Councilmember. **[Mayor's Office, Atkins, BS 260-11, pp.20-27]**
44. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Fayette County Public Schools, for operation of the Lexington Day Treatment

Program, at no cost to the Urban County Government. **[Dept. of Social Services, Mills, BS 258-11, p.28]**

45. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the donation of a \$25 gift card from Walmart; a \$25 Visa card from Metro Employees Credit Union; a computer, printer, monitor and wireless router from AT&T Foundation and Ky. Connect; and a \$10 Kroger gift card and \$40 gift bag items from Omelia Thornton for the Hope VI Grant Resource Fair. **[Dept. of Social Services, Mills, BS 259-11, p.29]**
46. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000. **[Div. of Water Quality, Martin, BS 263-11, p.30]**

ORDINANCES –SECOND READING

1. An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Professional Office (P-1) zone for 2.70 net (3.43 gross) acres; and from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 2.31 net (2.69 gross) acres, with a conditional use permit and a dimensional variance, for property located at 119, 124, and 125 Louie Place (Dennis Anderson Inv. 1700, LLC). Approval 7-0 OBJECTORS (To Be Heard By September 21, 2011)
2. 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. 21. **[Div. of Budgeting, Barrow]**
3. An Ordinance pursuant to Section 3.02(10) of the Charter of the Lexington-Fayette Urban County Government amending Section 21-5(2) of the Code of Ordinances abolishing three (3) positions of Assistant Director Community Corrections, Grade 119E, and creating one (1) position of Community Corrections Captain, Grade 115E; accepting the voluntary demotions of one (1) employee holding the position of Assistant Director Community Corrections to Community Corrections Captain; expressing an intent to create the special duty assignment of Bureau Director; providing that pursuant to Section 21-53 of the Code of Ordinances that employees appointed to special duty assignments serve at the pleasure of the Director of Community Corrections and providing that those employees appointed to a special duty assignment shall receive a leave of absence from their permanent rank for and during the incumbency of any special duty assignment; and providing that employees appointed to the special duty assignment of Bureau Director shall receive a stipend of \$800 per pay period; effective July 1, 2011. **[Div. of Community Corrections, Bishop, BS 266-11]**
4. An Ordinance closing portions of Goodloe and Ann Sts.; determining that all property owners abutting portions of the streets to be closed have been

identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way. **[Dept. of Environmental Quality & Public Works, Taylor, BS 235-11]**

5. An Ordinance closing a portion of Southeastern Ave.; determining that all property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way. **[Dept. of Environmental Quality & Public Works, Taylor, BS 236-11]**
6. An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Research Analyst, Grade 118E and two (2) positions of Council Administrative Specialist, Grade 115E, abolishing three (3) positions of Staff to Council II, Grade 000E, and transferring the incumbents, in the Office of the Urban County Council. **[Div. of Human Resources, Jarvis]**
7. An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Information Officer, Grade 113E, in the Div. of Government Communications and creating one (1) position of Information Officer, Grade 113E, in the Div. of Emergency Management/911 and transferring the incumbent; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 227-11]**

RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Hayden Construction, in the amount of \$48,859, for the Warfield Place Entrance Wall, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Hayden Construction related to the bid. **[Rayan]** (3 Bids, Low)
2. A Resolution accepting the bids of Clarke Power Services; NAPA Auto Parts; Republic Diesel; Bluegrass International; Power Train of Ky.; Vehicle Maintenance Program; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Mighty Auto Parts of the Bluegrass; Worldwide Equipment; KOI Auto Parts; Truck Pro, Inc.; Fleet Pride; and General Parts Distribution, LLC d/b/a Carquest Auto Parts, establishing price contracts for vehicle filters, for the Div. of Facilities and Fleet Management. **[Baradaran]** (13 Bids, Low)
3. A Resolution accepting the bid of John Kinder Electric, establishing a price contract for sanitary sewer pump stations resistance testing and correction, for the Div. of Water Quality. **[Martin]** (1 Bid)
4. A Resolution accepting the bid of Leak Eliminators, LLC, establishing a price contract for sanitary sewer system rehabilitation, for the Div. of Water Quality

and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Leak Eliminators, LLC, related to the bid. **[Martin]** (1 Bid)

5. A Resolution of the Lexington-Fayette Urban County Council requesting that the Ky. Economic Development Finance Authority issue Revenue Bonds in an amount of up to \$336,000,000, the proceeds of which will be loaned to Catholic Health Initiatives, Inc., to provide financing for all or a part of the costs of the acquisition, construction, installation and equipping of capital projects for health care facilities and related improvements and expenditures. **[Chief Development Officer, Atkins, BS 253-11]**
6. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Russell Cave Church of Christ, Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sum stated. **[Council Office, Williams]**
7. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for the Lexington Distillery District Improvements Program Feasibility Study, for streetscape improvements and the Town Branch Trail along the corridor from Oliver Lewis Way to South Forbes Rd., at a cost not to exceed \$418,000. **[Div. of Engineering, Rayan, BS 250-11]**
8. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Mountjoy Chilton Medley LLP, for preparation of the Sheriff's Settlement for the 2010 Property Tax Year, at a cost not to exceed \$12,240. **[Dept. of Finance, Driskell, BS 237-11]**
9. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District Taxes for the 2011 property tax year, at a cost not to exceed \$350,000, with payment net from collections. **[Dept. of Finance, Driskell, BS 251-11]**
10. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Dr. Patricia K. Howard, retaining her to act as the Emergency Services Training Coordinator for the Div. of Fire and Emergency Services and to provide related services for one (1) year, with the option of renewing annually up to five (5) times, at an annual cost not to exceed \$12,050 with an additional annual cost not to exceed \$11,450 for each year a Paramedic Training Program is conducted. **[Div. of Fire & Emergency Services, Jackson, BS 228-11]**
11. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission, for purchase of services for FY 2012, at

a cost not to exceed \$150,260. **[Div. of Grants & Special Projects, Gooding, BS 230-11]**

12. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Rd. Improvements Project, Section 2A, increasing the contract price by the sum of \$41,964.42 from \$3,569,321.10 to \$3,611,285.52. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 233-11]**
13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of \$18,970 Commonwealth of Ky. funds, are for the purchase of 20 dumpsters for placement at schools that produce large quantities of recyclable materials, the acceptance of which obligates the Urban County Government for the expenditure of \$4,742.50 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 241-11]**
14. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Two (2) to the Professional Services Agreement with M2D Design Group for design of the Isaac Murphy Memorial Art Garden Trail Head, increasing the contract price by the sum of \$7,500 from \$30,101 to \$37,601. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 242-11]**
15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for the Bates Creek Rd. Sidewalk Improvements Project to amend the project budget to provide for an increase in the design costs and for right of way acquisition, at no cost to the Urban County Government. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 246-11]**
16. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. One (1) to the Engineering Services Agreement with BTM Engineering, Inc., for the Bates Creek Rd. Sidewalk Improvements Project, increasing the contract price by the sum of \$9,500 from \$118,478 to \$127,978. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, BS 247-11]**
17. 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 Waste Management, 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 \$3,000

Commonwealth of Ky. funds, and are for disposal or recycling of waste tires, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, BS 268-11]**

18. 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, 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 \$308,854 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 231-11]**
19. A Resolution 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 \$50,000 Federal funds, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$16,667 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 232-11]**
20. 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 \$77,639 Federal funds, and are for the Project Safe Neighborhoods Program, for the U.S. Attorney's Office for the Eastern District of Ky. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 238-11]**
21. 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 \$2,100 Federal funds, and are for the purchase of bulletproof vests for the Fayette County Sheriff's Office. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 239-11]**
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dive 911, for public safety dive team training for the Div. of Fire and Emergency Services, at a cost not to exceed \$26,300. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 252-11]**

23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two Grant Applications to the Ky. Dept. of Education, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if the applications are approved, which Grant funds are in the amount of \$125,240 Federal funds, and are for the Child Care Food Program (\$79,040) and the National School Lunch Program (\$46,200) at the Family Care Center and the Day Treatment Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor to execute a Memorandum of Understanding with Fayette County Public Schools, for operation of the programs, at a cost not to exceed \$2.50 for each breakfast and \$4.00 for each lunch at the Day Treatment Center and \$2.00 for each breakfast, \$3.50 for each lunch and \$1.50 for each snack at the Family Care Center. **[Div. of Grants & Special Projects/Dept. of Social Services, Gooding/Mills, BS 243-11]**
24. A Resolution ratifying the probationary civil service appointments of: George Cummins, Equipment Operator Sr., Grade 109N, \$14.836 hourly, in the Div. of Waste Management, effective July 18, 2011, Wanda Wallen, Equipment Operator Sr., Grade 109N, \$18.851 hourly, in the Div. of Water Quality, effective July 11, 2011; ratifying the permanent civil service appointments of: Jessica Williams, Budget Analyst, Grade 115E, in the Div. of Budgeting, effective June 6, 2011, Nicole Arnett, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective June 13, 2011, Johnas Newsome, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective June 13, 2011; ratifying the unclassified civil service appointment of: Phillip Burbage, Staff Assistant Sr., Grade 108N, \$12.500 hourly, in the Div. of Water Quality, effective upon passage of Council. **[Div. of Human Resources, Jarvis]**
25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement and Agreement, releasing a portion of a sanitary sewer easement on property located at 539 W. New Circle Rd. **[Dept. of Law, Graham, BS 254-11]**
26. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a streetlight easement on property located at 3221 Linville Ln. **[Dept. of Law, Graham, BS 267-11]**
27. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for the use of the Henry Clay Track, at a cost not to exceed \$78.60. **[Div. of Parks & Recreation, Hancock, BS 240-11]**
28. A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to use Man-O-War Harley Davidson as a sole source provider

for maintenance and repair of Division motorcycles. **[Div. of Police, Bastin, BS 244-11]**

29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a Deed for the property located at 3432 Crimson King Ct., for the Crimson King/ Coldstream Stormwater Improvement Project, and authorizing payment in the amount of \$200,000, plus usual and appropriate closing costs. **[Div. of Water Quality, Martin, BS 234-11]**
30. A Resolution accepting the extension of the time of completion of the SSA Group 2/3 Sewershed Field Activities – Raising Manholes – Contract 4 to March, 2012 at no additional cost to the Urban County Government. **[Div. of Water Quality, Martin, BS 248-11]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with HDR Engineering, Inc., for the Wolf Run Pump Station Expansion, increasing the contract price by the sum of \$66,500 from \$368,550 to \$435,050. **[Div. of Water Quality, Martin, BS 249-11]**
32. A Resolution establishing the procedure for approval of collective bargaining agreements by the Lexington-Fayette Urban County Council. **[Council Office]**
33. A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, amending Section 2.102 by renaming and restructuring council standing committees and providing that the Economic Development Committee shall meet quarterly as the Committee of the Whole; amending Section 2.105 by removing the Committee of the Whole work session; amending Section 2.202 by providing that standing committees shall meet monthly; amending Section 2.204 by amending the procedure for referring matters to committee and making reports; amending Section 3.103 by providing the procedure for the introduction of bills; amending Section 4.102 by providing that the schedule of meetings shall be adopted annually by resolution and amending the order of business for regular public meetings; and amending Section 4.104 by providing for a work session of the Urban County Council, providing for the order of business and procedures for the work session; effective September 12, 2011. **[Council Office]**

IV. Review of Budget Amendments-None

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*

A. 7.12.11 NDF List, p.33

VI. Committee Reports

A. 6.21.11 Environmental Quality Committee, pp. 31-32

VII. Council Reports

VIII. Public Comment – Issues Not on Agenda

IX. Adjournment

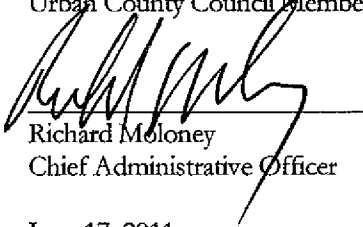


Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Richard P. Moloney
CAO

TO: Mayor Jim Gray
Urban County Council Members

FROM: 
Richard Moloney
Chief Administrative Officer

DATE: June 17, 2011

RE: Franchise Agreements

Council approval is requested to enter into franchise agreements with all of the utilities that are selected pursuant to the bidding of the electric and natural gas franchise ordinances

The current natural gas and electric utility franchises expire on July 16 and August 21, 2011, respectively and are being bid out pursuant to the short term franchise ordinances. We are requesting authority to enter into appropriate franchise agreements with each of the utilities that are selected pursuant to the bidding process. Because of the Council break, we respectfully request that the Council waive its procedural rules to allow for the second reading of each of the resolutions authorizing these agreements at its July 12, 2011 Council meeting.

