

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, June 19, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
June 18 – June 25, 2012**

Monday, June 18

ZOTA Work Group.....1:30 pm
Conference Room – 5th Floor Government Center

Tuesday, June 19

Workshop – Corrections Fees.....11:00 am
Conference Room – 5th Floor Government Center

General Government Committee-CANCELLED.....11:00 am
Council Chambers – 2nd Floor Government Center

Planning & Public Works Committee.....1:00 pm
Council Chambers – 2nd Floor Government Center

Council Meeting (prior to Work Session) – 1st Reading of Budget.....3:00 pm
Council Chambers – 2nd Floor Government Center

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

Wednesday, June 20

No Meetings

Thursday, June 21

Keep Lexington Beautiful Commission.....9:30 am
G&J Pepsi – 559 South Forbes Road

Confirmation Hearings – Planning Commission.....4:30 pm
Conference Room – 5th Floor Government Center

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

Friday, June 22

No Meetings

Monday, June 25

Itinerant Merchant Task Force.....1:00 pm
Conference Room – 5th Floor Government Center

Pension Task Force.....3:00 pm
Conference Room – 3rd Floor Phoenix Building

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

TABLE OF MOTIONS

June 12th, 2012

Mayor Jim Gray called the meeting to order at 3:03pm. Council Members present were VM Gorton, CM Ellinger, CM Kay, CM Ford, CM Blues, CM Lawless, CM Beard, CM Farmer, CM Stinnett, CM Crosbie, CM Myers, CM McChord, CM Martin, CM Henson and CM Lane. CM Martin was absent.

Motion by Gorton to place on the June 21st, 2012 docket for first reading the FY2013 budget. Seconded by Farmer. Motion passed without dissent.

Motion by Ellinger to place on the June 21st, 2012 docket for first reading a transfer of \$2000.00 from his Neighborhood Development Funds (NDF) account to the Salvation Army to support the Women and Family Shelter. Seconded by Myers. Motion passed without dissent.

I. Approval of Summary

Motion by Gorton to approve the summary from the May 29th, 2012 Work Session. Seconded by Myers. Motion passed without dissent.

II. New Business

Motion by Ellinger to approve new business items. Seconded by Gorton. Motion passed without dissent.

Motion by Lawless to separate item W, authorization to change street names and/or individual property address numbers within various Council Districts, out of the new business items. Seconded by Farmer. Motion failed 7-8. Mayor Gray broke the tie with a nay vote.

III. Continuing Business/Presentations

Motion by Lane to approve the NDF list. Seconded by Ellinger. Motion passed without dissent.

IV. Council Reports

Motion by Kay to refer to General Government a revision of the Ordinance governing the setting of Council Member pay. Seconded by Farmer. Motion passed without dissent.

Motion by Farmer to refer to Planning and Public Works the possible revision of the Sign Ordinance. Seconded by Gorton. Motion passed without dissent.

V. Public Comment/Issues not on the Agenda

Motion by Gorton to go into closed session pursuant to KRS 61.810 (1) (f) for a discussion that may lead to the discipline or dismissal of an employee. Seconded by Kay. Motion passed without dissent.

Motion by Blues to come out of closed session. Seconded by Beard. Motion passed without dissent.

Motion by Gorton to adjourn. Seconded by Crosbie. Motion passed without dissent.

Lexington-Fayette Urban County Government
Work Session Agenda
June 19, 2012

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - Yes**
- III. Approval of Summary – Yes p. 1 - 2**
- IV. Budget Amendments – Yes p. 8**
- V. New Business – Yes p. 9 - 37**
- VI. Continuing Business/ Presentations - Yes**
 - A** Construction Management Practices - On Budget and On Time
By Jim Host
- VII. Council Reports**
- VIII. Mayor's Report - Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- A 0623-12 Authorization to release a portion of a sanitary sewer easement on property located at 4101 Bates Creek Road. (L623-12) (Graham)**
This is a request to release a portion of a sanitary sewer easement on property located at 4101 Bates Creek Road. There is no budgetary impact. p. 9
- B 0624-12 Authorization to submit application to the Bluegrass Workforce Investment Board and accept award if offered, for operation of a Workforce Investment Act project for Youth Services. (L624-12) (Gooding/Mills)**
This is a request to submit application to the Bluegrass Workforce Investment Board for an amount of \$115,000 and accept award if offered, for operation of a Workforce Investment Act project for Youth Services. Local funds in the amount of \$33,940 will be documented by time worked by existing Youth Service employees. Budget amendment is in process. p. 10
- C 0628-12 Authorization to accept award of federal funds from the Kentucky Transportation Cabinet under the Transportation Enhancement Program for Legacy Trail Phase III. (L628-12) (Gooding/Moloney)**
This is a request to accept award of federal funds from the Kentucky Transportation Cabinet under the Transportation Enhancement Program for an amount of \$2,721,700 for Legacy Trail Phase III. The required match of \$680,425 will be documented from the value of permanent easements donated for Legacy Trail Phases I and II. Budget amendment is in process. p. 11
- D 0631-12 Authorization to enter into a Consultant Services Agreement with RCC Consultants Inc. related to implementation and testing of The Police Radio Project. (L631-12) (Bastin/Mason)**
This is a request to enter into a Consultant Services Agreement with RCC Consultants Inc. related to implementation and testing of The Police Radio Project, for an amount not to exceed \$35,820. Funds are budgeted. p. 12
- E 0632-12 Authorization to execute Engineering Services Agreement with CDP Engineers, Inc., for the Loudon Avenue Sidewalk Project. (L632-12) (Gooding/Moloney)**
This is a request to execute Engineering Services Agreement with CDP Engineers, Inc., for an amount of \$44,652 for the Loudon Avenue Sidewalk Project. Funds are budgeted. p. 13

