

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, June 18, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
June 17 – June 24, 2013**

Monday, June 17

No Meetings

Tuesday, June 18

Social Services & Community Development Committee.....11:00 am
Council Chamber – 2nd Floor Government Center

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

Council Meeting – 1st Reading of FY2014 Budget.....3:00 pm
Council Chamber – 2nd Floor Government Center

Council Work Session.....Immediately Following Council Meeting
Council Chamber – 2nd Floor Government Center

Wednesday, June 19

No Meetings

Thursday, June 20

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

Corridors Commission.....11:00 am
Conference Room – 5th Floor Government Center

Police Discipline Informational Presentation.....4:00 pm
Police Headquarters – 150 East Main Street

Council Meeting – 2nd Reading of FY2014 Budget.....6:00 pm
Council Chamber – 2nd Floor Government Center

Friday, June 21

No Meetings

Monday, June 24

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
TABLE OF MOTIONS
June 11, 2013

Vice Mayor Linda Gorton called the meeting to order at 3:10pm. All Council Members were present.

I. Public Comment – Issues on Agenda – No

Motion by Stinnett to move item E to next on the agenda. Seconded by Ellinger. Motion passed without dissent.

II. Requested Rezoning / Docket Approval – No

III. Approval of Summary – Yes

Motion by Stinnett to approve the summary. Seconded by Myers. Motion passed without dissent.

IV. Budget Amendments – No

V. New Business – Yes

Motion by Beard to approve the New Business. Seconded by Stinnett. Motion passed without dissent.

VI. Continuing Business / Presentations – Yes

Motion by Stinnett to approve the Neighborhood Development Funds (NDF). Seconded by Ellinger. Motion passed without dissent.

VII. Council Reports – Yes

Motion by Beard to set a public hearing for 6:00pm on July 9, 2013 to receive public comment on establishing tax increment financing district (TIF) for The Summit, a new mixed-use project on the corner of Nicholasville Road and Man O War Boulevard that is being proposed by Bayer Properties for the Fritz property. Seconded by Kay. Motion passed 11-3. Farmer, Akers, and Gorton voted nay.

VIII. Mayor's Report – No

IX. Public Comment – Issues Not on Agenda – No

Motion by Farmer to recess. Seconded by Ellinger. Motion passed without dissent.

Motion by Ellinger to place on the docket for first reading at the Council Meeting scheduled for 3 p.m. on June 18, 2013 the FY2014 Budget Ordinance. Seconded by Kay. Motion passed without dissent.

Motion by Scutchfield to adjourn. Seconded by Myers. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
June 18, 2013**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezonings/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1 - 2**
- IV. Budget Amendments – Yes, p. 8**
- V. New Business – Yes, p. 9 - 39**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, June 18, 2013, p. 40
 - b** General Government Committee Summary, June 4, 2013, p. 41 - 47
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

- a **0609-13** Authorization to approve bid submitted by Aramark Correctional Services for the laundry service at the Division of Community Corrections. (L0609-13) (Ballard/Mason)
This is a request to approve bid submitted by Aramark Correctional Services for the laundry service at the Division of Community Corrections for a three (3) year term beginning July 1, 2013. The cost for FY 2014 will be \$135,360. Funds are budgeted. p. 9
- b **0610-13** Authorization to execute agreements with Fayette County Commonwealth Attorney, Kenton County Commonwealth Attorney, and Commonwealth Attorney for the 28th Judicial Circuit for performance of services under the 2011 Project Safe Neighborhood Grant for FY 2014. (L0610-13) (Gooding/Mason)
This is a request to execute agreements with Fayette County Commonwealth Attorney, Kenton County Commonwealth Attorney, and Commonwealth Attorney for the 28th Judicial Circuit for performance of services under the 2011 Project Safe Neighborhood Grant for FY 2014. Amounts awarded are \$10,000, \$7,500 and \$6,500, respectively. Funds are budgeted. p. 10
- c **0624-13** Authorization to execute Amendment No. 2 to Grant Agreement with the Commonwealth of Kentucky Department for Local Government for the Coolavin Rail Trail, extending the performance period through June 30, 2014. (L0624-13) (Gooding/Paulsen)
This is a request to execute Amendment No. 2 to Grant Agreement with the Commonwealth of Kentucky Department for Local Government for the Coolavin Rail Trail, extending the performance period through June 30, 2014. There is no budgetary impact. p. 11 - 12
- d **0625-13** Authorization to execute amendment to agreement with the Kentucky Transportation Cabinet for the Bates Creek Road Sidewalk Improvements Project, extending the performance period through June 30, 2014. (L0625-13) (Gooding/Paulsen)
This is a request to execute amendment to agreement with the Kentucky Transportation Cabinet for the Bates Creek Road Sidewalk Improvements Project, extending the performance period through June 30, 2014. There is no budgetary impact. p. 13 - 14
- e **0631-13** Authorization to approve agreement with Hummingbird Nano, Inc., to participate in the Kentucky Business Investment (KBI) Program. (L0631-13) (Atkins)

This is a request to approve agreement with Hummingbird Nano, Inc., to participate in the KBI Program, which allows for recovery of up to 100% of start-up cost and 50% of annual rent cost through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact. p. 15

- f 0632-13 Authorization to approve agreement with Tiffany and Company Jewelers, Inc., to participate in the Kentucky Business Investment (KBI) Program. (L0632-13) (Atkins)**
 This is a request to approve agreement with Tiffany and Company Jewelers, Inc., to participate in the KBI Program, which allows for recovery of up to 100% of start-up cost and 50% of annual rent cost through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact. p. 16
- g 0633-13 Authorization to approve agreement with Total Quality Logistics, LLC, to participate in the Kentucky Business Investment (KBI) Program. (L0633-13) (Atkins)**
 This is a request to approve agreement with Total Quality Logistics, LLC, to participate in the KBI Program, which allows for recovery of up to 100% of start-up cost and 50% of annual rent cost through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact. p. 17
- h 0634-13 Authorization to approve agreement with TeleHealth Holdings, LLC, to participate in the Kentucky Business Investment (KBI) Program. (L0634-13) (Atkins)**
 This is a request to approve agreement with TeleHealth Holdings, LLC, to participate in the KBI Program, which allows for recovery of up to 100% of start-up cost and 50% of annual rent cost through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact. p. 18
- i 0636-13 Authorization to execute amendment to agreement with Kentucky Transportation Cabinet for Town Branch Trail Phase III, extending performance period through June 30, 2014. (L0636-13) (Gooding/Paulsen)**
 This is a request to execute amendment to agreement with Kentucky Transportation Cabinet for Town Branch Trail Phase III, extending performance period through June 30, 2014. There is no budgetary impact. p. 19 - 20

- j** **0637-13** Authorization to execute amendment to agreement with the Kentucky Transportation Cabinet for the Old Frankfort Pike/Alexandria Drive Stone Fence Project, extending performance period through June 30, 2014. (L0637-13) (Gooding/Hamilton)
This is a request to execute amendment to agreement with the Kentucky Transportation Cabinet for the Old Frankfort Pike/Alexandria Drive Stone Fence Project, extending performance period through June 30, 2014. There is no budgetary impact. p. 21 - 22
- k** **0640-13** Authorization to execute Engineering Services Agreement with URS Corporation, a Nevada Corporation, for a Traffic Signal Timing Project under the ITS/CMS (Intelligent Transportation System Congestion Management System) Traffic Improvements Project. (L0640-13) (Gooding/Moloney)
This is a request to execute Engineering Services Agreement with URS Corporation, a Nevada Corporation, for a Traffic Signal Timing Project under the ITS/CMS Traffic Improvements Project, for an amount not to exceed \$349,599. Funds are budgeted. p. 23
- l** **0642-13** Authorization to execute Change Order No. 2 to Agreement with Triton Services, Inc., for HVAC and piping repair for the Phoenix Building Contract #145-2013. (L0642-12) (Reed)
This is a request to execute Change Order No. 2 to Agreement with Triton Services, Inc., for HVAC and piping repair for the Phoenix Building Contract #145-2013, in the amount of \$5,695. This increase brings the new total contract cost to \$232,495. Funds are budgeted. p. 24 - 28
- m** **0648-13** Authorization to amend Subsection 12-5(c) of the Code of Ordinances to prohibit vegetation from interfering with vehicular traffic in the public right of way. (L0648-13) (Bush/Moloney)
This is a request to amend Subsection 12-5(c) of the Code of Ordinances to prohibit vegetation from interfering with vehicular traffic in the public right of way. There is no budgetary impact. p. 29
- n** **0649-13** Authorization to execute First Amendment to Purchase Agreement with Cassidian Communications and Lexington Fayette Urban County Airport Corporation (Airport) for the 800MHz Radio Project, to allow the Airport to acquire a VP Gate for their part of the radio system. L0649-13) (Bastin/Mason)