Please contact me or Attorney Senior David Barberie should you have any questions pertaining to this matter



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

June 28, 2011

TO: Mayor Jim Gray and Urban County Council

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

RE: Agreement with Windstream

VIA: Clay Mason, Commissioner of Public Safety

This request will authorize the mayor to enter an agreement with Windstream, to provide ISDN dial tone service to the LFUCG Division of E911. This service will provide a pool of administrative lines within the communication centers and thus insure the availability of circuits to transfer calls to other jurisdictions and/or assisting agencies.

The total cost for the next fiscal year is \$6000 plus long distance charges and all funds are budgeted within the Division of Enhanced 911. The requested service, installation and maintenance meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Windstream service agreement.

Please return completed documents to my attention for final disposition.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane C. Driskell
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jane C. Driskell, Commissioner
Department of Finance & Administration

DATE: June 20, 2011

SUBJECT: Fiscal Year 2011 Financial Audit

The Selection Committee met on June 16, 2011 to evaluate proposals based upon the stated criteria. The committee was composed of five voting members and two non-voting members. The members are listed below:

Ryan Barrow	Director of Budgeting	voting
Cynthia Schuster	Sr. Administrative Officer	voting
Phyllis Cooper	Director of Accounting	voting
Bruce Sahli	Director of Internal Audit	voting
William O'Mara	Director of Revenue	voting
Todd Slatin	Senior Buyer	non-voting
Jane Driskell	Commissioner of Finance	non-voting

The Selection Committee used the standard ranking guidelines provided by the Department of Purchasing. The categories included experience auditing similar sized governmental entities, the ability of the firm to perform the work in a timely manner, years of contractual involvement with LFUCG, and cost. The current audit provider had performed this service for LFUCG for the prior eight years and much discussion was entertained regarding the value of that relationship versus the value of having a 'new set of eyes' on the financial information. Each committee member submitted a confidential vote and the votes were quantified. The highest scoring proposal, from Dean Dorton Allen Ford PLLC, was selected to be the audit provider for LFUCG.

Authorization is therefore requested to engage Dean Dorton Allen Ford, PLLC to conduct a financial audit of all LFUCG funds for fiscal year 2012 for an amount not to exceed \$124,000. The objectives of the audit are the expression of opinions as to whether LFUCG financial documents are fairly presented, in all material respects, in conformity with U.S. Generally Accepted Accounting Principles (GAAP), and to report the fairness of the additional information provided by management. Upon completion the audit will be presented to Council.

This engagement does not include the audit of the Sheriff's collection of property taxes. Nor does it include the issuing of a consent and citation of expertise related to selling bonds.

I am available if you have and additional questions.




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 – Proposed Effective Date September 1, 2011

I am requesting Urban County Council approval to enter into a lease agreement with Kentucky World Trade Center, for the space located at 101 East Vine, aka the Phoenix Building. This lease is for approximately 990 sq. ft of space and building fit-up is required (Cost to be pro rated in monthly rent) to make the space usable by the new Tenant. An Economic Development office will be operated at the location and the agreement will be for a period of sixty (60) months, expiring on August 31, 2016.

LFUCG will receive an initial rate of \$1,592.16 per month for use of this space, or, \$19,105.92 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 two (2) parking spaces @ no cost to the Tenant in the Transit Center parking garage. In addition, this agreement also contains a penalty clause for early termination by the tenant.



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 28, 2011

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

On November 19, 2009, (Ordinance # 241-2009), the Urban County Council approved acceptance of award from the Kentucky Office of Homeland Security of federal funds in the amount of \$311,585 for continuation of the Metropolitan Medical Response System (MMRS). This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the MMRS program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community.

On December 9, 2011 (Resolution No. 687-2010), Council approved execution of agreement extending the project through June 30, 2011.

The Kentucky Department of Homeland Security has offered a modification to the agreement providing for an expiration date of December 31, 2011. No other changes are proposed.

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



Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD



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 28, 2011

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH UNIVERSITY OF LOUISVILLE CENTER FOR
HAZARDS RESEARCH FOR HAZARD MITIGATION GRANT
SERVICES— RFP # 20-2011**

On April 14, 2011 (Ordinance No. 39-2011), Council approved acceptance of federal funds from the Kentucky Emergency Management Agency for [date] to Lexington-Fayette County comprehensive Hazard Mitigation Plan. These funds come from FEMA's (Federal Emergency Management Agency) Hazard Mitigation Grant Program.

The current adopted Hazard Mitigation Plan expires on August 13, 2011. The purpose of this project is to re-evaluate the risk and impacts to the community and to update the plan as identified by this review in order to have an approved revised plan in place by the expiration date of the current plan. Federal regulations require that Hazard Mitigation Plans be updated every five years. RFP # 20-2011 was issued, requesting proposals from interested firms to provide these consulting services. Four firms responded. Selection committee evaluated qualifications of all respondents, and recommends that University of Louisville Center for Hazards Research be awarded the contract in the amount of \$107,701. University of Louisville demonstrated the most knowledge and experience in the provision of these services. Funds are available as follows:

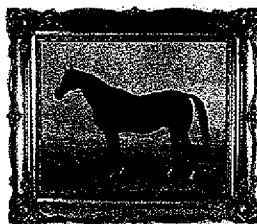
FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3200	505201	0001	71299	HMGP PLAN 2011	2011	MS GRANT

Council authorization to execute agreement with University of Louisville Center for hazards Research is hereby requested.


Irene Gooding Acting Director

Xc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Kevin Atkins, Chief Development Officer

Date: June 23, 2011

Re: Request Council authorization to create Town Branch Cultural District and in cooperation with LexArts to submit application to the Kentucky Arts Council requesting certification of this district under the Kentucky Cultural District Certification Program

The purpose of the Kentucky Cultural District Certification Program is to encourage community engagement and partnerships that facilitate the stimulation and promotion of local cultural, economic, community and social assets.

The Cultural District Certification Program is specifically designed to provide focused training and educational opportunities. Assistance in planning, marketing, programming, identification of grant and incentive opportunities, developing arts education components, and developing and implementing signature events and activities will enhance the operating capacity of the participating communities. Additional services include assisting with the development of a cultural plan or integration of the district's attributes into an existing cultural plan, developing a marketing and branding strategy, and initiating the development of a downtown cultural district master plan. A technical assistance team provided through the program will work with the cultural district to develop specific benchmarks for measuring success.