- F 0633-12** Authorization to execute agreement with the Department of Military Affairs/Kentucky Division of Emergency Management extending performance period for a Hazard Mitigation Grant Program for update of the Lexington-Fayette Urban County Comprehensive Hazard Mitigation Plan. (L633-12) (Gooding/Mason)
This is a request to execute agreement with the Department of Military Affairs/Kentucky Division of Emergency Management extending performance period through June 30, 2014, for a Hazard Mitigation Grant Program for update of the Lexington-Fayette Urban County Comprehensive Hazard Mitigation Plan. There is no budgetary impact. p. 14
- G 0636-12** Authorization to execute Modification #3 to Neighborhood Stabilization Program Funding Agreement with the Kentucky Department for Local Government under the Neighborhood Stabilization Program for Land Banking Activities. (L636-12) (Gooding/Moloney)
This is a request to execute Modification #3 for an amount of \$27,072 to Neighborhood Stabilization Program Funding Agreement with the Kentucky Department for Local Government under the Neighborhood Stabilization Program for Land Banking Activities. Budget amendment is in process. p. 15 - 24
- H 0646-12** Authorization to accept a donation of a Big Belly solar powered trash compactor for the Fifth Third Pavilion in Cheapside Park from Creation Technologies of Lexington, Kentucky. (L646-12) (Hancock/Hamilton)
This is a request to accept a donation of a Big Belly solar powered trash compactor for the Fifth Third Pavilion in Cheapside Park from Creation Technologies of Lexington, Kentucky. This donation is valued at \$4,080.00. p. 25
- I 0649-12** Authorization to execute amendment to agreement with University of Louisville Research Foundation for hazard mitigation planning services extending the performance period through June 30, 2013. (L649-12) (Gooding/Mason)
This is a request to execute amendment to agreement with University of Louisville Research Foundation for hazard mitigation planning services extending the performance period through June 30, 2013. There is no budgetary impact. p. 26

- J 0658-12** Authorization to accept Advanced Eco Systems, Inc., as a sole source distributor for purchase of ZUMRO Non Ambulatory Roller Systems On Carts with accessories, and provide for purchase of equipment under the Metropolitan Medical Response System project and the Chemical Stockpile Emergency Preparedness Program. (L658-12) (Gooding/Mason)
This is a request to accept Advanced Eco Systems, Inc., as a sole source distributor for purchase of ZUMRO Non Ambulatory Roller Systems On Carts with accessories, and provide for purchase of equipment in an amount not to exceed \$48,000 under the Metropolitan Medical Response System project and the Chemical Stockpile Emergency Preparedness Program. Funds are budgeted. p. 27
- K 0659-12** Authorization to execute Change Order No. 5 to contract with Woodall Construction Company for the Clays Mill Road Improvements Project. (L659-12) (Gooding/Moloney)
This is a request to execute Change Order No. 5 to contract with Woodall Construction Company for an amount of \$76,318.31 for the Clays Mill Road Improvements Project . This increase brings the total new cost to \$3,750,690.60. Funds are budgeted. p. 28 - 32
- L 0660-12** Authorization to execute Engineering Services Agreement with M2D Design Group for the Gainesway Trail Project. (L660-12) (Gooding/Moloney)
This is a request to execute Engineering Services Agreement in the amount of \$43,825 with M2D Design Group for the Gainesway Trail Project. Funds are budgeted. p. 33
- M 0661-12** Authorization to accept award of federal funds from the Kentucky Division of Forestry for treatment of ash trees on public land. (L661-12) (Gooding/Moloney)
This is a request to accept award of federal funds for an amount of \$10,000 from the Kentucky Division of Forestry for treatment of ash trees on public land. No matching funds are required. p. 34
- N 0663-12** Authorization to reorganize certain Departments within the LFUCG, transferring positions and incumbents effective July 1, 2012. (L663-12) (Graham)
This is a request to transfer the Department of Engineering from the Department of Environmental Quality and Public Works to the Department of Planning, Preservation and Development effective July 1, 2012. There is no budgetary impact. p. 35

- O** **0666-12** Authorization to enter into a Memorandum of Agreement (MOA) with the State Board of Elections to obtain federal funding to purchase additional voting equipment. (L666-12) (Moloney)
This is a request to enter into a MOA with the State Board of Elections to obtain federal funding for an amount up to \$1,125,000 to purchase additional voting equipment. There is no budgetary impact. p. 36
- P** **0676-12** Authorization to execute a New Case Document, Amendment to Plan Management Agreement, and Amendment to Group Stop-Loss Policy with Humana Insurance Company. (L676-12) (Graham)
This is a request to execute a New Case Document, Amendment to Plan Management Agreement, and Amendment to Group Stop-Loss Policy with Humana Insurance Company effective January 1, 2012 through December 31, 2012. The fiscal impact associated with this action is \$1,805,316 annually and will be funded with the BP-Life/Health/Dental/Vision account. p. 37

BUDGET AMENDMENT REQUEST LIST

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	General Fund 608,425.00 608,425.00CR .00
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To establish grant match and transfer for Legacy Phase III.

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	General Fund 89,875.00CR 89,875.00CR
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To establish personnel recovery for WIA Youth – FY 2013..

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Agriculture 10,000.00 10,000.00CR .00
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To establish grant budget for Urban Forestry FY 2013.

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept HUD 27,072.00 27,072.00CR .00
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To amend grant budget for Neighborhood Stabilization Land Banking.

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Labor 148,940.00 148,940.00CR .00
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To establish grant budget for WIA Youth FY 2013.