This is a request to execute First Amendment to Purchase Agreement with Cassidian Communications and the Airport for the 800MHz Radio Project, to allow the Airport to acquire a VP Gate for their part of the radio system for an amount of \$28,231. There is no cost to LFUCG. p. 30 - 31

- o 0652-13** Authorization to submit, and accept award if offered, a grant application to the U.S. Department of Justice requesting federal funds under the Edward Byrne Memorial Justice Assistance Grant-FY 2014. (L0652-13) (Gooding/Mason)
 This is a request to submit, and accept award if offered, a grant application to the U.S. Department of Justice requesting federal funds in the amount of \$229,909 under the Edward Byrne Memorial Justice Assistance Grant-FY 2014. No matching funds are required. Budget amendment in process. p. 32 - 33

- p 0653-13** Authorization to execute Change Order No. 1 to Agreement with Smith Contractors, Inc., for the Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project. (L0653-13) (Martin/Moloney)
 This is a request to execute Change Order No. 1 to Agreement with Smith Contractors, Inc., for the Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project, for an amount of \$478,000. This increase brings the total new project cost to \$13,920,723. Funds are budgeted. p. 34 - 39

**BUDGET AMENDMENT REQUEST LIST
FY 2013**

JOURNAL	69959	DIVISION	Police and Fire Pension Administration	Fund Name Fund Impact	General Fund 700,000.00 700,000.00CR .00
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To decrease funds for personnel contingency - unemployment to provide required funds for Police and Fire Pension based on the rate approved at the June 2013 Police and Fire Pension Board meeting.

JOURNAL	69960-61	DIVISION	Police and Fire Pension Administration	Fund Name Fund Impact	Police/Fire Pension Fund 700,000.00 700,000.00CR .00
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To provide funds to meet the employer contribution for the Police and Fire Pension Fund for Fiscal Year 2013 based on the actuarial rate approved at the June 2013 Police and Fire Pension Board meeting.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	5003	Police and Fire Pension Fund	.00

**BUDGET AMENDMENT REQUEST LIST
FY 2014**

JOURNAL	To Be Determined	DIVISION	Purchase of Development Rights	Fund Name Fund Impact	US Dept Agriculture 53,106.48 53,106.48CR .00
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To amend Purchase of Development Rights federal funds to match actual award received.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	3140	US Dept Of Agriculture	.00
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9
0609-13

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Sally Hamilton, CAO
Mayor Jim Gray
Councilmembers

From: Rodney Ballard, Director *Rodney Ballard*
Division of Community Corrections

Date: May 30, 2013

Subject: Approval of Bid by Aramark Correctional Services for Laundry Services

Requesting approval of the bid of Aramark Correctional Services for the laundry service at the Division of Community Corrections beginning July 1, 2013. The Division issued RFP #9-2013, Aramark Correctional Services was the low bidder. Term of contract is for three (3) years with two (2) one (1) year renewals.

The fiscal impact for FY2014 will be \$135,360. Funds are budgeted in 1101-505402-5421-71209.

cc: Clay Mason, Commissioner
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 3, 2013

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENTS WITH
FAYETTE COUNTY COMMONWEALTH ATTORNEY, KENTON COUNTY
COMMONWEALTH ATTORNEY, AND COMMONWEALTH ATTORNEY FOR
THE 28TH JUDICIAL CIRCUIT FOR PERFORMANCE OF SERVICES UNDER
THE 2011 PROJECT SAFE NEIGHBORHOOD GRANT

On October 13, 2011 (Resolution No. 450-2011), the Urban County Council approved the acceptance of award, on behalf of the Eastern District of Kentucky, of federal funds from the U.S. Department of Justice under the 2011 Project Safe Neighborhood Program. The purpose of this project is to support new and expanded gun-crime prevention and enforcement efforts under the Project Safe Neighborhoods (PSN) initiative in the 67 counties of the Eastern District, including Fayette County. The Project Safe Neighborhood program brings together federal, state and local law enforcement and communities in a unified effort to reduce gun crime across America.

The approved grant application provides the following Commonwealth Attorney Offices with federal funds to assist them with the prosecution of gun and gang-related crimes:

Fayette County Commonwealth Attorney in the amount of \$10,000

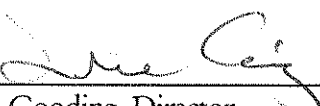
Kenton County Commonwealth Attorney in the amount of \$7,500

Commonwealth Attorney for Lincoln, Pulaski, and Rockcastle Counties in the amount of \$6,500

Funds for agreements are budgeted as follows:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3140	505001	5011	71299	PROJSFNE 2012	2012	FED GRANT

Council authorization to execute the agreements is hereby requested.


Irene Gooding, 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 Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

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

DATE: JUNE 4, 2013

SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE GRANT
AGREEMENT AMENDMENT NO. 2 FOR THE COOLAVIN RAIL
TRAIL


On May 6, 2010 (Ordinance No. 83-2010), Council authorized the acceptance of a grant from the Kentucky Department for Local Government, in the amount of \$75,000 for construction of the Coolavin Rail Trail.

On April 26, 2012 (Resolution No. 207-2012), Council authorized execution of an Amendment to Agreement extending the period of performance through June 30, 2013.

The Kentucky Department for Local Government has offered the LFUCG Grant Agreement Amendment No. 2 extending the performance period through June 30, 2014.

The Coolavin Rail Trail is proposed to be a twelve foot wide, 3,000 foot long trail with an asphalt surface that provides multi-modal access along an abandoned R.J. Corman railroad corridor. The proposed trail lies between Fourth Street and Loudon Avenue. The source of federal funds is the Federal Highway Trust Fund, and represents a portion of the motor fuel excise tax collected from nonhighway recreational fuel use.

Council authorization to execute Grant Agreement Amendment No. 2 is hereby requested.


Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development

HORSE CAPITAL OF THE WORLD

**COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR LOCAL GOVERNMENT
GRANT AGREEMENT AMENDMENT**

12

Grant No. 1000003084 0624-13

Amendment No. 2

RTP# 379-09

Name and Address of Recipient:

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

The original Grant Agreement dated June 9, 2010, by and between the Commonwealth of Kentucky Department for Local Government and the Lexington Fayette Urban County Government is being amended as follows: Extend the project expiration date to June 30, 2014.

Payment pursuant to this amendment 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.

All other terms and conditions of the Grant Agreement, except as modified by the underlined language above and by prior amendments, if any, are hereby ratified and confirmed.

IN WITNESS WHEREOF, the Department and the Recipient have executed this Grant Agreement Amendment.

DEPARTMENT:

DEPARTMENT FOR LOCAL GOVERNMENT

DATE: _____

Examined as to form and legality only:

Counsel

Tony Wilder
Commissioner

RECIPIENT:

LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT

DATE: _____

Examined as to form and legality only:

Attorney

Jim Gray
Mayor, Lexington Fayette Urban County Government



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, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO THE AGREEMENT WITH THE KENTUCKY
TRANSPORTATION CABINET FOR THE TATES CREEK ROAD
SIDEWALK IMPROVEMENTS PROJECT, EXTENDING THE
PERFORMANCE PERIOD THROUGH JUNE 30, 2014**

On June 11, 2009 (Ordinance 92-2009), Council approved the acceptance of federal funds from the Kentucky Transportation Cabinet for Tate's Creek Road Sidewalk Improvements Project. This project provides for the construction of sidewalks on both sides of the road from Enclave to Dove Run Road. Federal funds are from the federal Congestion Mitigation/Air Quality Program (CMAQ) allocation.