Lexington's application, **The Town Branch Cultural District (TBCD)**, will celebrate the cultural practices in the areas immediately surrounding the Town Branch, a historic stream (partially underground) that stitches together many of the important districts in downtown Lexington. The district will have two primary goals, first, to inventory and connect the important cultural assets that make downtown Lexington an important district and second, to set goals for several important developments that include arts and culture as significant components of their framework.

The program provides for the Mayor to develop a cultural district steering committee responsible for the management leadership of the district. There is no budget impact for Council authorization to create Town Branch Cultural District and to request certification under the Kentucky Cultural District Certification Program.

Kevin Atkins
Chief Development Officer

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY

Steering Committee Members*:

1. LexArts
2. LFUCG
3. Downtown Lexington Corporation
4. Commerce Lexington
5. Lexington Convention & Visitor's Bureau
6. Blue Grass Trust for Historic Preservation
7. Lexington Farmer's Market
8. Lexington Center / Opera House
9. Council Members for Districts 1,2, and 3

*Unless otherwise stated, each steering committee member will be represented by their organization's director.

FY2012 Application
Kentucky Cultural District Certification Program

This form must be typed. No handwritten applications will be accepted. Please also refer to the guidelines/instructions.

APPLICANT INFORMATION US House District _____ KY Senate District _____ KY House District _____ To look up district info, use www.vote-smart.org or call your County Clerk's office	Name of Cultural District		Federal Employer ID # (FEIN)	
	Primary Contact Person Salutation		<input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Dr.	
	Primary Contact Person Name		Title	
	Street Address			
	City		State	Zip Code - Plus 4
	County		E-mail Address	
	Web Address			
	Daytime Phone #		Second Phone #	FAX #
LOCAL GOVERNMENT PARTNER	Chief Elected Official		Title	
	Street Address			
	City		State	Zip Code - Plus 4
	County		E-mail Address	
	Web Address			
	Phone #		Fax #	

KAC Staff Use ONLY					
FY: 2012	APP #: _____	CLIST #: _____			
App Status: _____	App Institution: _____	App Discipline: _____			
Project Disc: 14	Activity: _____	Project Race: 99			
AIE Percent: NA	AIE Description: _____	Project Descriptors: NA			
Program: _____	Grantee Race: _____	Date Received: _____			

Cultural District _____
 FY2012 Cultural District Certification Program Application

NONPROFIT ARTS PARTNER	Name of Organization		Federal Employer ID # (FEIN)	
	Primary Contact Person Salutation		<input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Dr.	
	Primary Contact Person Name		Title	
	Street Address			
	City	State KY	Zip Code - Plus 4	
	County	E-mail Address		
	Web Address			
	Phone #	Fax #		

APPLICANT STATUS	Please choose ONE:			
	02	Organization - Nonprofit	07	Government - County
	08	Government - Municipal		

Grantee Race / Ethnicity: Check only one <input type="checkbox"/> that best represents 50% or more of staff or board or membership (not audience)	<input type="checkbox"/> American Indian/Alaska Native	<input type="checkbox"/> Asian
	<input type="checkbox"/> Native Hawaiian/Pacific Islander	<input type="checkbox"/> Black/African American
	<input type="checkbox"/> Hispanic/Latino	<input type="checkbox"/> White

Applicant Institution	Please choose ONE:			
	15	Arts Center	37	Parks and Recreation
	16	Arts Council/Agency	38	Government-Executive
	17	Arts Service Organization	50	Social Service Organization
	30	Foundation	99	None of the above
	32	Community Service Organization		

Instructions for Completing Narrative

Please supply the information requested in the Introduction and each of the Performance Expectation sections on a total of not more than eight pages. Be sure to respond to each bulleted item, in the order listed.

Please note that the *Introduction* (description of your community) will not be scored by the panel and may be more briefly written than the Performance Expectations, if necessary, to meet the maximum eight-page limit.

To assist panelists in reading your application, duplicate the number and heading of each Performance Expectation (e.g. **1. Cultural and Strategic Planning**) above your response to that item. Place the applicant's name and the words "Cultural District Certification Program" in the upper right-hand corner of each page.

Introduction

Describe your community, its demographics and its artistic environment.

Performance Expectations**1. Cultural and Strategic Planning (25%)**

- Describe the goals, objectives and expected outcomes of the cultural district.
- Describe the planning that has taken place for the development and implementation of the cultural district.
- Describe the structure of your cultural district leadership team/steering committee, including a list of members, their areas of expertise and their anticipated roles and responsibilities.
- Identify the entity (local government or local community organization) that has ultimate responsibility for the cultural district and describe how it will work with the other partners.
- Describe any additional cultural enterprises/assets planned for the cultural district and the proposed timeline for completion.

2. Public Value and Community Support (15%)

- Describe how cultural district certification will benefit the community and surrounding area.
- Describe means utilized to discuss the concept of a cultural district and to gather public input, including public forums, focus groups, surveys, etc. Include as supplemental material copies of public notices, agendas or minutes from the meetings and surveys or other means used to gather public input.

3. Cultural Assets (25%)

- Describe in detail the physical boundaries of the cultural district, including street names and directions, side streets, blocks, etc.

- Describe the cultural, arts, preservation and agricultural enterprises/assets in the district and the immediate area, including affordable housing and/or studio space for artists.
- Describe programming and special events/activities that currently take place in the district and the immediate area; include a timeline.
- Describe transportation/walking routes for the cultural district (include signage, parking, shuttles, walking maps, etc.).
- Describe the accessibility services/features available in the district (individual enterprises as well as common areas), including transportation, wheelchair access, curb cuts and ramps, assistive listening devices, Braille or large-print signage or materials, etc.

4. Incentives and Collaborations (15%)

- Describe incentives and/or collaborations that are currently available to cultural, arts, preservation and agricultural heritage enterprises as well as the workforce and residents (if applicable) of the cultural district.
- Describe new incentives and/or collaborations that will be developed and implemented for the cultural district.

Note: Be as specific as possible. Describe things such as special signage, publicity, local grants, low-interest loans, zoning to encourage living/work space for artists, and other local, state or federal programs.