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 10,000.00 10,000.00CR .00
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To establish grant budget for Traffic Quality Control FY 2013

JOURNAL	TBD	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 3,402,125.00 3,402,125.00CR .00
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To establish grant budget for Legacy Phase III.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	89,875.00CR
Fund	3100	US Department of Agriculture	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3150	US Department of Labor	.00
Fund	3160	US Department of Transportation	.00



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 4, 2012

RE: Release of Easement
4101 Bates Creek Road

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement releasing a portion of a sanitary sewer easement on property located at 4101 Bates Creek 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 "Edward W. Gardner Sr.", written over a horizontal line.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Grants and Special Programs

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

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 4, 2012

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE BLUEGRASS WORKFORCE
INVESTMENT BOARD AND ACCEPT AWARD IF OFFERED, FOR
OPERATION OF A WORKFORCE INVESTMENT ACT PROJECT
FOR YOUTH SERVICES**

The Division of Youth Services has prepared an application for submission to the Bluegrass Workforce Investment Board requesting federal funds in the amount of \$115,000 for operation of a youth services project. This project is targeted toward youth who are ages 16 through 18, low-income, and who are within one or more of the following categories: deficient in basic literacy skills, school dropout, homeless, runaway, or foster child, and/or pregnant or parenting. The object of the project is to prepare youth for the workforce by empowering them with the social, work readiness, and occupational skills that enable them to obtain and retain self-sufficient employment. If approved, award of funds is based upon the successful enrollment of at least 40 youth into the program, and for completion of the following performance outcomes: attainment of a GED, diploma, or certificate, literacy and numeracy gains, and placement in employment or education. The period of performance is July 1, 2012 through September 30, 2013.

Federal funds will be used for the employment of full-time Social Worker for 14 months (new position), youth stipends for GED attainment and for literacy and numeracy skills improvement, individual service needs (transportation, child care, test fees, and work uniform costs), operating supplies, educational materials, and for a limited Summer Youth Employment Program. Local funds in the amount of \$33,940 will be documented by time worked on the project by existing Youth Service employees.

These federal funds originate from the U.S. Department of Labor.

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


Irene Gooding, Director

Xc: Beth Mills, Commissioner of the Department of Social Services

HORSE CAPITAL OF THE WORLD



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

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

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 5, 2012

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM THE KENTUCKY TRANSPORTATION
CABINET UNDER THE TRANSPORTATION ENHANCEMENT
PROGRAM FOR LEGACY TRAIL PHASE III**

On March 12, 2009 (Resolution No. 195-2009), Council authorized submission of a grant application to the Kentucky Transportation Cabinet requesting federal funds for Legacy Trail Phase III, under the Transportation Enhancement Program, as authorized by Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The Kentucky Transportation Cabinet has now offered the Lexington-Fayette Urban County Government an award of federal funds in the amount of \$2,721,700 for this project. This requires a match in the amount of \$680,425. Match will be documented from the value of permanent easements donated to the Lexington-Fayette Urban County Government for Legacy Trail Phases I and II.

This project will involve the installation of trail amenities along Legacy Trail at Jefferson Street, Third Street, Fourth Street, and ending at Isaac Murphy Memorial Gardens at Midland Avenue. Federal funds will be used for construction, signalization, utility relocation, acquisition of right of way, and engineering services.

Council authorization to accept award of federal funds is hereby requested.



Irene Gooding
Director

Xc: Richard Moloney, Acting Commissioner of the Department of Environmental Quality
and Public Works

HORSE CAPITAL OF THE WORLD



LEXINGTON DIVISION OF POLICE

OFFICE OF THE CHIEF

12

0631-12

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: June 5, 2012

RE: **Consultant Services Agreement – RCC Consultants Inc.**

Please find attached Consultant Services Agreement between RCC Consultants Inc. and Lexington-Fayette Urban County Government (LFUCG).

The Division is moving into the implementation phase of the Police Radio Project, which will involve examination of radio engineering plans submitted by Cassidian Corporation for installation at five tower sites and Police Headquarters. Once the infrastructure is installed, the LFUCG is responsible for testing the radio coverage to ensure that it complies with our purchase agreement with Cassidian. Given the technical expertise necessary to examine plans and test equipment, coupled with the financial and personnel resources committed by the LFUCG to date, I recommend that this Division continue to utilize the resources of RCC Consultants for the technical aspects of installation review and post installation testing of the new radio system. Our partners in the Division of Fire were consulted on this matter and concur. The Division of Police previously employed technical experts to perform these services, but those positions were abolished and it is necessary to use consultants to meet this need.

The services include, but are not limited to, the in-depth review of system design documentation provided by the infrastructure vendor and participation in technical testing of the infrastructure following installation to ensure it meets requirements of the agreement with Cassidian. The participation of RCC Consultants in the infrastructure vendor selection process and on-going selection process for radios makes this firm knowledgeable about the needs of the LFUCG. RCC Consultants, Inc. is a sole source provider.

The cost of this agreement should not exceed \$35,820, and funds are allocated.

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

A handwritten signature in cursive script that reads "Ronnie Bastin".

Ronnie Bastin
Chief of Police

RB/rmh
Attachment
cc: Clay Mason, Commissioner of Public Safety



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 6, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
ENGINEERING SERVICES AGREEMENT WITH CDP
ENGINEERS, INC., FOR THE LOUDON AVENUE SIDEWALK
PROJECT

On October 21, 2010 (Ordinance 184-2010), Council approved the acceptance of federal funds from the Kentucky Transportation Cabinet for Loudon Avenue Sidewalk Project. This project provides for the construction of 4,000 feet of a five-foot wide sidewalk on the south side of Loudon Avenue from Newtown Pike to Russell Cave Road. Total project cost is \$300,000. Federal funds are from the federal Congestion Mitigation/Air Quality Program (CMAQ) allocation.

Division of Engineering issued RFP #3-2011, a qualifications-based selection process for procurement of an engineering design consultant for this project. Eight firms submitted statements of qualifications. A selection committee reviewed the responses and selected CDP Engineers, Inc., as the most qualified firm with the ability and expertise to complete the work in a timely manner. The scope of work includes design, right-of-way acquisition, coordination of utility relocation, environmental and legal analyses, and the development of construction contracts. The negotiated cost of these services is \$44,652. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3160	303202	3251	91714	LOUD SIDE 2011	FED GRANT	2011

Council authorization to execute Engineering Services Agreement with CDP Engineers, Inc., is hereby requested.