On July 12, 2011 (Resolution No. 312-2011), Council approved execution of an Amendment to Agreement with Kentucky Transportation Cabinet (KYTC) providing for an increase in the design costs and for right of way acquisition.

On August 30, 2012 (Resolution No. 453-2012), Council approved execution of an Amendment to Agreement with Kentucky Transportation Cabinet providing for an extended performance period through June 30, 2013, and additional federal funding in the amount of \$250,000.

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to Agreement providing for an extended performance period through June 30, 2014.

Council authorization to execute Amendment to the Agreement with Kentucky Transportation Cabinet is hereby requested.


Irene Gooding, Director

XC: Derek Paulsen, Commissioner Planning, Preservation, and Development

HORSE CAPITAL OF THE WORLD

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT
TATES CREEK ROAD SIDEWALK PROJECT
PO2-628-1300001250

This Amendment made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Lexington Fayette Urban County Government (RECIPIENT) acting as an amendment to that Agreement entered into between the parties dated August 12, 2009.

WHEREAS, on August 12, 2009 the parties hereto entered into an agreement for the Lexington Fayette Urban County Government; and

WHEREAS, the parties desire to amend said agreement;

NOW THEREFORE, in consideration of the following promises and covenants contained herein the parties hereby agree as follows:

1. The Agreement numbered PO2-628-1300001250 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient is hereby extended until June 30, 2014 at which time that Agreement shall expire;
2. All other terms and conditions of PO2-628-1300001250 shall remain in effect.

IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

Kentucky Transportation Cabinet:

Approved as to form & legality:

Commonwealth of Kentucky

Attorney
Transportation Cabinet

Michael W. Hancock, P.E., Secretary
Transportation Cabinet

Date: _____

Date: _____

Local Public Agency:

Approved as to form & legality:

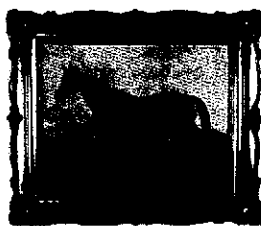
Lexington Fayette Urban County Government

Attorney
Lexington Fayette Urban County Government

Mayor

Date: _____

Date: _____



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Kevin R Atkins 
Chief Development Officer

Date: June 4, 2013

RE: Approve agreement with Hummingbird Nano, Inc. to participate in the Kentucky Business Investment Program

The Kentucky Economic Development Finance Authority has given Hummingbird Nano, Inc. preliminary approval to participate in the Kentucky Business Investment (KBI) Program. The KBI Program requests that the state and local government enter into a 10-year agreement with the approved company under which the business can recover up to 100% of its start-up cost and 50% of the annual rent costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%.

Hummingbird Nano's decision to expand their manufacturing operations of nano components for the telecommunications, biotechnology, aerospace, energy and defense industries in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area. The company plans to create 18 new jobs with an average wage of approximately \$44,000 per year plus benefits. Hummingbird Nano plans to invest over \$500,000 in new equipment, building improvements, start-up costs, and lease cost for a 10-year period.

It is recommended by the staff at Commerce Lexington for Lexington-Fayette Urban County Government to approve the 10-year local 1% wage assessment through KBI. There is no budgetary impact on Lexington-Fayette Urban County Government.

FOLLOW MAYOR GRAY:

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Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Kevin R. Atkins 
Chief Development Officer

Date: June 4, 2013

RE: Approve agreement with Tiffany and Company Jewelers, Inc. to participate in the Kentucky Business Investment Program

The Kentucky Economic Development Finance Authority has given Tiffany and Company Jewelers, Inc. preliminary approval to participate in the Kentucky Business Investment (KBI) Program. The KBI Program requests that the state and local government enter into a 10-year agreement with the approved company under which the business can recover up to 100% of its start-up and equipment costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%.

Tiffany and Company Jewelers' decision to expand their jewelry manufacturing operations in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area. The company plans to create 75 new jobs with an average wage of approximately \$40,000 per year plus benefits. Tiffany and Company Jewelers plans to invest over \$2,000,000 in building improvements and new equipment for a 10-year period.

It is recommended by the staff at Commerce Lexington for Lexington-Fayette Urban County Government to approve the 10-year local 1% wage assessment through KBI. There is no budgetary impact on Lexington-Fayette Urban County Government.

FOLLOW MAYOR GRAY:

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Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Kevin R Atkins 
Chief Development Officer

Date: June 4, 2013

RE: Approve agreement with Total Quality Logistics, LLC to participate in the Kentucky Business Investment Program

The Kentucky Economic Development Finance Authority has given Total Quality Logistics, LLC preliminary approval to participate in the Kentucky Business Investment (KBI) Program. The KBI Program requests that the state and local government enter into a 10-year agreement with the approved company under which the business can recover up to 100% of its start-up cost and 50% of the annual rent costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%.

Total Quality Logistics' decision to expand their sales and service center for their freight brokerage firm in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area. The company plans to create 75 new jobs with an average wage of approximately \$41,500 per year plus benefits. Total Quality Logistics plans to invest over \$1,750,000 in start-up costs and lease cost for a 10-year period.

It is recommended by the staff at Commerce Lexington for Lexington-Fayette Urban County Government to approve the 10-year local 1% wage assessment through KBI. There is no budgetary impact on Lexington-Fayette Urban County Government.

FOLLOW MAYOR GRAY:

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Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Kevin R Atkins 
Chief Development Officer

Date: June 4, 2013

RE: Approve agreement with TeleHealth Holdings, LLC. to participate in the Kentucky Business Investment Program

The Kentucky Economic Development Finance Authority has given TeleHealth Holdings, LLC preliminary approval to participate in the Kentucky Business Investment (KBI) Program. The KBI Program requests that the state and local government enter into a 10-year agreement with the approved company under which the business can recover up to 100% of its start-up and building costs through Kentucky corporate income tax credits and a wage assessment fee of up to 4%.

TeleHealth Holdings' decision to locate their medical device headquarters in Lexington will create wealth and provide additional job opportunities for the citizens of Lexington and the surrounding area. The company plans to create 35 new jobs with an average wage of approximately \$73,000 per year plus benefits. TeleHealth Holdings plans to invest over \$2,500,000 in new equipment, building improvements, start-up costs, and building costs for a 10-year period.

It is recommended by the staff at Commerce Lexington for Lexington-Fayette Urban County Government to approve the 10-year local 1% wage assessment through KBI. There is no budgetary impact on Lexington-Fayette Urban County Government.

FOLLOW MAYOR GRAY:

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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, 2013

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO
AGREEMENT WITH KENTUCKY TRANSPORTATION CABINET FOR
TOWN BRANCH TRAIL PHASE III, EXTENDING PERFORMANCE PERIOD
THROUGH JUNE 30, 2014**

On May 8, 2008 (Ordinance No. 98-2008), Council authorized acceptance of federal funds for the construction of Town Branch Trail Phase III. This phase of Town Branch Trail includes the development of a 1.05 mile trail section that will originate from McConnell Springs Parks along the town Branch of Elkhorn Creek.

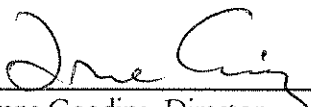
On April 14, 2011 (Resolution No. 138-2011), Council authorized execution of Amendment to Agreement, providing for extended period of performance through June 3, 2012.

On April 12, 2012 (Resolution No. 156-2012), Council authorized execution of Amendment to Agreement, providing for extended period of performance through June 3, 2013.

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to Agreement providing for an extended period of performance through June 30, 2014. No other changes are proposed.

The source of federal funds is the Transportation Enhancement program in the U.S. Department of Transportation, authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Council authorization to execute Amendment to Agreement is hereby requested.


Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development

HORSE CAPITAL OF THE WORLD

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT
TOWN BRANCH TRAIL PHASE III
PO2-628-1200004353

This Amendment made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Lexington Fayette Urban County Government (RECIPIENT) acting as an amendment to that Agreement entered into between the parties dated June 30, 2013.

WHEREAS, June 30, 2013, the parties hereto entered into an agreement for the LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT; and

WHEREAS, the parties desire to amend said agreement;

NOW THEREFORE, in consideration of the following promises and covenants contained herein the parties hereby agree as follows:

1. The Agreement numbered PO2-628-1200004353 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient is hereby extended until June 30, 2014 at which time that Agreement shall expire;
2. All other terms and conditions of PO2-628-1200004353 shall remain in effect.

IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

Kentucky Transportation Cabinet:

Approved as to form & legality:

Commonwealth of Kentucky

Attorney
Transportation Cabinet

Michael W. Hancock, P.E., Secretary
Transportation Cabinet

Date: _____

Date: _____

Local Public Agency:

Approved as to form & legality:

Lexington Fayette Urban County Government

Attorney
Lexington Fayette Urban County Government

Mayor

Date: _____

Date: _____



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, 2013

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR THE OLD FRANKFORT PIKE/ALEXANDRIA DRIVE STONE FENCE PROJECT, EXTENDING PERFORMANCE PERIOD THROUGH JUNE 30, 2014

On October 19, 2006 (Ordinance No. 296-2006), Council approved acceptance of federal funds from the Kentucky Transportation Cabinet for the construction of a stone fence, approximately 1000 feet, at the intersection of Old Frankfort Pike and Alexandria Drive.

The source of federal funds (\$100,000) is the Transportation Enhancement Program, as authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in P.L. 109-59. Federal funds allocated to this project are in the amount of \$100,000. Match of \$25,000 was required. Total cost is \$125,000.

On April 8, 2010 (Resolution No. 176-2010), Council approved execution of Amendment to Agreement extending period of performance through June 30, 2011.

On June 9, 2011 (Resolution No. 224-2011), Council approved execution of Amendment to Agreement extending period of performance through June 30, 2012. This project was advertised for bid during the performance period, however, no bids received were within the budget.

On October 25, 2013 (Resolution 580-2012), Council approved execution of Amendment to the Agreement extending this project through June 30, 2013, expanding the scope of work, and accepting additional federal funds in the amount of \$120,000.

Kentucky Transportation Cabinet has offered the LFUCG an Amendment to the Agreement extending this project through June 30, 2014.

Council authorization to execute the Amendment to Agreement is hereby requested.



Irene Gooding, Director

XC: Stacey Maynard, Council Administrator

HORSE CAPITAL OF THE WORLD

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT
STONE WALL AT ALEXANDRIA AND OLD FRANKFORT PIKE
PO2-628-1300000947

This Amendment made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Lexington Fayette Urban County Government (RECIPIENT) acting as an amendment to that Agreement entered into between the parties dated July 1, 2008.

WHEREAS, July 1, 2008, the parties hereto entered into an agreement for the LEXINGTON FAYETTE; and

WHEREAS, the parties desire to amend said agreement;

NOW THEREFORE, in consideration of the following promises and covenants contained herein the parties hereby agree as follows:

1. The Agreement numbered PO2-628-1300000947 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient is hereby extended until June 30, 2014 at which time that Agreement shall expire;
2. All other terms and conditions of PO2-628-1300000947 shall remain in effect.

IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

Kentucky Transportation Cabinet:

Approved as to form & legality:

Commonwealth of Kentucky

Attorney
Transportation Cabinet

Michael W. Hancock, P.E., Secretary
Transportation Cabinet

Date: _____

Date: _____

Local Public Agency:

Approved as to form & legality:

Lexington Fayette Urban County Government

Attorney
Lexington Fayette Urban County Government

Mayor

Date: _____

Date: _____



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, 2013

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
ENGINEERING SERVICES AGREEMENT WITH URS
CORPORATION, A NEVADA CORPORATION, FOR A TRAFFIC
SIGNAL TIMING PROJECT UNDER THE ITS/CMS (INTELLIGENT
TRANSPORTATION SYSTEM CONGESTION MANAGEMENT
SYSTEM) TRAFFIC IMPROVEMENTS PROJECT — RFP #7-2013

On May 17, 2012 (Resolution No. 271-2012), Council approved the acceptance of federal funds from the Kentucky Transportation Cabinet for the Intelligent Transportation System/Congestion Management System (ITS/CMS) Traffic Improvements Project., under the Surface Transportation Lexington (SLX) Program.

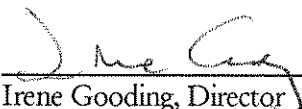
On March 3, 2013, a Request for Proposals (RFP #7-2013) was issued for a Traffic Signal Timing Project. Only one firm (URS) submitted a proposal. Review of the proposal resulted in a finding that the agency met all criteria for experience and qualifications. The Kentucky Transportation Cabinet has concurred with the selection of this firm.

Budget amendment is in process to provide funds as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY
3160	303602	3601	71299	2013	ITS CMS 2013	FED GRANT

The Traffic Signal Timing Project includes the development of twelve new timing plans for 35 intersections along specified corridors, including Georgetown Road, Versailles Road, Newtown Pike, and North Broadway. The purpose is to achieve optimized traffic flow, reduce emissions and enhance safety.

Council authorization to execute Engineering Services Agreement with URS Corporation, A Nevada Corporation, in an amount not to exceed \$349,599 is hereby requested.


Irene Gooding, Director

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

HORSE CAPITAL OF THE WORLD



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

TO: Jim Gray, Mayor
Urban County Council

FROM: Geoff Reed, Commissioner of General Services

DATE: June 6, 2013

SUBJECT: Request Council Authorization to Execute Change Order #2 with Triton Services, Incorporated in the Amount of \$5,695.00 for the HVAC and Piping Repair for the Phoenix Building Contract #145-2013

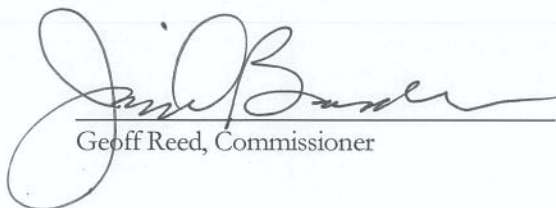
The Department of General Services is recommending the execution of change order No. 2 for \$5,695.00 with Triton Services Incorporated, Mason, Ohio for the HVAC and Piping Repair for the Phoenix Building project. The new contract total is \$232,495.00.

The change order adds connections to four (4) additional heat pumps not included in the contractor's original scope. The four (4) additional heat pumps were discovered by the contractor once work on the seventh floor started.

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2602	707501	7041	91013	\$5,695.00

Council authorization to execute Change Order No. 2 to the agreement with Triton Services Incorporated in the amount of \$5,695.00 is hereby requested.

 for Comm. Reed
Geoff Reed, Commissioner

Cc: Jamshid Baradaran, Director of Facilities and Fleet Management
Joyce Thomas, Project Manager

CONTRACT CHANGE ORDER

To (Contractor):

Triton Services, Inc.