5. Sustaining the Cultural District (20%)

- Describe how the community will coordinate cultural, community, tourism and economic development initiatives with other programs (such as the Main Street Program, Certified Local Government, historic preservation, Chamber of Commerce, local development corporation, etc.).
- Describe the budget for the cultural district, including actual and anticipated funding sources.

Mailing address for completed application:

Kentucky Arts Council
21st Floor, Capital Plaza Tower
500 Mero St
Frankfort, KY 40601-1987

Application Checklist

Include this application checklist as the first page of your application package.

Your application is not complete and will not be reviewed if it does not include the following mandatory information:

One signed original:

- ☐ Kentucky Cultural District Certification Program application and narrative

Six copies of the following items clearly marked and placed in the following order:

- ☐ Application and narrative
- ☐ Resolution from local government(s) authorizing designation of the cultural district
- ☐ City/County vicinity map that indicates features such as:
- District boundary
 - Transportation corridors and facilities
 - Cultural, arts, entertainment and tourist facilities
 - Proposed capital improvement projects that affect the cultural district
- ☐ Cultural district map indicating:
- Standing structures
 - Existing or proposed historic district(s)
 - Zoning designations
 - Properties within the cultural district and their use, including whether they are occupied or vacant
 - Any additional information pertinent to the cultural district
- ☐ Letters of support and commitment for the cultural district
- ☐ List of the partner arts organization Board of Directors

One copy of the following:

- ☐ Supporting materials, such as:
- Letters of support
 - Sample programs
 - Brochures and calendars
 - Public meeting notices, agendas and minutes
 - Press releases
 - Newspaper and magazine articles

Letters of support and other photocopied materials must be on standard-size (8 ½" x 11"), single-sided paper only.

- ☐ Streetscape photographs or digital images reflecting components of the written narrative (maximum of 10)
- ☐ Cultural assets inventory
- ☐ Copy of IRS 501(3) Determination Letter

Application Signatures

I certify that I am legally authorized to submit this application on behalf of the applicant cultural district and that all statements and enclosures herein are true and complete to the best of my knowledge.

Applicant Signature _____ Date _____
All signatures must be in RED ink.

Applicant (Typed Name) _____ Title _____

Local Government

I certify that I am legally authorized to submit this application on behalf of the local government partner and that all statements and enclosures herein are true and complete to the best of my knowledge.

Applicant Signature _____ Date _____
All signatures must be in RED ink.

Applicant (Typed Name) _____ Title _____

Local Nonprofit Arts Organization

I certify that I am legally authorized to submit this application on behalf of the local nonprofit arts organization and that all statements and enclosures herein are true and complete to the best of my knowledge.

Applicant Signature _____ Date _____
All signatures must be in RED ink.

Applicant (Typed Name) _____ Title _____



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: MAYOR JIM GRAY
RICHARD MOLONEY, CAO
URBAN COUNTY COUNCIL

FROM: Beth K. Mills
BETH MILLS, COMMISSIONER
DEPARTMENT OF SOCIAL SERVICES

DATE: JUNE 24, 2011

SUBJECT: MEMORANDUM OF AGREEMENT WITH THE FAYETTE COUNTY PUBLIC
SCHOOLS AND THE LEXINGTON FAYETTE URBAN COUNTY COUNCIL FOR OPERATION
OF THE LEXINGTON DAY TREATMENT CENTER

This memorandum requests that the Urban County Council authorize the Mayor to sign an agreement with the Fayette County Public Schools which outlines the responsibilities of each party separately and jointly for the operation of the Lexington Day Treatment program. There is no budgetary impact.



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

THRU: Beth K. Mills
Beth Mills, Commissioner
Department of Social Services

FROM: Cheryl J. Talbert, MWD, (ca)
Cheryl Talbert, Director
Division of Adult & Tenant Services

DATE: June 20, 2011

RE: Blue Sheet – Donations for the Hope VI Grant Resource Fair

This memorandum requests authorization for the Division of Adult & Tenant Services to accept the following donations for the Hope VI Grant Resource Fair.

- Walmart: \$25.00 gift card
- Metro Employees Credit Union: \$25.00 visa card
- AT&T Foundation & KY Connect: Computer, printer, monitor, wireless router
- Omelia Thornton: \$10 Kroger gift card, \$40 gift bag items

Thank you.



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl A. Taylor
Commissioner

To: Mayor Jim Gray
Urban County Council

From: *Charles H. Martin, P.E.*
Charles H. Martin, P.E., Director
Division of Water Quality

Date: June 24, 2011

Re: Award of Engineering Services Agreement
Stormwater Program Management Services – Consent Decree Implementation

The purpose of this memorandum is to request a resolution authorizing the award of an engineering services agreement to Tetra Tech, Inc. to provide Annual Program Management services for Consent Decree Implementation and Municipal Separate Storm Sewer System (MS4) Permit Compliance. Work associated with this agreement will be allocated via a series of written task orders.

Lump sum fees will be assigned to each task order along with a separate purchase order. Funding for this work (\$816,000) has been budgeted in 4051 303204 3373 71205.

The purpose of this engineering services agreement is to assist LFUCG with the implementation of portions of the Consent Decree related to the Storm Water Quality Management Program (SWQMP) and the Municipal Separate Storm Sewer System (MS4) Permit compliance. Outcome of this work includes:

- Program management and scheduling to meet the deadlines associated with deliverables contained in the stormwater provisions of Consent Decree;
- Oversight and implementation of water quality monitoring and assessment program required by the MS4 Permit consistent with the Consent Decree;
- Preparation of required stormwater compliance inputs/submittals for quarterly, annual or any other reports required by the Consent Decree or MS4 Permit;
- Hands-on technical assistance to implement the obligations of LFUCG's MS4 Permit and the associated SWQMP per the Consent Decree; and
- Development of additional scope of service contract documents necessary to implement/complete deliverables associate with the stormwater provisions of the Consent Decree and MS4 Permit.

Questions regarding this agreement should be directed to Charles Martin 859-425-2455 or Susan Plueger 859-425-2482.

pc: Cheryl Taylor, Commissioner, Department of Environmental Quality and Public Works
Brian Marcum, Director, Central Purchasing
Susan Plueger, P.E., Division of Water Quality
Julie Mantrom, Division of Water Quality

ENVIRONMENTAL QUALITY COMMITTEE

June 21, 2011

Summary

Chair Blues called the meeting to order at 11:00 AM. Stinnett, Gorton, Martin and Lane were present.

1. Remedial Measures Plan –Storm Baseline

John Steinmetz, with Hazen & Sawyer gave this presentation. He provided preliminary cost estimate details, potential penalties for non compliance, as well as precedents from other communities. He stated that the remedial measures plan was development per the EPA consent decree and is to be delivered to the EPA by October 2011. He stated the Council will need to select a design storm level that the Plan is based upon. He stated that the Division of Water Quality will go forward with the 2-year storm absent other direction from Council.

Mr. Steinmetz stated that the capital costs associated with the 2 year design was \$ 540 million and had a monthly rate impact of \$ 28.25; the 5-year storm had a capital cost of \$ 718 million and a monthly rate of \$ 37.57; and as 10-year design storm had an \$ 814 million capital cost with a monthly rate impact of \$ 42.59. He noted that the rate increases would be implemented over 10 years.

He identified the capital needs in each of the affected watersheds.

Mr. Steinmetz stated that 2-year storm is likely the smallest storm EPA would consider. It would have the least cost, potentially higher regulatory fines and more future sanitary overflows.

Mr. Steinmetz stated that Lexington had lower sewer rates than many regional cities as well as lower rates than other communities in central Kentucky.

Vice Mayor Gorton asked about the rate impacts on 20-year and 30-year financing options.

Councilmember Martin asked about the impacts of sanitary sewer overflows. He stated that Council would need more information regarding the various options.

Councilmember Stinnett asked for information about Sanitary Sewer Fund revenue and expenditures over a 10-year period. He asked what impact the CPI index that was approved in 2008 had on the revenue stream.

Councilmember Stinnett also asked if revenue bonds would be used.

Councilmember Lane asked for a more long term view of the options including a 10-year revenue/expenditure for each of the design scenarios. He also asked about the impact of growth and infill/redevelopment during the planning period.

In response Mr. Steinmetz stated that the model used the 2035 population estimate provided by the Division of Planning.

Vice Mayor asked about communities that that similar growth boundaries like Portland, Oregon.

Councilmember Stinnett said that this was a very important issue with a minimum capital outlay of over \$ 500 million. He asked about public education efforts.

Mr. Steinmetz stated that the Council also agreed to initiate a Private Property Policy Task Force which should greatly benefit the system.

Councilmember Martin stated that Lexington could start with the 2 year storm and then add on to that system if it was deemed worthwhile.

Commissioner Taylor restated the Administration was recommending to use the 2-year storm as it provided Lexington the least burdensome scenario.

On a motion by Gorton, second Stinnett the Committee voted to hold a Committee of the Whole Meeting August 23 at 11:00 AM to consider the design storm.

Councilmember Lane repeated that the Administration should provide additional financial information for the August 23 meeting including a 10-year cash flow statement as well as a 10-year revenue and expenditure estimates.

2. Public Comment

Edward Kusche, 2089 Versailles Rd spoke against what he views as an unfair water quality management fee and cautioned Council against raising rates in the future.

The meeting was adjourned at 12:35PM.

Neighborhood Development Funds
July 12, 2011
COW Work Session

Amount	Recipient	Purpose
\$ 1,250.00	North Limestone Neighborhood Association 760 North Limestone Street Lexington, KY 40505 Greg VanMeter	Funding for events in Duncan Park
\$ 650.00	Southern Heights Neighborhood Association 104 Shady Lane Lexington, KY 40503 Robyn Miller	Funding for a public art project

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

July 12, 2011 – 6:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

Employee Health Care – Benefit Insurance Marketing

IV. COMMITTEE REPORTS – Committee of the Whole – VM Gorton

V. ORDINANCES –SECOND READING

1. An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Professional Office (P-1) zone for 2.70 net (3.43 gross) acres; and from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 2.31 net (2.69 gross) acres, with a conditional use permit and a dimensional variance, for property located at 119, 124, and 125 Louie Place (Dennis Anderson Inv. 1700, LLC). Approval 7-0 OBJECTORS (To Be Heard By September 21, 2011)
2. 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. 21. **[Div. of Budgeting, Barrow]**
3. An Ordinance pursuant to Section 3.02(10) of the Charter of the Lexington-Fayette Urban County Government amending Section 21-5(2) of the Code of Ordinances abolishing three (3) positions of Assistant Director Community Corrections, Grade 119E, and creating one (1) position of Community Corrections Captain, Grade 115E; accepting the voluntary demotions of one (1) employee holding the position of Assistant Director Community Corrections to Community Corrections Captain; expressing an intent to create the special duty assignment of Bureau Director; providing that pursuant to Section 21-53 of the Code of Ordinances that employees appointed to special duty assignments serve at the pleasure of the Director of Community Corrections and providing that those employees appointed to a special duty assignment shall receive a leave of absence from their permanent rank for and during the incumbency of any special duty assignment; and providing that employees appointed to the special duty assignment of Bureau Director shall receive a stipend of \$800 per pay period; effective July 1, 2011. **[Div. of Community Corrections, Bishop, BS 266-11]**
4. An Ordinance closing portions of Goodloe and Ann Sts.; determining that all property owners abutting portions of the streets to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to

execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way. **[Dept. of Environmental Quality & Public Works, Taylor, BS 235-11]**

5. An Ordinance closing a portion of Southeastern Ave.; determining that all property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way. **[Dept. of Environmental Quality & Public Works, Taylor, BS 236-11]**
6. An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Research Analyst, Grade 118E and two (2) positions of Council Administrative Specialist, Grade 115E, abolishing three (3) positions of Staff to Council II, Grade 000E, and transferring the incumbents, in the Office of the Urban County Council. **[Div. of Human Resources, Jarvis]**
7. An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Information Officer, Grade 113E, in the Div. of Government Communications and creating one (1) position of Information Officer, Grade 113E, in the Div. of Emergency Management/911 and transferring the incumbent; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 227-11]**

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Hayden Construction, in the amount of \$48,859, for the Warfield Place Entrance Wall, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Hayden Construction related to the bid. **[Rayan]** (3 Bids, Low)
2. A Resolution accepting the bids of Clarke Power Services; NAPA Auto Parts; Republic Diesel; Bluegrass International; Power Train of Ky.; Vehicle Maintenance Program; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Mighty Auto Parts of the Bluegrass; Worldwide Equipment; KOI Auto Parts; Truck Pro, Inc.; Fleet Pride; and General Parts Distribution, LLC d/b/a Carquest Auto Parts, establishing price contracts for vehicle filters, for the Div. of Facilities and Fleet Management. **[Baradaran]** (13 Bids, Low)
3. A Resolution accepting the bid of John Kinder Electric, establishing a price contract for sanitary sewer pump stations resistance testing and correction, for the Div. of Water Quality. **[Martin]** (1 Bid)
4. A Resolution accepting the bid of Leak Eliminators, LLC, establishing a price contract for sanitary sewer system rehabilitation, for the Div. of Water Quality and authorizing the Mayor, on behalf of the Urban County Government, to execute any

necessary Agreement with Leak Eliminators, LLC, related to the bid. **[Martin]** (1 Bid)

5. A Resolution of the Lexington-Fayette Urban County Council requesting that the Ky. Economic Development Finance Authority issue Revenue Bonds in an amount of up to \$336,000,000, the proceeds of which will be loaned to Catholic Health Initiatives, Inc., to provide financing for all or a part of the costs of the acquisition, construction, installation and equipping of capital projects for health care facilities and related improvements and expenditures. **[Chief Development Officer, Atkins, BS 253-11]**
6. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Russell Cave Church of Christ, Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sum stated. **[Council Office, Williams]**
7. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for the Lexington Distillery District Improvements Program Feasibility Study, for streetscape improvements and the Town Branch Trail along the corridor from Oliver Lewis Way to South Forbes Rd., at a cost not to exceed \$418,000. **[Div. of Engineering, Rayan, BS 250-11]**
8. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Mountjoy Chilton Medley LLP, for preparation of the Sheriff's Settlement for the 2010 Property Tax Year, at a cost not to exceed \$12,240. **[Dept. of Finance, Driskell, BS 237-11]**
9. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District Taxes for the 2011 property tax year, at a cost not to exceed \$350,000, with payment net from collections. **[Dept. of Finance, Driskell, BS 251-11]**
10. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Dr. Patricia K. Howard, retaining her to act as the Emergency Services Training Coordinator for the Div. of Fire and Emergency Services and to provide related services for one (1) year, with the option of renewing annually up to five (5) times, at an annual cost not to exceed \$12,050 with an additional annual cost not to exceed \$11,450 for each year a Paramedic Training Program is conducted. **[Div. of Fire & Emergency Services, Jackson, BS 228-11]**
11. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission, for purchase of services for FY 2012, at a cost not to exceed \$150,260. **[Div. of Grants & Special Projects, Gooding, BS 230-11]**

WORK COPY

12. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Rd. Improvements Project, Section 2A, increasing the contract price by the sum of \$41,964.42 from \$3,569,321.10 to \$3,611,285.52. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 233-11]**
13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of \$18,970 Commonwealth of Ky. funds, are for the purchase of 20 dumpsters for placement at schools that produce large quantities of recyclable materials, the acceptance of which obligates the Urban County Government for the expenditure of \$4,742.50 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 241-11]**
14. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Two (2) to the Professional Services Agreement with M2D Design Group for design of the Isaac Murphy Memorial Art Garden Trail Head, increasing the contract price by the sum of \$7,500 from \$30,101 to \$37,601. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 242-11]**
15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for the Bates Creek Rd. Sidewalk Improvements Project to amend the project budget to provide for an increase in the design costs and for right of way acquisition, at no cost to the Urban County Government. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, Gooding/Taylor, BS 246-11]**
16. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. One (1) to the Engineering Services Agreement with BTM Engineering, Inc., for the Bates Creek Rd. Sidewalk Improvements Project, increasing the contract price by the sum of \$9,500 from \$118,478 to \$127,978. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, BS 247-11]**
17. 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 Waste Management, 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 \$3,000 Commonwealth of

Ky. funds, and are for disposal or recycling of waste tires, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Environmental Quality & Public Works, BS 268-11]**

18. 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, 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 \$308,854 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 231-11]**
19. A Resolution 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 \$50,000 Federal funds, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$16,667 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 232-11]**
20. 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 \$77,639 Federal funds, and are for the Project Safe Neighborhoods Program, for the U.S. Attorney's Office for the Eastern District of Ky. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 238-11]**
21. 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 \$2,100 Federal funds, and are for the purchase of bulletproof vests for the Fayette County Sheriff's Office. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 239-11]**

22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dive 911, for public safety dive team training for the Div. of Fire and Emergency Services, at a cost not to exceed \$26,300. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 252-11]**
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two Grant Applications to the Ky. Dept. of Education, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if the applications are approved, which Grant funds are in the amount of \$125,240 Federal funds, and are for the Child Care Food Program (\$79,040) and the National School Lunch Program (\$46,200) at the Family Care Center and the Day Treatment Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor to execute a Memorandum of Understanding with Fayette County Public Schools, for operation of the programs, at a cost not to exceed \$2.50 for each breakfast and \$4.00 for each lunch at the Day Treatment Center and \$2.00 for each breakfast, \$3.50 for each lunch and \$1.50 for each snack at the Family Care Center. **[Div. of Grants & Special Projects/Dept. of Social Services, Gooding/Mills, BS 243-11]**
24. A Resolution ratifying the probationary civil service appointments of: George Cummins, Equipment Operator Sr., Grade 109N, \$14.836 hourly, in the Div. of Waste Management, effective July 18, 2011, Wanda Wallen, Equipment Operator Sr., Grade 109N, \$18.851 hourly, in the Div. of Water Quality, effective July 11, 2011; ratifying the permanent civil service appointments of: Jessica Williams, Budget Analyst, Grade 115E, in the Div. of Budgeting, effective June 6, 2011, Nicole Arnett, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective June 13, 2011, Johnas Newsome, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective June 13, 2011; ratifying the unclassified civil service appointment of: Phillip Burbage, Staff Assistant Sr., Grade 108N, \$12.500 hourly, in the Div. of Water Quality, effective upon passage of Council. **[Div. of Human Resources, Jarvis]**
25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement and Agreement, releasing a portion of a sanitary sewer easement on property located at 539 W. New Circle Rd. **[Dept. of Law, Graham, BS 254-11]**

26. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a streetlight easement on property located at 3221 Linville Ln. **[Dept. of Law, Graham, BS 267-11]**
27. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for the use of the Henry Clay Track, at a cost not to exceed \$78.60. **[Div. of Parks & Recreation, Hancock, BS 240-11]**
28. A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to use Man-O-War Harley Davidson as a sole source provider for maintenance and repair of Division motorcycles. **[Div. of Police, Bastin, BS 244-11]**
29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a Deed for the property located at 3432 Crimson King Ct., for the Crimson King/ Coldstream Stormwater Improvement Project, and authorizing payment in the amount of \$200,000, plus usual and appropriate closing costs. **[Div. of Water Quality, Martin, BS 234-11]**
30. A Resolution accepting the extension of the time of completion of the SSA Group 2/3 Sewershed Field Activities – Raising Manholes – Contract 4 to March, 2012 at no additional cost to the Urban County Government. **[Div. of Water Quality, Martin, BS 248-11]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with HDR Engineering, Inc., for the Wolf Run Pump Station Expansion, increasing the contract price by the sum of \$66,500 from \$368,550 to \$435,050. **[Div. of Water Quality, Martin, BS 249-11]**
32. A Resolution establishing the procedure for approval of collective bargaining agreements by the Lexington-Fayette Urban County Council. **[Council Office]**
33. A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, amending Section 2.102 by renaming and restructuring council standing committees and providing that the Economic Development Committee shall meet quarterly as the Committee of the Whole; amending Section 2.105 by removing the Committee of the Whole work session; amending Section 2.202 by providing that standing committees shall meet monthly; amending Section 2.204 by amending the procedure for referring matters to committee and making reports; amending Section 3.103 by providing the procedure for the introduction of bills; amending Section 4.102 by providing that the schedule of meetings shall be adopted annually by resolution and amending the order of business for regular public meetings; and amending

Section 4.104 by providing for a work session of the Urban County Council, providing for the order of business and procedures for the work session; effective September 12, 2011. **[Council Office]**

VII. RESOLUTIONS – FIRST READING (New Business)

34. A Resolution accepting the bid of Columbia Gas of Ky., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Columbia Gas of Ky., Inc., incorporating the terms and conditions of Ordinance No. 73-2011. **[Chief Administrative Officer, Moloney, BS 256-11, p.14]**
35. A Resolution accepting the bid of Delta Natural Gas Co., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Delta Natural Gas Co., Inc., incorporating the terms and conditions of Ordinance No. 73-2011. **[Chief Administrative Officer, Moloney, BS 256-11, p.14]**
36. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with North Limestone Neighborhood Association (\$1,250), and Southern Heights Neighborhood Association (\$650), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Customer Services Agreement with Windstream Communications, which is attached hereto and incorporated herein by reference, to provide ISDN dial tone service to the Div. of Emergency Management/911, at an annual cost not to exceed \$6,000 plus any additional long distance charges. **[Div. of Emergency Management/911, Lucas, BS 264-11, p.15]**
38. A Resolution accepting the response of Dean Dorton Allen Ford, PLLC to Request for Proposal No. 21-2011 to perform the auditing of financial statements for an amount not to exceed \$124,000, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement or documents with Dean Dorton Allen Ford, PLLC. **[Dept. of Finance, Driskell, BS 257-11, p.16]**
39. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Ky. World Trade Center Lexington, Inc., for rent of space at 101 E. Vine St. (aka Phoenix Building). **[Dept. of General Services, Baradaran, BS 265-11, p.17]**

40. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Metropolitan Medical Response System (MMRS) Project through December 31, 2011, at no cost to the Urban County Government. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 261-11, p.18]**
41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Louisville Center for Hazards Research, for consulting services for update of the Hazard Mitigation Plan, at a cost not to exceed \$107,701 in Hazard Mitigation Grant Program funds. **[Div. of Grants & Special Projects/Dept. of Public Safety, Gooding/Mason, BS 262-11, p.19]**
42. A Resolution ratifying the permanent sworn appointment of: Craig Bencz, Administrative Officer, Grade 118E, in the Div. of Youth Services, effective June 28, 2011. **[Div. of Human Resources, Jarvis]**
43. A Resolution authorizing the Mayor or his designee, on behalf of the Lexington-Fayette Urban County Government, to execute and submit the Letter of Intent, Application, and any other necessary documents to the Ky. Arts Council requesting certification of the Town Branch Cultural District, and to provide any additional information requested in connection with this certification; and if so designated, creating the cultural district and establishing the necessary steering committee responsible for administering, planning, developing, implementing, and operating the cultural district, which shall be comprised of the directors or chief executive officers of the following entities – LexArts, the Lexington-Fayette Urban County Government, Downtown Lexington Corporation, Commerce Lexington, Lexington Convention and Visitors Bureau, Blue Grass Trust for Historic Preservation, Lexington Farmer's Market, Lexington Center/Opera House, and the 1st District Councilmember, the 2nd District Councilmember, and the 3rd District Councilmember. **[Mayor's Office, Atkins, BS 260-11, pp.20-27]**
44. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Fayette County Public Schools, for operation of the Lexington Day Treatment Program, at no cost to the Urban County Government. **[Dept. of Social Services, Mills, BS 258-11, p.28]**
45. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the donation of a \$25 gift card from Walmart; a \$25 Visa card from Metro Employees Credit Union; a computer, printer, monitor and wireless router from AT&T Foundation and Ky. Connect; and a \$10 Kroger gift card and \$40 gift bag items from Omelia Thornton for the Hope VI Grant Resource Fair. **[Dept. of Social Services, Mills, BS 259-11, p.29]**

WORK COPY

46. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000. **[Div. of Water Quality, Martin, BS 263-11, p.30]**

VIII. COMMUNICATIONS FROM THE MAYOR

1. Recommending the reappointment of Mr. Ahmad Malkawi and the appointment of Ms. Faith Fiene to the Environmental Commission, with terms to expire 10-1-2014.
2. Recommending the appointment of Ms. Stephanie Aschmann Spires to the Library Board of Trustees, with a term to expire 7-20-2015.
3. Recommending the appointment of Ms. Laura Farnsworth to the Special Events Commission, with a term to expire 6-1-2015.

IX. COMMUNICATION FROM THE MAYOR (FOR INFORMATION ONLY)

1. Reinstatement of Lamont Graves, Firefighter, Grade 311N, effective July 13, 2011.

X. ANNOUNCEMENTS

XI. PUBLIC COMMENT