Irene Gooding, Director

XC: Richard Moloney, Acting Commissioner of Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Grants and Special Programs

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

FROM: IRENE GOODING, DIRECTOR

DATE: JUNE 5, 2012

**SUBJECT: Request Council authorization to execute Agreement with the
Department Of Military Affairs/Kentucky Division of Emergency
Management extending performance period for a Hazard Mitigation
Grant Program for update of the Lexington-Fayette Urban County
Comprehensive Hazard Mitigation Plan**

On April 14, 2011 (Ordinance # 39-2011), Council approved the acceptance of federal funds from the Department Of Military Affairs/Kentucky Division of Emergency Management under the Federal Emergency Management Agency for update of the Lexington-Fayette Urban County Comprehensive Hazard Mitigation Plan. The Kentucky Division of Emergency Management has offered the LFUCG an agreement extending the performance period of the project through June 30, 2014. No other changes are proposed.

Council authorization to execute the agreement is hereby requested.

Irene Gooding
Director

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



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 5, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE MODIFICATION #3 TO
NEIGHBORHOOD STABILIZATION PROGRAM FUNDING AGREEMENT WITH
THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT UNDER THE
NEIGHBORHOOD STABILIZATION PROGRAM FOR LAND BANKING
ACTIVITIES

On June 25, 2009 (Ordinance No. 123-2009), Council approved the acceptance of federal funds from the Kentucky Department for Local Government under the Neighborhood Stabilization Program for operation of a Land banking project. This included the acquisition, disposal, and maintenance of distressed homes and demolition of blighted structures. The LFUCG was approved for funding in the amount of \$1,374,975.

On June 10, 2010 (Ordinance No. 101-2010), Council approved execution of a modification to the agreement with Kentucky Department for Local Government for use of federal funds under the Neighborhood Stabilization Program for Land banking activities. The LFUCG was modified for funding in the amount of \$1,000,000.

On August 26, 2010 (Resolution No. 461-2010), Council approved Modification # 2, providing for "funding out," 30-day cancellation, access to records, revision of amounts to be expended within the eligible uses of funds, and provisions for loan servicing.

Kentucky Department for Local Government (DLG) has offered a third modification to the funding agreement to be executed by the LFUCG. Modification # 3 provides for the addition of additional federal funds in the amount of \$27,072 for the support of unanticipated program costs that include lead-based paint abatement, compliance with State Historic Preservation Office requirements, and demolition of structurally unsound homes that could not be rehabilitated.

The source of funds is the U.S. Department of Housing and Urban Development. Funds for this program were appropriated by Congress in the Housing and Economic Recovery Act of 2008.

Council authorization to execute Modification # 3 to Neighborhood Stabilization Program Funding Agreement, accepting additional federal funds, is hereby requested.



Irene Gooding, Director

Xc: Richard Moloney, Chief Administrative Officer

HORSE CAPITAL OF THE WORLD

[illegible]

MODIFICATION #3 TO NEIGHBORHOOD STABILIZATION PROGRAM**FUNDING AGREEMENT**

THIS MODIFICATION AGREEMENT ("Agreement") is entered into this ____ day of _____, 2010, by the **COMMONWEALTH OF KENTUCKY, DEPARTMENT FOR LOCAL GOVERNMENT** ("DLG"), and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT** ("Recipient").

WHEREAS, DLG and Recipient entered into a Neighborhood Stabilization Program (NSP) Funding Agreement No. 09N-043, executed October 20, 2009 ("Funding Agreement"), for the project known as the Lexington-Fayette Urban County Government Landbanking NSP Program (Project") for funds under the federal NSP program administered by DLG; and

NOW THEREFORE, in consideration of the promises and mutual rights and obligations of the parties, the Funding Agreement is modified as follows:

1. Update Standard Terms and Conditions language to read as follows:

Memorandum of Agreement Terms and Conditions for Agreements
Between A State Agency and Other Governmental Body or Political Subdivision
Terms and Conditions
Revised January 2012

Cancellation clause:

Either party may cancel the contract at any time for cause or may cancel without cause on 30 days' written notice.

Funding Out Provision:

The state agency may terminate this contract if funds are not appropriated to the contracting agency or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. The state agency shall provide the contractor thirty (30) calendar days written notice of termination of the contract.

Reduction in Contract Worker Hours

The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority the agency is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.

Access to Records

The state agency certifies that it is in compliance with the provisions of KRS 45A.695. "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." The contractor, as defined in KRS 45A.030(9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative

Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

Effective Date:

All Memorandum of Agreements are not effective until the secretary of the Finance and Administration Cabinet or his authorized designee has approved the contract and until the contract has been submitted to the government contract review committee. However, Memoranda of Agreements \$50,000 or less are exempt from review by the committee and need only be filed with the committee within 30 days of their effective date for informational purposes only as provided under KRS 45A.700.

KRS 45A.695(7) Payments on personal service contracts and memoranda of agreements shall not be authorized for services rendered after government contract review committee disapproval, unless the decision of the committee is overridden by the secretary of the Finance and Administration cabinet or agency head, if the agency has been granted delegation authority by the secretary.

Violation of tax and employment laws

KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract and the contractor's disqualification from eligibility for future state contracts for a period of two (2) years.

Subrecipient must check one:

_____ The contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

The contractor has violated the provisions of one or more of the above statutes within the previous five (5) year period and has revealed such final determination(s) of violation(s). A list of such determination(s) is attached

2. Exhibit A of the Agreement is modified to read as follows:

EXHIBIT A TO NSP FUNDING AGREEMENT

BUDGET

Rider to Section 1-A(2). In addition to **Subrecipient's** Proposal for Commonwealth Neighborhood Stabilization Program assistance, "Proposal" shall include the following submittals:

Written clarifications requested by/provided to DLG during pre-award review
Evidentiary materials

Rider to Section 2-A. The amount of this NSP1 allocation is:

Total Grant Amount: \$1,027,072

The approximate use of these funds will be

Administrative funds:	\$ 52,461
Eligible Use C:	\$550,848
Eligible Use D:	\$ 86,242
Eligible Use E:	\$337,521

Subrecipient may, based on market conditions and availability of NSP-eligible residential properties, expend greater or lesser amounts for each eligible use specified above. However, cumulative changes that result in a shift of funds equal to 35% or more of any single eligible use will require submission of a budget amendment to, and approval of a budget amendment by, the Department for Local Government. Further, no change may result in expenditures greater than the total allocation of NSP funding.

DELIVERY OF NOTIFICATIONS

Rider to Section 8-A. The address of the **Subrecipient** for the purposes of communications relating to this Agreement shall be the following:

The Honorable James Gray, Mayor
Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507

Contact

Irene Gooding
Grants Manager
Lexington-Fayette Urban County Government
200 East Main Street
6th Floor
Lexington, KY 40507
ireneg@lfucg.com

DESCRIPTION OF SUBRECIPIENT ACTIVITIES

Rider to Section 1-C(10). "Subrecipient Activities" for this Project shall consist of the following:

1. The **Subrecipient** agrees to perform activities as stated in the NSP1 proposal and given preliminary approval on April 2, 2009, as summarized below:

Eligible Use C: Acquire approximately fourteen (14) foreclosed properties, purchase and hold for a maximum of ten (10) years from date of acquisition. For the purposes of the NSP, the land bank will operate in a specific, defined geographic area. It will purchase properties that have been abandoned or foreclosed upon and maintain, assemble, facilitate redevelopment of, market, and dispose of the land-banked properties.

Eligible Use D: Demolish approximately twelve (12) blighted structures in Fayette County.

Eligible Use E: Acquire and redevelop (rehabilitate or reconstruct) approximately five fifteen (15) vacant or demolished properties. Redevelopment may include conversion to green space / community gardens for properties that are not developable under current planning and zoning requirements.

2. **Subrecipient** agrees to put a deed restriction on all properties in the land bank that limits usage to NSP eligible activities of single- or multi-family home ownership or rental property development for households with incomes at or below 120% of area median. Permanent housing created through **Subrecipient's** use of NSP funds may be for either rental or homeownership activity, as defined in the Commonwealth of Kentucky's Substantial Amendment to its Action Plan.
3. The **Subrecipient** will give priority to addressing residential foreclosed or abandoned properties in Census Tract 19, and Census Tract 2, when feasible. Furthermore, the **Subrecipient** shall focus on houses and properties located in Census Tract Block Groups with a HUD risk score of 8, 9, or 10. If financing, renovating, or rehabilitating a house or

property in a tract and block group with a lower risk score (other than the two indicated above) is necessary to accomplish the federal goals of stabilizing neighborhoods distressed by the foreclosure crisis, the **Subrecipient** may do so with prior permission from DLG.

NSP funds will be used to stabilize distressed neighborhoods in the Census tracts and block groups as identified in the baseline funding agreement.

4. The **Subrecipient** agrees to provide all necessary administration to the project to assure compliance with all applicable state, federal and local statutes, as set forth in this funding agreement. The **Subrecipient** shall expend no more than \$52,461 of NSP1 funds to cover administrative costs of the project.

TIME OF PERFORMANCE

1. The **Subrecipient** had fourteen (14) percent of its funds, or \$186,460 (One Hundred Eighty-Six Thousand, Four Hundred Sixty Dollars) contractually obligated to specific unit addresses (or for services for specific NSP-assisted properties) as of March 31, 2010.
2. The **Subrecipient** agrees to have seventy-five percent (75%) of the funds (\$750,000) contractually obligated to specific unit addresses (or for services for specific NSP-assisted properties) by May 15, 2010.
3. The **Subrecipient** agrees to have 100 percent (100%) of the funds (\$1,000,000) contractually obligated to specific unit addresses (or for services for specific NSP-assisted properties) by June 30, 2010.
4. Should the above obligation deadlines not be met, **Subrecipient** agrees that it will:
 - A. Accept and execute a modification to this funding agreement reducing the cumulative funds awarded to an amount to be determined by the Department for Local Government, based on the **Subrecipient's** actual obligation of funds at the benchmark dates in (1), (2), and (3) above; and
 - B. Accept and execute a modification to this funding agreement reducing the cumulative funds awarded the amount of contractually-obligated funds, plus any funds required to complete in-process units, with such amount to be determined by the Department for Local Government on or after June 15, 2010.
5. One hundred percent (100%) of the **Subrecipient's** NSP allocation must be expended by December 31, 2012, including completion of construction of all Eligible Use E redevelopment units. All produced units must be rented or sold, as applicable, no later than February 1, 2013. Unexpended funds are subject to recapture as of January 2, 2013.

3. **Ratification of Funding Agreement**

Lexington-Fayette Urban County Government (landbanking)

Funding Agreement No. 09N-043
Modification 3

In making this Amendment, DLG and Subgrantee hereby ratify and affirm the continued enforcement of the provisions of the Funding Agreement except as explicitly modified herein.

EXECUTED BY THE PARTIES THIS ____ DAY OF _____, 2012.

COMMONWEALTH OF KENTUCKY

SUBGRANTEE

BY:

BY:

Tony Wilder, Commissioner
Department for Local Government

Subgrantee CEO
(Title/Agency)

DATE _____

DATE _____

Examined as to form and legality only:

Examined as to form and legality only:

Counsel for the Dept. for Local Gov't.