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

[illegible]

Total decrease	\$	-	
Total increase			\$ 5,695.00
Net increase/(decrease) in contract price			\$ 5,695.00

New Contract Amount: \$232,495.00

Recommended by Joyce Thomas (Project Manager)

Date 6/6/13Accepted by *[Signature]* (Contractor)

Date 6/6/13

Approved by 110 (Grant Manager)

Date _____

Approved by Paul Banda for Comy (Commissioner)

Date _____

Approved by _____ (Mayor or CAO)

Date _____

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0642-13

ESTIMATE RECAP

Pheonix Project LFCUG			DATE: 5/8/2013		C.O.# 3	
Job Number: 134692 Phoenix Building LFCUG						
DESCRIPTION OF COSTS	LABOR			MATERIAL COSTS		
	mh's	rate	cost			
1. Equipment			\$ -			
2. Material	25	\$113.38	\$ 2,834.50	\$ 2,356.00		This change order covers the labor and materials to connect the four WSHP that were not identified on the original seventh floor print.
3. Expendables *	~	~	~	\$ 113.38		
4. unit pricing 1"	~	~	~			
5. unit pricing 2"			\$ -			
6. Coordination			\$ -			
7. Supervision			\$ -			
8. Clean-up			\$ -			
9. Warranty	~	~	\$ -			
10. Start-up / Testing			\$ -			
11. Trucking	~					
12. Parking / Travel	~	~	\$ -			
13. Subtotal	25	mh's	\$ 2,834.50	\$ 2,469.38		
14. Total Labor & Material:				\$ 5,303.88		
15. Subcontracts:		Saw Cutting				
16		Concrete Work				
17		Insulation				
18		Controls				
19		Core Drilling				
20						
21. Overhead:	Subs 0%	Mat'l / Labor 0%		\$ -		
22. SUBTOTAL:				\$ 5,303.88		
23. Profit:		5%		\$ 265.19		
24. Total Cost & Profits before Bonds and other cost				\$ 5,569.07		
25. Bond:		2.26%		\$ 125.86		
26. Sales Tax: (* expendables and rentals taxable on public work)				private work 0.00%	public work 1.07%	\$ -
27. Permits:		HVAC: \$ -	Press. Piping: \$ -	Boiler: \$ -	\$ -	
28. TOTAL PRICE OF CHANGE PROPOSAL:				\$ 5,695.00		
29. Extension of Time due to this Change Order is:				Workdays		Deferred
30. This proposal based on: <input type="checkbox"/> Straight Time <input checked="" type="checkbox"/> double time <input checked="" type="checkbox"/>						Shiftwork
31. This proposal is void unless a written Change Order or written Notification to Proceed is received by: (30 calendar days if no date shown)						
32. Extended Overhead Cost: <input checked="" type="checkbox"/> Included <input type="checkbox"/> Deferred <input type="checkbox"/> N / A						
COMMENTS: above materials consist of fittings for the listed unit pricing pipe.						

Contract History Form

Contractor: Triton Services, Inc.

Project Name: HVAC and Piping Repair for the Phoenix Building

Contract Number and Date: 145-2013, April 11, 2013

Responsible LFUCG Division: General Services

Change Order Details

	<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A.	Original Contract Amount	<u>\$218,440.00</u>	
B.	Cumulative Amount of Previous Change Orders	<u>\$8,360.00</u>	<u>3.83%</u>
C.	Total Contract Amount Prior to this Change Order	<u>\$226,800.00</u>	
	<u>Current Change Order (#2)</u>		
D.	Amount of this Change Order	<u>\$5,695.00</u>	<u>2.61%</u>
E.	New Contract Amount Including this Change Order	<u>\$232,495.00</u>	<u>106.43%</u>

Signature Lines

Project Manager: Joyce Thomas Date: 6/6/13

Reviewed By: J. D. Brown Date: 6/6/13

Division Director: J. D. Brown Date: 6/6/13

JUSTIFICATION FOR CHANGE

PROJECT: HVAC and Piping Repair for the Phoenix Bldg.

CONTRACT NO. 145-2013

CHANGE ORDER: 2

1. Necessity for change: Four (4) additional heat pumps were discovered once the contractor started work on the seventh floor. These heat pumps need to be connected to the new piping.
2. Is proposed change an alternate bid? ___ Yes X No
3. Will proposed change alter the physical size of the project? ___ Yes X No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___ Yes ___ Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___ Yes X No
If "Yes", will the policies be extended? ___ Yes ___ No
7. Effect on operation and maintenance costs: More cost effective to have the contractor complete this work while they are onsite working above the ceiling.
8. Effect on contract completion date: None

Recommended by Joyce Thomas Mayor _____ Date _____
(Project Manager)

Approved by _____ (Grant Manager)



29
0648-13

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

Jim Gray
Mayor

Richard Moloney
Commissioner

June 7, 2013

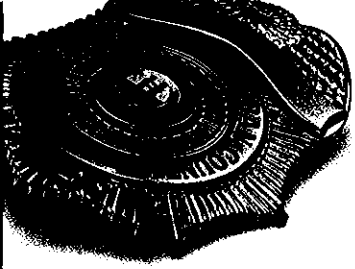
MEMORANDUM

To: Mayor Jim Gray, Urban County Council Members

From: Richard Moloney, Commissioner

RE: Amendment to subsection 12-5(c) in the Code of Ordinances

Requesting council approval to amend subsection 12-5 (c) of the Code of Ordinance relating to nuisances to prohibit vegetation from interfering with vehicular traffic in the public right of way. The amendment will allow the Division of Code Enforcement to address vegetation on private property that is interfering with the safe movement of traffic on the roadways.



LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

30

0649-13

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: June 6, 2013

RE: Amendment – Cassidian Purchase Agreement w/LFUCG and Bluegrass Airport

Please find attached amendment for a project change for the 800MHz Radio Project that is required in order for Bluegrass Airport to acquire an additional technology piece (i.e., VP Gate) for their part of the radio system. Since the Bluegrass Airport and LFUCG are partners in this project, the attached amendment to the original purchase agreement must be signed by Mayor Gray and the Executive Director of Bluegrass Airport. This is an amendment to the original purchase agreement dated May 17, 2012, between LFUCG, Lexington Fayette Urban County Airport Corporation (Airport) and Cassidian Communications. The VP Gate will be owned and operated by the Blue Grass Airport for it dispatch center. This amendment also authorizes other government entities to purchase equipment using LFUCG pricing if the entity is joining the government's radio system. No cost incurred by Urban County Government. This agreement has been reviewed by the Department of Law and reflects all changes requested.

I have attached four original copies requiring Mayor Gray's signature. Please forward original copies back to the Division of Police in order to acquire additional signature.

If you have any questions or require additional information, please contact my office.

A handwritten signature in cursive script, reading "R. Bastin", is positioned above the printed name and title.

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County
Division of Police

MEMORANDUM

Lexington, Kentucky

DATE OF ISSUE

May 30, 2013

EFFECTIVE DATE

31
0649-13
NUMBER

BOA:13-043

TO:

Ronnie Bastin
Chief of Police

FROM:

Assistant Chief Robert Stack
Bureau of Administration

SUBJECT:

1st Amendment to Cassidian Purchase Agreement with
LFUCG & Bluegrass Airport

Attached is a project change for the 800MHz Radio Project that is required in order for Bluegrass Airport to acquire an addition technology piece (i.e., VP Gate) for their part of the radio system. Since Bluegrass Airport and the LFUCG are partners in this project, the attached amendment to the original purchase agreement must be signed by Mayor Gray and the Executive Director of Bluegrass Airport. This agreement has been reviewed by the Department of Law, reflects all changes requested, and may proceed in the blue sheet process.

I request a resolution authorizing the Mayor on behalf of the Urban County Council to execute an amendment to the original purchase agreement dated May 17, 2012, between the LFUCG, Lexington Fayette Urban County Airport Corporation (Airport) and Cassidian Communications, for the acquisition of a VP Gate and associated hardware and software from Cassidian Communications for \$28,231.00, at no cost to the Urban County Government. The VP Gate will be owned and operated by the Blue Grass Airport for it dispatch center. This amendment also authorizes other government entities to purchase equipment using LFUCG pricing if the entity is joining the government's radio system.

Four original copies of this agreement need to be signed by Mayor Gray so that each party receives one original copy for its records.

Robert Stack

Assistant Chief Robert Stack
Bureau of Administration

RS/sc
Attachment



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 10, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT, AND ACCEPT
AWARD IF OFFERED, A GRANT APPLICATION TO THE U.S.
DEPARTMENT OF JUSTICE REQUESTING FEDERAL FUNDS UNDER
THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT--FY
2014**

The Lexington-Fayette Urban County Government has been informed that it is eligible to apply for federal funds from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The JAG program is a blend of the previous Byrne Formula and Local Law Enforcement Block Grant Programs, providing local agencies with the flexibility to prioritize and place justice funds where they are needed most. LFUCG is eligible to receive a formula amount of \$229,909. No matching funds are required.

JAG funds may be used for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more the following purpose areas: Law enforcement program, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment programs, and planning, evaluation, and technology improvement programs.

The LFUCG Division of Police is proposing to use these funds as follows:

- \$20,000 for Bomb Canine and subsequent training for handler
- \$45,000 for Communication headset dedicated to new radio system for Emergency Response Unit and Hazardous Devices Unit
- \$30,000 for New Ballistic Helmets for Emergency Response Unit
- \$100,909 for purchase of Civil Disturbance Equipment for first responders (Personal Protective Equipment) (Chest protection/Vest carriers, arm and leg protectors, and ballistic helmet shield visors and upgrade for pepperball system.
- \$15,000 Purchase of Digital Cameras for field evidence collection

HORSE CAPITAL OF THE WORLD

- \$10,000 Strategic Education related to Narcotics trends and enforcement
- \$9,000 Strategic Purchase of Supplemental Communications equipment (i.e. Charging Station for Mobile Command Station)

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



Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



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

Jim Gray
Mayor

Richard Moloney
Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles Martin, P.E., Director

Date: June 10, 2013

Re: Request authorization to execute an agreement with Smith Contractors, Inc. for Change Order #1; Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project

The Division of Water Quality requests approval of Change Order #1 to Smith Contractors, Inc. for additional work to the Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project (Electrical/SCADA Project). Change Order #1 is for a total amount of \$478,000.00.

The Change Order for the Amount of \$478,000.00 includes equipment and labor for installing 2 new Aeration Blowers at the West Hickman Wastewater Treatment Plant, Zone 1 Aeration. This additional investment provides an estimated \$56,000 in annual operational savings, a 5 year warranty on the blowers and provides new blowers and control panels (See attached Back-Up Letter #1). The base bid currently in the contract calls for refurbishing 30 year old equipment (only replacing the impellers, shafts and seals). The refurbishing of the equipment would only include a 1 year warranty on the replaced parts.

This change order is being recommended after a re-quote of an original bid alternative was received from the contractor. The price for Alternative B3 was reduced from \$702,000.00 to \$478,000.00 (See attached Back-Up Letter #2). The estimated straight-line payback of 11 years and new equipment warranty makes this alternative more attractive than a one-year warranty for the re-build of 30 year old blowers.

The change order is fully budgeted with funds located in the accounting string shown below.

4003 303401 3421 92711 SCADA_2012 / CONSTRUCT

Should you have any questions, please contact me at 425-2455.

cc: Richard Moloney, Commissioner, Department of Environmental Quality and Public Works
Tiffany Rank, P.E., Division of Water Quality

Tiffany Rank

From: Davis, Mike [Mike.Davis@strand.com]
Sent: Wednesday, February 06, 2013 2:02 PM
To: Tiffany Rank
Subject: LFUCG WH Zone 1 Blowers - Smith Contractors Proposal
Tiffany,

Following is a discussion of advantages that new ABS blowers for Zone 1 have compared to the refurbished Lampson blowers.

1. Increased energy efficiency.

After bids were opened last year we did a quick cost evaluation to determine the power savings if new ABS blowers were installed instead of the refurbished Lampson blowers. We determined the power savings at \$56,400 per year (at \$0.05/KW-Hr) for the ABS blower over the rebuilt Lampson blowers. We estimated the payback in cost savings is between 9 and 11 years depending on how quickly electrical costs increase. Based on a \$478,000 increased cost for the ABS blowers, the straight-line payback if electrical costs do not increase is about 11 years (at 5% discount rate). Payback is 9 years with 5% discount rate and 3% annual increase in power cost. The payback is faster if electrical prices escalate more quickly.

2. Longer warranty.

The new ABS blowers have a five year warranty. The rebuilt Lampson blowers have a one year warranty.

3. The new blowers are all new equipment.

The Lampson blowers will be factory refurbished. This includes new impellers, shafts, seals and repainting. The new impellers are not the same as existing – they are selected to match the new operating conditions. However, the Lampson blowers will reuse the existing 4,000 volt motors and existing control panels. These items are in reasonably good condition and expected to provide good service, but they are not new.

The new ABS blowers would include new equipment and control panels.

Let me know if you need any other information to evaluate Smith Contractor's proposal.

Thanks.

Mike.

SMITH CONTRACTORS, INC.

*P.O. Box 480
1241 Bypass North
Lawrenceburg, Kentucky 40342*

*502-839-4196
502-839-8348 -- Fax #*

January 23, 2013

Strand Associates, Inc.
1525 Bull Lea Road
Suite 100
Lexington, KY 40511

Re: Town Branch & West Hickman
Creek WWTP
Lexington, KY

Attention: Mike Davis, P.E.

Our revised price for Alternate B-3 is as follows:

LUMP SUM \$645,000.00

Keep in mind if B-3 is accepted then Division A Base Bid Zone 1 Aeration Blower Improvements amount of \$167,000.00 will be eliminated from the contract. So the total add for the two (2) new blowers will be:

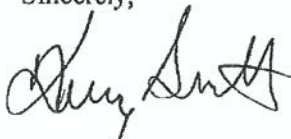
	\$645,000.00
	<u>(167,000.00)</u>
<i>Total Add</i>	<i>\$478,000.00</i>

LFUCG would be able to receive alarm signals from these blowers but would still operate and adjust manually using the HMI.

We could not offer any reduction of days to complete this project.

If you have any questions or comments regarding this price, please contact our office.

Sincerely,



Kerry Smith
President

KAS;vsg

Smith Contractors, Inc. is an Equal Opportunity Employer

Contract 566-2012
Page 1

CONTRACT HISTORY FORM

Contractor: Smith Contractors, Inc

Project Name: Town Branch and West Hickman Wastewater Treatment Plant
Electrical, SCADA, Blower/Aeration and Pump Station Improvements

Contract Number and Date: 566-2012 October 25, 2012

Responsible LFUCG Division: Water Quality

CHANGE ORDER DETAILS

Summary of Previous Change Orders to Date:	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	<u>\$13,442,723.00</u>	<u>0%</u> Line B/Line A
B. Previous Change Order Total:	<u>\$0.00</u>	
C. Current Contract Amount:	<u>\$13,442,723.00</u>	
D. Amount of this Change Order:	<u>\$478,000.00</u>	<u>4%</u> Line D/Line A
E. New Contract Amount:	<u>\$13,920,723.00</u>	<u>104%</u> Line E/Line A

SIGNATURE LINES

REVIEWED BY: T. H. [Signature] DATE: 6/5/13

DIVISION DIRECTOR: [Signature] DATE: 6/10/13

Change Order No. 1
Resolution # 566-2012
Town Branch and West Hickman Wastewater Treatment Plant
Electrical, SCADA, Blower/Aeration and Pump Stations Improvements

Lexington-Fayette Urban County Government
Lexington, Kentucky

OWNER: Lexington-Fayette Urban County Government
200 East Main Street
Lexington, Kentucky 40507

CONTRACTOR: Smith Contractors, Inc
PO Box 480
Lawrenceburg, KY 40342

SUMMARY OF INFORMATION

Date of Change Order:	May 14, 2013
Date of Contract:	October 25, 2012
Date of Notice to Proceed:	January 2, 2013
Official Start Date:	January 2, 2013
Length of Contract (calendar days):	600
Date of Contract Completion (final completion date):	August 25, 2014
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	0
Change in Contract Time in CO #1 (calendar days):	
Revised Contract Date (final completion date):	
Original Contract Amount:	\$13,442,723.00
Previous Change Order Total:	\$0.00
Current Contract Amount:	\$13,442,723.00
Change Order (1) Amount:	\$478,000.00
Revised Contract Amount:	\$13,920,723.00
Percent Change from Original:	4%

Review attached Information for **General Description**

Summary of Information.xls Nov-08

SIGNATURES TO CHANGE ORDER

Change Order #1 Amount - \$478,000.00


DATE: 6-6-13ACCEPTED:

Contractor's Name

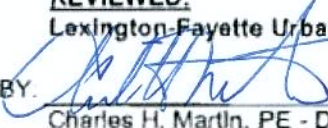
Smith Contractors, Inc.