Counsel for Subgrantee



Steven L. Beshear
Governor

Commonwealth of Kentucky
Finance and Administration Cabinet
OFFICE OF THE SECRETARY
Room 383, Capitol Annex
702 Capital Avenue
Frankfort, KY 40601-3462
(502) 564-4240
Fax (502) 564-6785

Lori H. Flanery
Secretary

SECRETARY'S ORDER 11-004

FINANCE AND ADMINISTRATION CABINET

Vendor Document Disclosure

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a formal review process should be created whereby the Finance and Administration Cabinet would provide oversight and direction to an agency of the Commonwealth that is in a dispute with a vendor regarding documents that it believes are being improperly withheld by the vendor and are necessary to conduct a thorough review of the vendor's activities pursuant to said contract; and

WHEREAS, KRS 42.014 and KRS 12.270 authorizes the Secretary of the Finance and Administration Cabinet to establish the internal organization and assignment of functions which are not established by statute relating to the Finance and Administration Cabinet; further, KRS Chapter 45A.050 and 45A.230 authorizes the Secretary of the Finance and Administration Cabinet to procure, manage and control all supplies and services that are procured by the Commonwealth and to intervene in controversies among vendors and state agencies; and

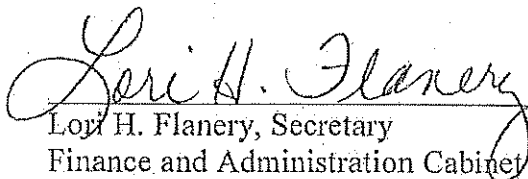
NOW, THEREFORE, pursuant to the authority vested in me by KRS 42.014, KRS 12.270, KRS 45A.050, 45A.230, and 200 KAR 5:314, I, Lori H. Flanery, Secretary of the Finance and Administration Cabinet, do hereby order and direct the following:

- I. Upon the filing of a Petition for Determination with the Finance and Administration Cabinet by an agency of the Commonwealth, the Finance and Administration Cabinet ("FAC") shall formally review any dispute arising where the agency has requested documents from a vendor that holds a state contract and the vendor has refused access to said documents under a claim that said documents are not directly pertinent or relevant to the agency's inquiry upon which the document request was predicated.
- II. Upon the filing of a Petition for Determination from an agency of the Commonwealth, the FAC shall formally review any situation where the agency has requested documents that the agency deems necessary to conduct audits,

investigations or any other formal inquiry and a dispute has arisen as to what documents are necessary to conclude the inquiry.

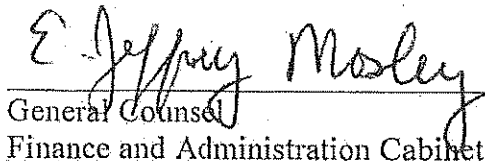
- III. Upon the filing of a Petition for Determination by an agency of the Commonwealth pursuant to Section I or Section II, the FAC shall consider the request from the Executive Branch agency and the position of the vendor or party opposing the disclosure of the documents, applying any and all relevant law to the facts and circumstances of the matter in controversy. After FAC's review is complete, FAC shall issue a Determination which sets out FAC's position as to what documents and/or records, if any, should be disclosed to the requesting agency. The Determination shall be issued within 30 days of receipt of the request from the agency. This time period may be extended for good cause.
- IV. If the Determination concludes that documents are being wrongfully withheld by the vendor or other party opposing the disclosure from the state agency, the private vendor shall immediately comply with the FAC's Determination. Should the vendor or other party refuse to comply with FAC's Determination, then the FAC, in concert with the requesting agency, shall pursue any and all options that it possesses to obtain the documents in question, including, but not limited to the following:
- a. Initiating discussions with the vendor to obtain the documents determined to be necessary for the inquiry;
 - b., Terminating the vendor's contract; or
 - c. Filing an action jointly or singularly against the vendor in a court of appropriate jurisdiction to obtain a court order mandating the disclosure of the documents determined to be necessary for the inquiry.
- V. Any provisions of any prior Order that conflicts with the provisions of this Order shall be deemed null and void.

THIS ORDER SHALL BECOME EFFECTIVE UPON EXECUTION.


Lori H. Flanery, Secretary
Finance and Administration Cabinet

Dated: *August 25, 2011*

APPROVED FOR FORM AND LEGALITY:


General Counsel
Finance and Administration Cabinet



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0646-12

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Sally Hamilton
Commissioner, General Services

MEMORANDUM

To: Mayor Jim Gray
Urban County Council Members

From: Jerry Hancock, Director, Parks and Recreation *J. Hancock*
Sally Hamilton, Commissioner of General Services

Subj: Donation of Big Belly solar powered trash compactor

Date: June 5, 2012

A press conference was held earlier this year to announce the donation and installation of a Big Belly solar powered trash compactor for the Fifth Third Pavilion area in Cheapside Park in downtown Lexington.

This letter is to request Urban County Council approval of acceptance of this generous donation, which was made by Creation Technologies of Lexington Kentucky, and is valued at \$4,080.00. It will help keep downtown Lexington beautiful.

Big Belly Solar is a leading global provider of innovative and sustainable information solutions for the management of waste & recycling, with more than 800 customers in virtually every US state and 30 countries overseas. Big Belly Solar is enabling customer practices that are more environmentally sustainable, displacing fossil fuel usage through renewable energy, increasing recycling rates, reducing litter and associated public health concerns, and creating a messaging platform to engage users and influence more environmentally-conscious behaviors.

Please call me if you have any questions on this fine example of partnering with the community.



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 6, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO AGREEMENT WITH UNIVERSITY OF
LOUISVILLE RESEARCH FOUNDATION FOR HAZARD
MITIGATION PLANNING SERVICES

On July 12, 2011 (Resolution No. 338-2011), Council approved execution of agreement with the University of Louisville Research Foundation on behalf of the university's Center for Hazards Research in the amount of \$107,701, for provision of services relative to the re-evaluation of risks and impacts to the community and the update of the required community hazard mitigation plan. The funding agency, Kentucky Department of Military Affairs, has extended the performance period of this project; therefore the LFUCG Division of Emergency Management is proposing this extension through June 30, 2013 to the consulting agreement with the University of Louisville Research Foundation.

Council authorization to execute amendment to agreement with University of Louisville Research Foundation is hereby requested.


Irene Gooding, Director

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



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 8, 2012

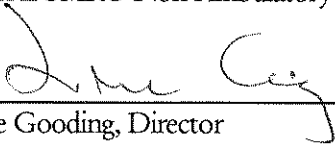
SUBJECT: AUTHORIZATION TO ACCEPT ADVANCED ECO SYSTEMS, INC., AS A
SOLE SOURCE DISTRIBUTOR FOR PURCHASE OF ZUMRO NON
AMBULATORY ROLLER SYSTEMS ON CARTS WITH ACCESSORIES, AND
PROVIDE FOR PURCHASE OF EQUIPMENT IN AN AMOUNT NOT TO
EXCEED \$48,000 UNDER THE METROPOLITAN MEDICAL RESPONSE
SYSTEM PROJECT AND THE CHEMICAL STOCKPILE EMERGENCY
PREPAREDNESS PROGRAM

The Lexington-Fayette Urban County Government has received federal funds from the Kentucky Office of Homeland Security under the Metropolitan Medical Response System (MMRS) program, and from the Kentucky Department of Military Affairs/Division of Emergency Management. These programs provide funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire equipment to achieve the capability necessary to respond to a mass casualty event. The Division of Emergency Management/911 is requesting that Advanced Eco Systems, Inc., be accepted as the sole distributor, with ZUMRO, Inc. as the sole source manufacturer, for purchase of Non Ambulatory 20' Roller Systems on Carts and accessory equipment. The Division of Emergency Management/911 is requesting approval to purchase seven units with accessories in an amount not to exceed \$48,000. ZUMRO products are the standard emergency shelter products that have been purchased for other emergency services facilities in the city and region. This compatibility provides a common piece of equipment for mutual aid and training across the community.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3200	505201	0001	96705	CSEPP 2012	KY-FAY-452	2012	\$36,000
3200	505205	0001	96468	MMRS 2011	FED GRANT	2011	\$12,000

Council authorization to approve Advanced Eco Systems Inc., as sole distributor, and approval to purchase seven ZUMRO Non Ambulatory Roller Systems on Carts with accessories is hereby requested.


Irene Gooding, Director

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

HORSE CAPITAL OF THE WORLD

29
0659-12

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Date: May 22, 2012

Project: Clays Mill Road Improvement Section 2A

Location: Clays Mill Road

To (Contractor): Woodall Construction Co., Inc.

Contract No: 3-2011

Change Order No: (5)

1332 Cahill Drive
Lexington, KY 40504-1164

You are hereby requested to comply with the following changes from the contract plans and specification;

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	add	DGA	TN	1300	\$ 17.41	\$ -	\$ 22,633.00
98	add	Concrete Retaining Wall at Station 26+15-27+41	CY	18	\$ 447.74		\$ 8,059.32
98	add	Concrete Retaining Wall at Station 28+72-29+00	CY	14	\$ 447.74		\$ 6,268.36
98	add	Concrete Retaining Wall at Station 32+50	CY	2.5	\$ 447.74		\$ 1,119.35
107	add	12" 90 degree Elbow	EA	1	\$ 125.00		\$ 125.00
108	add	12" ADS Pipe	LF	20	\$ 25.00	\$ -	\$ 500.00
109	add	12" inline drain with grate	LS	1	\$ 750.00	\$ -	\$ 750.00
110	add	Tie to existing CBI	LS	2	\$ 750.00	\$ -	\$ 1,500.00
111	add	Fix of Median Street Lights @ Monticello	LS	1	\$ 450.00	\$ -	\$ 450.00
112	add	15" 90 degree elbow	EA	1	\$ 225.00	\$ -	\$ 225.00
113	add	15" ADS Pipe	LF	20	\$ 30.00		\$ 600.00
114	add	15" inline drain with grate	LS	1	\$ 1,175.00		\$ 1,175.00
115	add	Tensar TX-160	SY	656	\$ 7.75		\$ 5,084.00
116	add	50% split on Savings on Redi Rock wall	LS	1	\$13,809.73		\$ 13,809.73
117	add	6" Force Main	LF	16	\$ 73.50		\$ 1,176.00
118	add	Milling and Texturing	SY	1759.39	\$ 7.30		\$ 12,843.55
							\$ -
							\$ -

Total decrease

\$

-

Total increase

\$

76,318.31

JUSTIFICATION FOR CHANGE

PROJECT: Clays Mill Road Project Section 2A

0659-12

CONTRACT NO. 3-2011

CHANGE ORDER: 5

1. Necessity for change: additional quantities needed to complete project

2. Is proposed change an alternate bid? ___Yes XNo
3. Will proposed change alter the physical size of the project? ___Yes XNo
If "Yes", explain.

4. Effect of this change on other prime contractors: N/A

5. Has consent of surety been obtained? ___Yes XNot Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes XNo
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A

8. Effect on contract completion date: N/A

Mayor_____
Date

CONTRACT HISTORY FORM

CO #4

Project Name Clays Mill Road Project Section 2A
Contractor: Woodall Construction Company Inc.
Contract Number and Date: 3-2011 January 13, 2011
Responsible LFUCG Division: Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount: \$ 3,569,321.10
Next Lowest Bid Amount:
\$3,692,976.85

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

C. Cumulative Amount of All Previous Alternates or Phases: \$ 3,569,321.10

D. Amended Contract Amount: \$ 3,569,321.10

E. Cumulative Amount of All Previous Change Orders: \$ 105,051.19 2.9%
(Line E / Line D)

F. Amount of This Change Order: \$ 76,318.31 2.1%
(Line F / Line D)

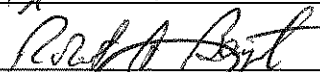
G. Total Contract Amount: \$ 3,750,690.60

SIGNATURES

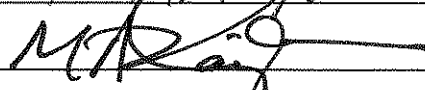
Project Manager:

Date: 6/1/12

Reviewed by:

Date: 6/4/12

Division Director:

Date: 6/4/12



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 8, 2012


SUBJECT: Request Council authorization to execute Engineering Services Agreement in the amount of \$43,825 with M2D Design Group for the Gainesway Trail Project

On August 27, 2009 (Ordinance 172-2009), Council approved the acceptance of federal funds from the Kentucky Transportation Cabinet for Gainesway Trail Project. This project provides for a shared use trail between the northern terminus at or near Centre Parkway and the southern terminus at or near Armstrong Mill Road. Federal funds in the amount of \$446,400 are from the federal Congestion Mitigation/ Air Quality Program (CMAQ) allocation. 20% local match in the amount of \$111,600 will be documented from the value of land already owned by the LFUCG.

Division of Engineering issued RFP #26-2011, a qualifications-based selection process for procurement of an engineering design consultant for this project. Eight firms submitted statements of qualifications. A selection committee reviewed the responses and selected M2D Design Group as the most qualified firm with the ability and expertise to complete the work in a timely manner. The scope of work includes design, right-of-way acquisition, coordination of utility relocation, environmental and legal analyses, and the development of construction contracts. The negotiated cost of these services is \$43,825. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3160	707601	7211	90313	GAIN_TRL_2010	MS_GRANT	2010

Council authorization to execute Engineering Services Agreement with M2D Design Group is hereby requested.


Irene Gooding, Director

XC: Richard Moloney, Acting Commissioner of Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD

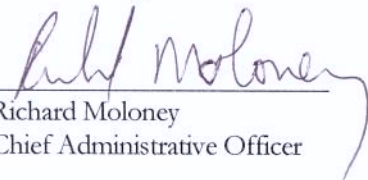


Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Richard P. Moloney
CAO

TO: Mayor Jim Gray
Urban County Council Members

FROM: 
Richard Moloney
Chief Administrative Officer

DATE: June 11, 2012

RE: Transfer the Division of Engineering to the Department of Planning, Preservation and Development

Council approval is requested to transfer the Division of Engineering from the Department of Environmental Quality and Public Works to the Department of Planning, Preservation and Development.

The rationale for the transfer is as follows:

- Asset to strategies for Capacity Assurance Program (CAP) implementation and application. The anticipated changes to the development review and approval process are substantial and will require better coordination between numerous city Divisions. By integrating Engineering within the Department it is anticipated that the development plan review process will function more efficiently and effectively. Importantly, improved communication between engineering and planning on sanitary issues was one of the recommendations of the transition team.
- Increased coordination of new development functions and planning. Specifically, it is anticipated that this move will help improve the efficiency of sign offs on all engineering approvals associated with new development by improving communication and coordination. Improved communication between engineering and planning on new development issues was also one of the recommendations of the transition team.
- Increased coordination of new road construction and Metropolitan Planning Organization (MPO). While road projects already function fairly well it is anticipated that by having the MPO and Engineering in the same department communication and coordination of road projects will be improved.
- Increased coordination of trail construction. As trails are becoming increasingly integral to transit policy as well as livability within neighborhoods, it is essential that the major aspects of their planning and construction be well coordinated. While the bike planner and representatives from engineering involved in the construction of trails already work together, it is anticipated coordination and communication can be improved and trail planning can be raised to a new level.
- Increased coordinated proactive planning. One of the bigger goals within the department is to increase proactive planning with Lexington. In bringing engineering in a closer more continuous working relationship with planning and preservation our ability to plan pro-actively will be increased.

There are no budgetary impacts anticipated. Council authorization for the transfer is requested, with an effective date of July 1, 2012.

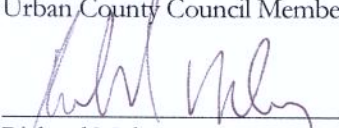


Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Richard P. Moloney
CAO

TO: Mayor Jim Gray
Urban County Council Members

FROM: 
Richard Moloney
Chief Administrative Officer

DATE: June 12, 2012

RE: Memorandum of Agreement (MOA) to Purchase Voting Equipment

Council authorization is requested to enter into Memorandum of Agreement for FY2013/2014 with the State Board of Elections to obtain federal funding to purchase voting equipment for use by the Clerk of Fayette County.

The Help America Vote Act (HAVA) and the 2006 Amended Kentucky State Plan provide federal funding for reimbursement to counties for the purchase of additional voting equipment. Fayette County is eligible for up to \$1,125,000.00 reimbursement for accessible voting systems.

There is no budgetary impact.

If you have any questions about this matter, please contact me or Keith Horn in our Department of Law.



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
Tamara Walters, Acting Director
Division of Human Resources

DATE: June 13, 2012

SUBJECT: New Case Document/Amendment to Plan Management Agreement/Amendment to Group Stop-Loss Policy

The attached action authorizes the Mayor to contract a New Case Document, Amendment to Plan Management Agreement, and Amendment to Group Stop-Loss Policy with Humana Insurance Company effective January 1, 2012 through December 31, 2012.

The New Case Document will be used by Humana to draft the Summary Plan Description for the Plan and to administer benefits under the Plan during the period prior to the delivery of a final Summary Plan Description.

The fiscal impact associated with this action is \$1,805,316.00 annually (Humana Admin - \$1,185,267., Specific Premium \$566,781., and Aggregate Premium \$53,268.) and will be funded from the BP-Life/Health/Dental/Vision account.

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

Log # 12-0051