BY: 
Kerry Smith, PresidentRECOMMENDED:

Lexington-Fayette Urban County Government

DATE: 6/6/13BY: 
Tiffany Rank, PE, Project Manager
Division of Water QualityREVIEWED:

Lexington-Fayette Urban County Government

DATE: 6/10/13BY: 
Charles H. Martin, PE - Director
Division of Water QualityAPPROVED:

Lexington-Fayette Urban County Government

DATE: _____

BY: _____
Jim Gray - Mayor

Neighborhood Development Funds
June 18, 2013
Work Session

Amount	Recipient	Purpose
\$ 400.00	Psi Tau Chapter of Omega Psi Phi Fraternity, Inc. PO Box 11981 Lexington, KY 40579 John Douglas	To provide assistance with the 17th Annual Logan Scholarship Golf Tournament.
\$ 500.00	Palomar Hills Community Association 4025 Palmetto Drive Lexington, KY 40513 Victoria Marshall	To provide funds for a neighborhood concert in the park.
\$ 1,500.00	Dogwood Trace Neighborhood Association, Inc. 3474 Dogwood Trace Boulevard Lexington, KY 40514 Justin Williamson	To provide assistance with replacing lighting at the neighborhood entrance with more efficient LED lighting.
\$ 1,500.00	Rabbit Run Homeowners Association, Inc. 2048 Alexandria Drive Lexington, KY 40504 Jorge Lancho	To provide assistance with new neighborhood signage.



General Government Committee

June 4th, 2013

Summary and Motions

Chair Steve Kay called the meeting to order at 11:00am. Committee members present were Vice Mayor Linda Gorton, Julian Beard, Shevawn Akers, George Myers, Harry Clarke, and Jennifer Scutchfield. Committee members Ed Lane, Diane Lawless, and Chris Ford were absent.

1. Approval of Summary

Motion by Clarke to approve the summary. Seconded by Beard. Motion passed without dissent.

2. Relationship with Bluegrass Area Development District (BGADD)

Commissioner Beth Mills came to the podium and stated that the LFUCG should become a managing partner of the Central Kentucky Job Center. The Central Kentucky Job Centers are the one-stop system for workforce support in the 17-county Bluegrass Region. The centers bring together several different partner agencies to serve the economic and workforce development needs of a region.

Mills said that the one-stop shops are being renamed the Kentucky Career Centers. The Career Centers are designed to give job seekers and employers quick and easy access to necessary services. There are going to be monthly meetings, scheduled to begin in July, with the Bluegrass Workforce Investment Board (BGWIB), LFUCG Adult and Tenant Services, Bluegrass Community Technical College Adult Education, Kentucky Vocational Rehab, and the Three Rivers Native American program. The discussions will be more detailed. The BGWIB has a committee and Mills said she will be attending their meetings. Mills said that they are exploring the possibility of installing software kiosk to collect client user data in the Central Kentucky Job Center. She said that the "Path to Success" is the first Workforce Investment Act (WIA) grant that LFUCG received in four years. She said that she has reapplied for the grant for next year because of the tremendous success this year.

Mills said that she wants to continue to meet with community partners about entrepreneurial options. She will meet with community partners about micro lending opportunities. She wants to advertise and promote job fair opportunities and continue to work with employers and youth through the Summer Youth Employment Program.

Myers asked Mills what the next steps should be for underemployment and unemployment in Fayette County. Mills said that this partnership will look at who is hiring and what types of candidates they are getting.

Myers asked how the LFUCG can go out and examine the underemployed and unemployed. Mills said that she wants to collect that data and the group that will meet once a month will analyze that data.

Kay asked hiring ex-offenders. Mills said that Social Services has a need for Commercial Driver's Licenses' (CDL) but they would be driving children. The BGADD was willing to do the training but the LFUCG could not hire them.

Myers asked Hamilton to approach the podium. He said that he wants a comprehensive review of our involvement and programming with the BGADD. Hamilton said that she can absolutely provide that information at future meetings.

Hamilton said that Kevin Atkins represents the Mayor at those meetings so she will work with him on the programs and services.

Myers asked about changing the by-laws of the BGADD to make the Mayor a voting member. Hamilton said that she did not see any resistance and work with our Law Department to revise the by-laws.

Akers said that she likes the idea of collecting and analyzing the data.

Myers said that there may be challenges for the Commerce Lexington to lend to specific people. He said that he supports the micro-lending piece of this. Hamilton said that even if they could not loan the money, they may have staff to assist them in the search for money or to develop a business plan.

Hamilton said that we at least need to approach them and discuss this with them.

Kay mentioned Pennyrile and local food systems and said they will be working with BGADD to develop a mapping and data gathering system. At this point, they are not exactly clear what this entails. Kay wants us to be at the table with BGADD on this issue.

Kay said that there is an interest in getting an update at the August meeting on the by-laws, information on specific projects and how we will be engaged going forward. Hamilton was agreeable to this.

Clarke said that he has questioned our efforts on a regional basis. He thinks that it is important to think regionally in terms of economic development. Hamilton said that Atkins would be more versed than she on regional economic development efforts. Hamilton said that regional economic development may be a good topic for the Committee.

Clarke said that there is an opportunity to make Lexington the heart of this region.

Atkins came to the podium and said that they work through BGADD and Commerce Lexington to encourage regional priorities. He mentioned the Bluegrass Alliance and their periodic meetings.

Clarke said that he would like to attend the Bluegrass Alliance meetings and Atkins said Clarke was welcome to attend.

Beard said that we have lost numerous companies that would have moved here had we had the land at a better price. Beard said that we should never quit because of hurdles we have to jump through.

Atkins said that when it comes to regionalism, we have to look at different regions. He mentioned the Bluegrass Economic Advancement Movement (BEAM) initiative. He called the area a super region.

Scutchfield said that there seems to always be a hesitation to allow the legislature of Lexington-Fayette County to participate in the discussions about economic development. Atkins said that he has met with Gorton to discuss opportunities for the Council to participate in these discussions.

Scutchfield said that the group, collectively, should be working on this. Atkins said that it is important to get things in place before the state legislative session begins.

Myers asked for the dates for the DC fly in. Atkins said the dates are July 17 – 18, 2013. Atkins said that they do not have the issues set that they will present in Washington, DC. Atkins said that the document is evolving.

Myers asked him to include the Council on whatever it is that the LFUCG presents. Atkins said they have a approximately two weeks because the document has to be printed.

Myers said that the issues that the Administration and the Council agree on should be included in the letter. Atkins said that these should be Federal issues.

Kay said that it seems that the issue for Council is how the priority list gets compiled for Fayette County. Atkins said that Commerce Lexington will have priorities as well. Atkins said that he has asked Commissioner Derek Paulsen for priorities with transportation. He went on to say that all the Commissioners have been asked for their priorities.

Atkins said that the final document will have details and will be approved by the Regional Committee. Kay said that the Council would like the opportunity to weigh in on these priorities as well.

Akers said that she was unaware of this list and would like an update at the Economic Development Committee of the Whole (COW) or better communication between the Administration and the Council. Akers said that it would be helpful to know what the Administration feels is important to have on the economic development list.

Akers asked Atkins how BGADD, Commerce Lexington, and the Administration are working to encourage minority businesses.

Atkins said that he met with Gorton and Judy Taylor to determine how there can be better communication. He also mentioned the Minority Business Accelerator (MBA). Atkins said that Tyrone Tyra is the director of that program.

Akers asked if there are efforts to assist those who are underemployed. Atkins said that Commerce Lexington does do this. He mentioned Workforce Investment and Jubilee Jobs, a group focused on re-entry. Atkins said that he is focused on allowing anyone who wants to work the opportunity to work.

Gorton told Council Members that when she met with Atkins and Taylor, they discussed a legislative agenda for the State of Kentucky legislative session. Gorton said that years ago a group of people met to discuss a potential agenda for legislative sessions. Atkins suggested having a member of the Council on the working group.

Akers asked when the meeting with Gorton, Atkins, and Taylor occurred. Gorton said it was a personal meeting that she called. Gorton said that it was an effort to start a conversation.

Akers said that she wanted Atkins to know that Gorton was not representing the entire Council. Gorton said that she met with them because the issue had been brought up at the Council Retreat.

Myers asked Atkins how they will move forward. Atkins said that he will send the Council Members the policy statement from last year and the draft of the current year document. Atkins asked them to send him any Federal issues they may have. He said it would be up to the whole group to determine which issues are put on the list.

Myers asked if the Administration's priorities would already be put into the document. Atkins said they are not in the document yet. Atkins asked that they send him their issues by Friday. Myers asked for more time. Atkins said that Commerce Lexington puts the issues in the document and sends it to print and urged them to send the issues to him as soon as possible.

Atkins also said that the registration is open for the fly-in.

Beard urged more unity between the first and fifth floor.

Myers said that he does not think that the Council should have to pay for a Council Member to attend. Atkins said that Jamie Emmons, Jim Gray, and he are attending on behalf of the Administration.

Gorton said that registration is through Commerce Lexington. Atkins told Council Members to call Andi Johnson for additional information.

3. Procedure for Underwriting or Sponsoring One of Our Parks

Commissioner Geoff Reed came to the podium to present. He said that the presentation is an interim step to finalizing the new policy. CAO Sally Hamilton began the process when she was the Commissioner of General Services. Reed said that Roger Daman was going to give them a brief overview. He would like to come back to the Committee at the next meeting to present the final product.

Daman said one of the primary concerns originally expressed was what recognition is received for the donation given. He said that our current policy lacks an explanation of why citizens should give to enhance our parks, a statement regarding donors being treated with consistency and fairness, and specific recognition standards for varying degrees of donations. He went on to say that he reviewed policies from cities around the country and Kentucky Educational Television (KET) to formulate the draft.

Daman said that the draft was divided into two sections:

- Donation Guidelines: Overall guidelines for recognizing people and entities by the Division of Parks and Recreation.
- Naming Policy: Outlines policy for parks and facilities over \$50,000.

The highlights of the donation guidelines are as follows:

- Goals: Donations should improve the quality of our parks, and donors should be recognized, as well as be treated with fairness and consistency.
- Criteria: Donations should compliment the needs of a park or facility and be consistent with park plans, approved projects, or current usage.
- Recognition: Acknowledgement shall be appropriate to the individual park and in accordance with standardized giving levels.

Daman said that they have removed the Parks Advisory Board from much of the approval process with the exception of renaming as part of the naming policy.

Proposed Giving Level Standards are as follows:

- \$1,000 and under Letter of recognition
- \$1,000-\$2,500 Off-site recognition
- \$2,500-\$5,000 Temporary sign
- \$5,000-\$10,000 Integrated sign

- \$10,000 and above Plaque or permanent marker

Daman said that the Naming Policy applies only to park lands, features, or facilities with fair market value of \$50,000 or greater

Recognition Naming:

- Donated land - \$250,000 or greater, or at least 51% of the area of a particular park
- Donated features - \$100,000 or greater, or at least 51% of the feature construction or acquisition cost.

Beard asked about the \$50,000 fair market value of a park, feature, or facility. Daman said that the total value of the land, feature, or facility must be \$50,000. Beard said that if he wrote a check for \$1,000, he would like more than a letter or recognition.

Scutchfield asked about the non-profits that work with the Division of Parks and Recreation. Daman said that there is a section that deals with partner organizations and adoption programs. Daman said that it is on pages 4-5 of the draft.

Myers asked if the approval process for naming was outlined in the draft policy. Daman said yes. Myers said that he did a Council Comment a few months ago and during his Council Comment segment, a company that we had received a donation from for an amenity in one of our parks had a commercial that aired. Myers said that he was stunned. Myers said that the dollar amount given by that company was \$10,000-\$15,000. Someone at GTV3 said that the company was given that advertising space with their donation.

Myers said that he wants the policies to be clear. He mentioned that there was a company that gave \$750,000 towards a pavilion downtown and he is concerned that we are lowering the standards if we are applying the naming policy to park lands, features, or facilities donating \$250,000 for land or \$100,000 for a feature.

Myers said that he needs this document to go outside and raise funds for Friends of the Skatepark. He asked Daman to speak to the decision to make \$250,000 the minimum.

Daman said that these standards came from Eugene, Oregon.

Myers asked if the policy allows the LFUCG the flexibility to go out and negotiate with companies. Daman said that the draft (pages 7-8) allows for a process, but said that the draft can be revised. Myers suggested that if a company wants to name something, they have to have a higher percentage of what that would cost. Daman said that there were numerous other cities that used the 51% standard.

Reed said that we need to do more to solicit donations. Reed said that we need to tap larger donors. Reed urged flexibility.

Myers said that he does not think 51% is a high enough percentage to get naming rights. Reed agreed to look at this. CAO Hamilton came to the podium and agreed. Hamilton said that this policy sets the standard for our staff to solicit donations. Hamilton said that she does not want it to be arbitrary.

Myers suggested changing the percentage to 75%.

Gorton said that she thought the draft was a good start. Gorton recommended that the first giving level standard should read "up to \$1000."

Daman said that the levels can be raised based on future discussions.

Gorton also asked about partner organizations. Gorton said that Friends of the Dog Park has donated over \$100,000. Gorton asked if the policy addresses the companies that give money over time or just companies that give a one-time donation.

Daman said that those agreements and projects that last for multiple years are separate from this document. Daman said that those agreements have specific clauses. Daman said in other cities, these policies were not set up to change existing partnerships or agreements.

Gorton said that in her experience, the partner organizations paying the vendors directly seems to work best. Daman said that the paying of the contractor is not specifically addressed. Gorton said it is much quicker for the partner organization to pay the contractor directly than to pay through the LFUCG.

Akers asked Daman to include in-kind donations or volunteer labor in exchange for recognition. Akers also suggested delineating between new construction or features, and existing construction or features.

Akers asked if there will be a staff person within Parks and Recreation to solicit potential donors. Daman said that it could be done multiple ways. Daman said that once the policy is in place, anyone at the LFUCG could go out and solicit donations.

Beard asked about renaming. Daman said that there will be a policy in place to do so. Beard mentioned the Picadome Golf Course and said it is now called Gay Brewer Jr. Course. Daman said that page seven mentions the policy to rename a park. It would go through the Parks Advisory Board and then come to Council for approval.

Myers asked if a third bullet to talk about naming for the sake of renaming would be appropriate and that he wants to have further discussions on what it would cost to rename a park in someone's name.

Gorton asked about the policy already in place to name a park after a deceased person. Daman said that this document is separate from the current naming policy. Gorton asked if the currently policy would be completely replaced. Daman said that the Council would make that decision. Gorton said if we are going to replace the current policy, she wants to incorporate the deceased person naming policy. Gorton asked for a copy of the policy within the Division of Parks and Recreation for deceased persons.

Kay referenced page four and asked for clarification. Daman said separate agreements can be drafted amongst the parties and they may or may not fall under this policy. Daman said that current agreements should not be trumped by a new revised policy.

Kay wants a provision added for donations given over a period of time. Kay asked Daman if it would be appropriate to change "may" to "shall" in the last sentence on page eight.

Akers said that she wants them to be cognizant of projects like Rupp Arena and other downtown projects and said that she does not want to set a precedent for inexpensive naming rights.

4. Items in Committee

Kay asked Reed and Daman to return in August with a redraft of the policy.

Kay suggested cancelling the July 2, 2013 meeting.

Gorton asked about her motion to put clothing boxes into committee. Paul Schoninger will check to see which committee it was referred to.

Motion by Akers to cancel the July 2, 2013 meeting. Seconded by Gorton. Motion passed without dissent.

Motion by Clarke to adjourn. Seconded by Beard. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist