

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, August 13, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 12 – August 19, 2013**

Monday, August 12

Council Summer Recess – No Meetings

Tuesday, August 13

General Government Committee.....11:00 am
Council Chamber – 2nd Floor Government Center

Public Safety Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Special Council Meeting – Zoning Public Hearing.....5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, August 14

Policemen's & Firefighters' Retirement Board.....9:00 am
Council Chamber – 2nd Floor Government Center

Traffic Safety Coalition (TSC).....10:30 am
Conference Room – 3rd Floor Phoenix Building

Infill & Redevelopment Committee.....10:30 am
Conference Room – 7th Floor Phoenix Building

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

Congestion Management Committee (CMC).....1:30 pm
Conference Room – 7th Floor Phoenix Building

Neighborhood Parks Task Force.....3:30 pm
Conference Room – 5th Floor Government Center

Thursday, August 15

Keep Lexington Beautiful Commission.....9:00 am
Thoroughbred Training Center – 3380 Paris Pike

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

Job Description Work Group.....4:30 pm
Conference Room – 5th Floor Government Center

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

Friday, August 16

No Meetings

Monday, August 19

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
July 9, 2013**

Mayor Gray called the meeting to order at 3:00pm. Chuck Ellinger, Steve Kay, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer, Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson and Ed Lane were present. Linda Gorton was absent.

Motion by Ellinger 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 Myers. Motion passed without dissent.

Motion by Ellinger to return from closed session. Seconded by Akers. Motion passed without dissent.

- I. Public Comment – Issues on Agenda – Yes
- II. Requested Rezonings/Docket Approval – Yes

Motion by Ellinger to approve the docket. Seconded by Stinnett. Motion passed without dissent.

Motion by Myers to add to the NDF list an allocation to Community Relations Board of Federal Correctional Institution in the amount \$450. Seconded by Ellinger. Motion passed without dissent.

Motion by Lawless to place on the docket for the July 9, 2013 Council Meeting a resolution authorizing the Mayor and the Commissioner of Finance to execute a Master Development Agreement and any other necessary documents for the Phoenix Park/Courthouse Project, with CentrepoinTE Parking Company, LLC and its affiliates. Seconded by Ellinger. Motion passed without dissent.

Motion by Farmer to place on the docket for the July 9, 2013 Council Meeting a resolution expressing the Lexington-Fayette Urban County Council's support for the adoption of H.R. 2570 the "Valley View Ferry Preservation Act of 2013." Seconded by Lane. Motion passed without dissent.

Motion by Kay to place on the docket for the July 9, 2013 Council Meeting a resolution authorizing the Mayor to execute Change Order No. 3 to the contract with Triton Services, Inc., for HVAC and piping repair for the Phoenix Building, increasing the contract price by the sum of \$2,075.00 from \$232,495.00 to \$234, 570.00. Seconded by Farmer. Motion passed without dissent.

- Motion by Myers to place on the docket for the July 9, 2013 Council Meeting a resolution requesting that the President of the Kentucky Senate and the Speaker of the Kentucky House of Representatives take the necessary steps to refer to the Program Review and Investigation Committee examination of the following: the business practices of the Bluegrass Area Development District and all other area development districts, the structure of the area development districts, and the relevance of the area development districts in today's economy; and directing that a copy of this resolution be sent to the President of the Senate and the Speaker of the House. Seconded by Farmer. Motion passed without dissent.
- III. Approval of Summary - Yes
- Motion by Beard to approve the summary of the July 2, 2013 Council Work Session. Seconded by Myers. Motion passed without dissent.
- IV. Budget Amendments - Yes
- Motion by Stinnett to approve budget amendments. Seconded by Ellinger. Motion passed without dissent.
- V. New Business - Yes
- Motion by Stinnett to approve new business. Seconded by Mossotti. Motion passed without dissent.
- VI. Continuing Business/Presentations
- Motion by Akers to approve the NDF list. Seconded by Myers. Motion passed without dissent.
- Motion by Farmer that the ZOTA 2012-9 amendments to articles 1, 8 and 12 for modifications to the B1 zone be referred back to Planning Commission for further consideration of material changes Council has recommended to the text. Seconded by Kay. Motion passed without dissent.
- Motion by Ellinger to accept what is in the FY2014 budget from the July 11, 2013 COW. Seconded by Myers. Motion passed without dissent.
- Motion by Myers to commit to create a minimum of one stand alone site for a senior citizens' center that will be owned and maintained by LFUCG and explore additional satellites with different types of partnerships that may become available. Seconded by Ellinger. Motion passed with a 13 - 1 vote. Lane voted no.

Motion by Ellinger to go into closed session pursuant to KRS 61.810(1)(b) for discussion of the acquisition and/or sale of real property; an open discussion would likely affect the value of the property. Seconded by Myers. Motion passed without dissent.

Motion by Ellinger to return from closed session. Seconded by Myers. Motion passed without dissent.

- VII. Council Reports – No
- VIII. Mayor’s Report – No
- IX. Public Comment – Issues Not on Agenda – No
- X. Adjournment

Motion by Stinnett to adjourn. Seconded by Ellinger. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
August 13, 2013**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1 - 3**
- IV. Budget Amendments – Yes, p. 13 - 15**
- V. New Business – Yes, p. 16 - 75**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, August 13, 2013, p. 76
 - b** Economic Development Committee Summary, July 2013, p. 77 - 86
 - c** Presentation: Ad Valorem Options; By: Melissa Lueker, Acting Budget Director, p. 87 - 103
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

- a **0785-13** Authorization to execute Alarm Agreement and Addendum with Sonitrol of Lexington, Inc., for the installation and activation of an alarm at the new Property and Evidence Annex. (L0785-13) (Bastin/Mason)
This is a request to execute Alarm Agreement and Addendum with Sonitrol of Lexington, Inc., for the installation and activation of an alarm at the new Property and Evidence Annex for an amount of \$1,508. (\$860 installation plus \$648 annual monitoring). Funds are budgeted. p. 16 - 17
- b **0793-13** Authorization to execute agreement with the Fayette County Board of Education for use of the Henry Clay High School track for the Hershey Track Meet. (L0793-13) (Hancock/Reed)
This is a request to execute agreement with the Fayette County Board of Education for use of the Henry Clay High School track for the Hershey Track Meet on June 17, 2013, for a cost of \$174. Funds are budgeted. p. 18
- c **0808-13** Authorization to execute Memorandum of Understanding (MOU) with the Cabinet for Health and Family Services, Department for Public Health, Office of Vital Statistics, which allows for the exchange of information contained in Vital Records. (L0808-13) (Bastin/Mason)
This is a request to execute MOU with the Cabinet for Health and Family Services, Department for Public Health, Office of Vital Statistics, which allows for the exchange of information contained in Vital Records. This is a renewal MOU for the period July 1, 2013 - June 30, 2016. There is no budgetary impact. p. 19
- d **0810-13** Authorization to execute amendment to Agreement with Kentucky Transportation Cabinet for extension of performance period for the Share the Road Media Campaign Project. (L0810-13) (Gooding/Paulsen)
This is a request to execute amendment to Agreement with Kentucky Transportation Cabinet for extension of performance period through June 30, 2014, for the Share the Road Media Campaign Project. There is no budgetary impact. p. 20
- e **0812-13** Amendment to Resolution No. 334-2013 authorizing the Mayor to sign an agreement related to Bid #63-2013 Sanitary Sewer System Rehabilitation with Leak Eliminators, LLC. (L0812-13) (Slatin)
This is a request to amend Resolution No. 334-2013 to authorize the Mayor to sign an agreement with Leak Eliminators, LLC related to Sanitary Sewer System Rehabilitation. p. 21 - 22

- f 0813-13** Authorization to accept a donation from the Lexington Fayette County Health Department of two televisions for the William Wells Brown Community Center on behalf of the Bluegrass Aspendale Teen Center. (L0813-13) (Hancock/Reed)
This is a request to accept a donation from the Lexington Fayette County Health Department of two televisions for the William Wells Brown Community Center on behalf of the Bluegrass Aspendale Teen Center. The estimated value is \$500. p. 23
- g 0816-13** Authorization to change street names and/or individual property address numbers within various Council Districts. (L0816-13) (Lucas/Mason)
This is a request to change street names and/or individual property address numbers within various Council Districts in order to eliminate problem addresses and to insure the proper operation of the Enhanced 9-1-1 system. There is no budgetary impact. p. 24 - 25
- h 0817-13** Authorization to declare two vacant parcels of land located at 426 & 430 Smith Street as surplus and available for disposal. (L0817-13) (Reed)
This is a request to declare two vacant parcels of land located at 426 & 430 Smith Street as surplus and available for disposal. Each parcel contains 4,500 s/f of land. There is no budgetary impact. p. 26 - 28
- i 0818-13** Authorization to execute Change Order No. 1 with Kalkreuth Roofing and Sheet Metal for roof repair for the Senior Citizen's Center. (L0818-13) (Reed)
This is a request to execute Change Order No. 1 with Kalkreuth Roofing and Sheet Metal for a credit in the amount of \$3,945 for roof repair for the Senior Citizen's Center. The original scope of work included the replacement of six (6) roof drains but only one (1) needed replacement. This reduction brings the new contract total to \$52,044. p. 29 - 33
- j 0819-13** Authorization to negotiate the possible purchase of a 14 acre parcel of land surrounded by Raven Run Nature Sanctuary. (L0819-13) (Hancock/Reed)
This is a request to negotiate the possible purchase of a 14 acre parcel of land surrounded by Raven Run Nature Sanctuary. p. 34
- k 0820-13** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Program Coordinator (Grade 109N) and creating one (1) position of Public Service Supervisor (Grade 111N) in the Division of Family Services. (L0820-13) (Maxwell/Graham)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Program Coordinator (Grade 109N) and creating one (1) position of Public Service Supervisor (Grade 111N) in the Division of Family Services. The impact for FY 2014 (20 pay periods) will be a savings of \$397.37.
p. 35

- I 0821-13** Authorization to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Program Supervisor P/T (Grade 106N) and one (1) position of Custodial Worker P/T (Grade 102N) in the Department of Social Services (L0821-13) (Maxwell/Graham)
This is a request to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Program Supervisor P/T (Grade 106N) and one (1) position of Custodial Worker P/T (Grade 102N) in the Department of Social Services for a term to expire September 1, 2017. Funding is included in the adopted FY 2014 budget. p. 36
- m 0823-13** Authorization to submit application, and accept award if offered, to the Kentucky Division of Waste Management requesting funds for waste tire disposal/recycling-FY 2014. (L0823-13) (Gooding/Moloney)
This is a request to submit application, and accept award if offered, to the Kentucky Division of Waste Management requesting funds in the amount of \$3,000 for waste tire disposal/recycling-FY 2014. No matching funds are required.
p. 37
- n 0824-13** Authorization to execute agreement with the Fayette County Commonwealth Attorney's Office for provision of "fast track" prosecutor services under the Street Sales Drug Enforcement Project-FY 2014. (L0824-13) (Gooding/Mason)
This is a request to execute agreement with the Fayette County Commonwealth Attorney's Office for an amount of \$59,920 for provision of "fast track" prosecutor services under the Street Sales Drug Enforcement Project-FY 2014. Federal funds are provided in the amount of \$44,940 and local match is \$14,980. Funds are budgeted. p. 38
- o 0826-13** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Police Analyst (Grade 111N) and creating one (1) position of Property & Evidence Technician (Grade 111N) in the Division of Police. (L0826-13) (Maxwell/Graham)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Police Analyst (Grade 111N) and creating one (1) position of Property & Evidence Technician (Grade 111N) in the Division of Police. The impact for FY 2014 (20 pay periods) will be a cost savings of \$13,014.08.
p. 39

- p** **0827-13** Authorization to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc., for the 2013 Roots and Heritage Festival. (L0827-13) (Emmons)
This is a request to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc., for an amount of \$35,415 for the 2013 Roots and Heritage Festival. This amount does not include approximately \$63,000 of in-kind services. Funds are budgeted.
p. 40
- q** **0828-13** Authorization to execute Amendment No. 6 to Agreement with Kentucky Theater Management Group, Inc. for operation and management of Kentucky and State Theaters, extending the term for one (1) year through October 31, 2014. (L0828-13) (Reed)
This is a request to execute Amendment No. 6 to Agreement with Kentucky Theater Management Group, Inc. for operation and management of Kentucky and State Theaters, extending the term for one (1) year through October 31, 2014. p. 41
- r** **0829-13** Authorization to continue current Service Agreement with Dialogic Communications Corporation (DCC), dba Cassidian Communications, as a sole source provider for annual service and ongoing support of the Emergency Notification System (ENS). (L0829-13) (Lucas/Mason)
This is a request to continue current Service Agreement with DCC, dba Cassidian Communications, as a sole source provider for annual service and ongoing support of the ENS. The cost for FY 2014 is \$31,330. Funds are budgeted. p. 42
- s** **0830-13** Authorization to continue current Service Agreement with NeuStar Inc., to provide access to the Number Portability Administration Center (NPAC) in order to track telephone number portability for exclusive use related to supporting Enhanced 911 services. (L0830-13) (Lucas/Mason)
This is a request to continue current Service Agreement with NeuStar Inc., to provide access to NPAC in order to track telephone number portability for exclusive use related to supporting Enhanced 911 services for an annual cost not to exceed \$3,200. Funds are budgeted. p. 43

- t** **0831-13** Authorization to execute Memorandum of Agreement (MOA) with the Kentucky Community and Technical College System, Bluegrass Community & Technical College to establish guidelines and responsibilities of the off campus educational experiences (internships) for students in the Criminal Justice Program. (L0831-13) (Bastin/Mason)
This is a request to execute MOA with the Kentucky Community and Technical College System, Bluegrass Community & Technical College to establish guidelines and responsibilities of internships for students in the Criminal Justice Program. There is no budgetary impact. p. 44
- u** **0832-13** Authorization to execute Change Order No. 1 (FINAL) to Agreement with Todd Johnson Contracting for Roland Avenue Stream Bank Stabilization. (L0832-13) (Martin/Moloney)
This is a request to execute Change Order No. 1 (FINAL) to Agreement with Todd Johnson Contracting for Roland Avenue Stream Bank Stabilization for an amount of \$26,428.96. This increase brings the new contract total to \$211,060.01. Funds are budgeted. p. 45 - 48
- v** **0833-13** Authorization to execute amendment to Lease Agreement with WINMAR Corporation for administrative office space to consolidate Division of Water Quality staff. (L0833-13) (Martin/Moloney)
This is a request to execute amendment to Lease Agreement with WINMAR Corporation for an additional 10,118 s/f of administrative office space to consolidate Division of Water Quality staff. The impact for FY 2014 for the additional space is \$130,690.84. Funds are budgeted. p. 49 - 51
- w** **0835-13** Authorization to execute Purchase of Service Agreement and Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services for FY 2014. (L0835-13) (Mason)
This is a request to execute Purchase of Service Agreement and Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services for FY 2014, for a cost not to exceed \$1,105,980. Funds are budgeted. p. 52
- x** **0836-13** Authorization to execute agreement with Group CJ, LLP, for mobility office marketing campaign for Fiscal Year 2014. (L0836-13) (Gooding/Paulsen)
This is a request to execute agreement with Group CJ, LLP, for mobility office marketing campaign for Fiscal Year 2014, for an amount of \$44,400. Funds are budgeted. p. 53

- y 0837-13** Authorization to accept award of federal funds from the Kentucky Energy and Environment Cabinet for Environmental Protection/Kentucky Division of Water for implementation of The Wolf Run Watershed Based Plan. (L0837-13) (Gooding/Moloney)
This is a request to accept award of federal funds in the amount of \$300,000 from the Kentucky Energy and Environment Cabinet for Environmental Protection/Kentucky Division of Water for implementation of The Wolf Run Watershed Based Plan. p. 54
- z 0838-13** Authorization to accept deeds of permanent right-of-way and acquisition of storm sewer easements from the owners of record on properties for the Walhampton Stormwater Improvements project. (L0838-13) (Martin/Moloney)
This is a request to accept deeds of permanent right-of-way and acquisition of storm sewer easements from the owners of record on properties for the Walhampton Stormwater Improvements project, for a cost not to exceed \$410,000. Funds are budgeted. p.55
- aa 0840-13** Authorization to amend Resolution #190-2013 to accept the second lowest bid for Invitation to Bid #16-2013 for demolition and removal of the secondary digester blend tank damaged cover. (L0840-13) (Martin/Moloney)
This is a request to amend Resolution #190-2013 to accept the second lowest bid for Invitation to Bid #16-2013 for demolition and removal of the secondary digester blend tank damaged cover. The original bid was awarded to MCM Demolition for \$26,500. The new contract amount will be for \$30,000.00 with Pace Contracting. Funds are budgeted. p. 56
- bb 0841-13** Authorization to execute Change Order No. 4 with Triton Services, Inc., for the HVAC and Piping Repair for the Phoenix Building Contract. (L0841-13) (Reed)
This is a request to execute Change Order No. 4 with Triton Services, Inc., for an amount of \$6,801.00 for the HVAC and Piping Repair for the Phoenix Building Contract. This increase brings the new contract total to \$241,371. Funds are budgeted. p. 57 - 62
- cc 0842-13** Authorization to support Catholic Health Initiatives (CHI) request to the Kentucky Economic Development Finance Authority (KEDFA) Industrial Building Revenue Bond application. (L0842-13) (Atkins)
This is a request to support Catholic Health Initiatives (CHI) request to the Kentucky Economic Development Finance Authority (KEDFA) Industrial Building Revenue Bond application for an amount not to exceed \$158,195,000. There is no budgetary impact. p. 63

- dd 0843-13** Authorization to execute Change Order No. 2 to agreement with Hazen and Sawyer, PSC to continue project management of the Remedial Measures Plans implementation. (L0843-13) (Martin/Moloney)
This is a request to execute Change Order No. 2 for an amount of \$144,145.95 to agreement with Hazen and Sawyer, PSC to continue project management of the Remedial Measures Plans implementation. This increase brings the new contract total to \$4,944,145.95. Funds are budgeted. p. 64 - 67
- ee 0844-13** Authorization to establish a TIF for the Summit Lexington Development Area and to execute the Local Participation Agreement. (L0844-13) (Atkins)
This is a request to establish a TIF for the Summit Lexington Development Area and to execute the Local Participation Agreement. p. 68
- ff 0851-13** Authorization to transfer a portion of public right-of-way to the adjacent property owner located at 1324 Camden Avenue. (L0851-13) (Moloney)
This is a request to transfer a portion of public right-of-way to the adjacent property owner located at 1324 Camden Avenue. There is no budgetary impact. p. 69 - 72
- gg 0852-13** Authorization to approve the Residential Parking Permit District for Miller Street, per the recommendation of the Lexington & Fayette County Parking Authority. (L0851-13) (Moloney)
This is a request to approve the Residential Parking Permit District for Miller Street, per the recommendation of the Lexington & Fayette County Parking Authority. There is no budgetary impact. p. 73 - 74
- hh 0853-13** Authorization to accept award of funds from the Bluegrass Community Foundation for support of a Local Food Coordinator Project in the Mayor's Office-FY 2014. (L0853-13) (Gooding/Emmons)
This is a request to accept award of funds in the amount of \$57,601.74 from the Bluegrass Community Foundation for support of a Local Food Coordinator Project in the Mayor's Office-FY 2014. LFUCG is providing a match of \$25,000, bringing total funding for the project to \$82,601.74. p. 75

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

12

If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
820-13	70982	Family Services	To abolish one position of Program Coordinator (109N) and create one position of Public Service Supervisor (111N) in the Division of Family Services. 1101 396.00CR 396.00CR
826-13	71100	Police	To provide funds for one position of Property and Evidence Technician (111N) and abolishing one position of Police Analyst, (111N) in the Division of Police. 1101 13,012.00CR 13,012.00CR
EFFECT ON FUND BALANCES			
FUND 1101	13,408.00	INCREASE TO:	GENERAL SERVICE DISTRICT FUND

BUDGET AMENDMENT REQUEST LIST

JOURNAL	70615-16	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	4,828.00
					4,828.00CR
					.00

To recognize funds from the Downtown Lexington Corporation for overtime expenses incurred During Thursday Night Live.

JOURNAL	CB00000107	DIVISION	Engineering	Fund Name	General Fund
				Fund Impact	4,480.00
					4,480.00CR
					.00

To provide funds for one part-time Clerk in Engineering by reducing funds for one vacant Engineering Bonds Officer.

JOURNAL	CB00000108	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	6,050.00
					6,050.00CR
					.00

To transfer funds for part-time personnel for the new Archery program from Recreation Program to Special Programs.

JOURNAL	CB00000109	DIVISION	Youth Services	Fund Name	General Fund
				Fund Impact	124,050.00
					58,050.00CR
					66,000.00

To provide funds for Client Assessment Counselor and seasonal salaries for the FY 2014 Workforce Investment Act (WIA Youth) Grant. Also, to adjust General Fund personnel recovery to match personnel allocations.

JOURNAL	70860-61	DIVISION	Special Programs	Fund Name	Donation Fund
				Fund Impact	1,320.00
					1,320.00CR
					.00

To provide funds for operating expenses by recognizing revenue from Lexington Lions Club (\$600) and Lynn Imaging (\$720) for the installation and removal of banners.

JOURNAL	70791	DIVISION	Police	Fund Name	Police Confiscated Federal
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide funds for a new horse trailer by decreasing funds for Conferences and Other Training from Confiscated Federal Funds.

JOURNAL	70756	DIVISION	Traffic Engineering	Fund Name	Municipal Aid Program
				Fund Impact	72,440.20
					72,440.20

To provide funds for Pink Pigeon project by recognizing Municipal Aid fund balance remaining from FY 2013.

JOURNAL	70933-34	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	6,100.00
					6,100.00CR
					.00

To budget program income from sale of mobile home in Newtown Pike 2002 grant. Funds will be distributed to the Lexington Community Land Trust.

JOURNAL	70858-59	DIVISION	Grants and Special Projects	Fund Name	US Dept of HHS
				Fund Impact	728.00
					728.00CR
					.00

To amend grant for Senior Citizens - FY 2014 to reflect actual award of federal funds.

JOURNAL	CB00000110	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	25,480.00CR
					25,480.00CR
				Fund Name	Water Quality Fund
				Fund Impact	25,480.00
					25,480.00

To adjust fund allocation for an Environmental Inspector position from 100% Sanitary Sewer Fund to 60% Water Quality Management Fund and 40% Sanitary Sewer Fund.

JOURNAL	70415	DIVISION	Engineering	Fund Name	Right Of Way Fund
				Fund Impact	6,639.00
					6,639.00

To provide funds for Vehicle Equipment and Fuel and Vehicle Repairs and Maintenance by decreasing fund balance. There are sufficient revenues in this fund to cover the expense.

JOURNAL	POROLL0885	DIVISION	Water Quality	Fund Name	Water Quality Fund
				Fund Impact	.00
					2,573,748.08CR
					2,573,748.08CR
				Fund Name	Water Quality Construction
				Fund Impact	2,573,748.08
					2,573,748.08

To moved funds for purchase orders related to Water Quality projects to the new Water Quality Construction Fund.

JOURNAL	70862	DIVISION	Water Quality	Fund Name	Water Quality Fund
				Fund Impact	7,218,000.00CR
					7,218,000.00CR
				Fund Name	Water Quality Construction
				Fund Impact	7,218,000.00
					7,218,000.00

To reallocate projects for Water Quality Management Fund capital projects to the new Water Quality Capital fund for this purpose.

JOURNAL	70686	DIVISION	Finance	Fund Name	General Services Fund
				Fund Impact	33,004.00CR
					33,004.00CR
				Fund Name	Pension Bond Fund
				Fund Impact	33,004.00
					33,004.00

To establish transfer budgets for cost of issuance fees between the Pension Bond Fund and General Fund within FY 2013.

JOURNAL	71364	DIVISION	Human Resources	Fund Name	Medical Insurance Fund
				Fund Impact	1,000,000.00
					1,000,000.00CR
					.00

To adjust FY 2013 budgets within the Medical Insurance Fund to account for pharmaceutical inventory costs as an operating expense and not in personnel as originally budgeted. This change is needed as part of the year-end closing activities.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	70,828.00
Fund	1103	Donation Fund	.00
Fund	1131	Police Confiscated Federal Fund	.00
Fund	1136	Municipal Aid Program Fund	72,440.20
Fund	3160	US Department of Transportation	.00
Fund	3190	US Department of Health and Human Services	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	25,480.00CR
Fund	4051	Water Quality Management Fund	9,766,268.08CR
Fund	4052	Water Quality Construction Fund	9,791,748.08
Fund	4201	Right of Way Fund	6,639.00

FY 2013

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	33,004.00CR
Fund	2521	GO 2009B-Pension Obligation Fund	33,004.00
Fund	6002	Medical Insurance Fund	.00



LEXINGTON DIVISION OF POLICE

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: July 1, 2013

RE: Sonitrol of Lexington, Inc. - Alarm Agreement & Addendum

Please find attached documentation requesting approval of the attached Alarm Agreement and Addendum with Sonitrol of Lexington, Inc. and Lexington-Fayette Urban County Government.

The attached agreement is for the installation and activation of an alarm at the new Property and Evidence Annex located at 1795 Old Frankfort Pike.

The alarm service provided by this agreement will be covered by existing budgeted funds. Upon approval and signing, please forward original documents to my office to acquire additional signatures.

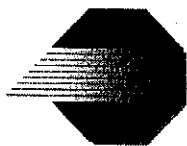
A handwritten signature in cursive script that reads "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



SONITROL®
VERIFIED ELECTRONIC SECURITY

3166 Custer Drive, Lexington, KY 40517
(859) 255 - 2525 (859) 226 - 5253 - Fax

June 24, 2013

**Addendum to client Agreement
L064112**

Sonitrol of Lexington will approve client agreement L064112 to be a year to year agreement and afterwards can be cancelled with a 30 day written notice. Sonitrol of Lexington will retain ownership of all equipment.

Section 12C: Regardless of the cause or origin of the damage. The \$500 limitation for monitoring by Sonitrol of Lexington.

Sonitrol of Lexington can agree while our personnel are site Sonitrol's general liability insurance should cover any damage. Sonitrol's general liability will at no time be considered as insurance for the LFUCG

Section 12E: The Indemnity provision. The Phrase "To the Extent allowable by law" should be added to the beginning of the section. The indemnification should have the sentence added at the end of the section, this should not be deemed a waiver of sovereign immunity or any third party defense available to the Government" The Governments actions or inactions, but the Government cannot indemnify Sonitrol of Lexington for the conduct of their employees while on client's site.

Paragraph 14, the government cannot waive claims against Sonitrol of Lexington or insure Sonitrol of Lexington for willful or intentional actions of its own employees and cannot indemnify while on site Sonitrol of Lexington for actions of Sonitrol of Lexington employees

LFUCG Approval: _____ Date: _____

Sonitrol of Lexington approval: _____ Date: _____

The Leader in Verified Electronic Security

Verified Audio Detection | Access Control | SonaVision Video | Fire Detection



18
0793-13

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members
Commissioner Geoff Reed

FROM: 
Jerry Hancock

RE: Facility Usage Contract

DATE: July 3, 2013

This is a request for Council approval of a Facility Usage Contract between the Lexington-Fayette Urban County Government and Fayette County Board of Education.

This agreement is for the use of the Henry Clay High School Track for the Hershey Track meet on June 17, 2013.

The cost for this rental is \$174.00 charged to account 1101-707604-7311-71303-729.

Please contact me if there are any questions.

JEH/bac

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: July 3, 2013

RE: Memorandum of Understanding – Cabinet for Health and Family Services,
Department of Public Health, Office of Vital Statistics

Please find attached Memorandum of Understanding (MOU) with the Cabinet for Health and Family Services, Department for Public Health, Office of Vital Statistics. This is a renewal MOU, which allows for the exchange of information contained in Vital Records. The attached MOU requires the Mayor's signature.

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

A handwritten signature in cursive script that reads "R. 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: JULY 12, 2013


SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO THE AGREEMENT WITH KENTUCKY
TRANSPORTATION CABINET FOR EXTENSION OF
PERFORMANCE PERIOD THROUGH JUNE 30, 2014 FOR THE SHARE
THE ROAD MEDIA CAMPAIGN PROJECT

On June 11, 2009 (Ordinance No. 91-2009), Urban County Council approved the acceptance of federal funds for the Share the Road Campaign project. The purpose of this project is to promote bicycle and pedestrian safety throughout Fayette County and the Bluegrass Region.

On September 27, 2012 (Resolution No. 518-2012), Council approved the execution of an Amendment to the Agreement providing for an extended performance period through June 30, 2013.

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

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



Irene Gooding, Director

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

HORSE CAPITAL OF THE WORLD

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



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

August 8, 2013

Urban County Council
Mayor Jim Gray

TO WHOM IT MAY CONCERN

This is a request that Resolution #334-2013 be amended to authorize the Mayor to execute an agreement with Leak Eliminators, LLC for Bid #63-2013, Sanitary Sewer System Rehabilitation. This authorization was inadvertently left off the original resolution.

Sincerely,

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

Todd Slatin, Director
Division of Central Purchasing

bjb



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

May 30, 2013

FOR: Jim Gray, Mayor

FROM: Todd Slatin, Director *TS*
Division of Central Purchasing

SUBJECT: Invitation to Bid #63-2013 – Sanitary Sewer System Rehabilitation

On May 23, 2013 the Division of Central Purchasing received bids for the Sanitary Sewer System Rehabilitation for the purpose of establishing a price contract for the Division of Water Quality.

Notices were sent via Economic Engine to nine hundred thirty one (931) vendors for this particular commodity. Fifty three (53) vendors reviewed the document. Central Purchasing received one (1) bid from Leak Eliminators, LLC.

The bid submitted by Leak Eliminators, LLC meets bid specifications and is reasonable and within budgetary constraints.

I recommend the bid of Leak Eliminators, LLC be accepted.

Cc: Sally Hamilton, CAO
William O'Mara, Commissioner of Finance & Administration
Richard Moloney, Commissioner of Public Works & Environmental Quality
Stacey Maynard, Council Administrator



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0813-13


Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members

FROM: 
Jerry Hancock, Director of Parks and Recreation

RE: Donation

DATE: July 18, 2013

This is to request Council approval to accept a donation of two television sets to Parks and Recreation for use at the William Wells Brown Community Center on behalf of the Bluegrass Aspendale Teen Center. The televisions have an estimated total value of \$500.00.

Please contact me if there are any questions.

CC: Geoff Reed, Commissioner of General Services

JEH/bac




Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

MEMORANDUM

TO: Mayor Jim Gray and Urban County Council

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

DATE: July 15, 2013

RE: 2nd Quarter 2013 Address Changes for Enhanced 9-1-1 Compliance

This request will change street names and individual numbers of addresses within various Council Districts. The attached listing indicates the individual addresses to be changed which are located within the 1st, 2nd, 10th and 12th Council Districts.

The street name and/or number changes are needed to ensure the proper operation of the Enhanced 9-1-1 system. The corrections eliminate several confusing, duplicate and/or improperly named and numbered addresses in Fayette County.

The official date of change should be thirty (30) days from date of passage, to allow for new sign placement, utility and Post Office notification and final citizen notification.

The following documents are attached:

1. Spreadsheet listing of each address change and associated Council District number
2. Individual address list/Draft of Resolution

DSL/jc

PVA Account	ID	Old Num	Old Dir	Old Street	Old Type	Old Unit	New Num	New Dir	New Street	New Type	New Unit	Council District
13150700	4959	207-209	E	Seventh	St		207	E	Seventh	St		1
42316500	5045	1391	W	Main	St		1389	W	Main	St		2
20133540	5289	2200		Inglewood	Cir		3929		Peppertree	Dr		10
24234100	4911	6784		Old Richmond	Rd		6398		Old Richmond	Rd		12



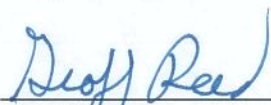
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council
Sally Hamilton, CAO

FROM: 
Geoff Reed
Commissioner of General Services

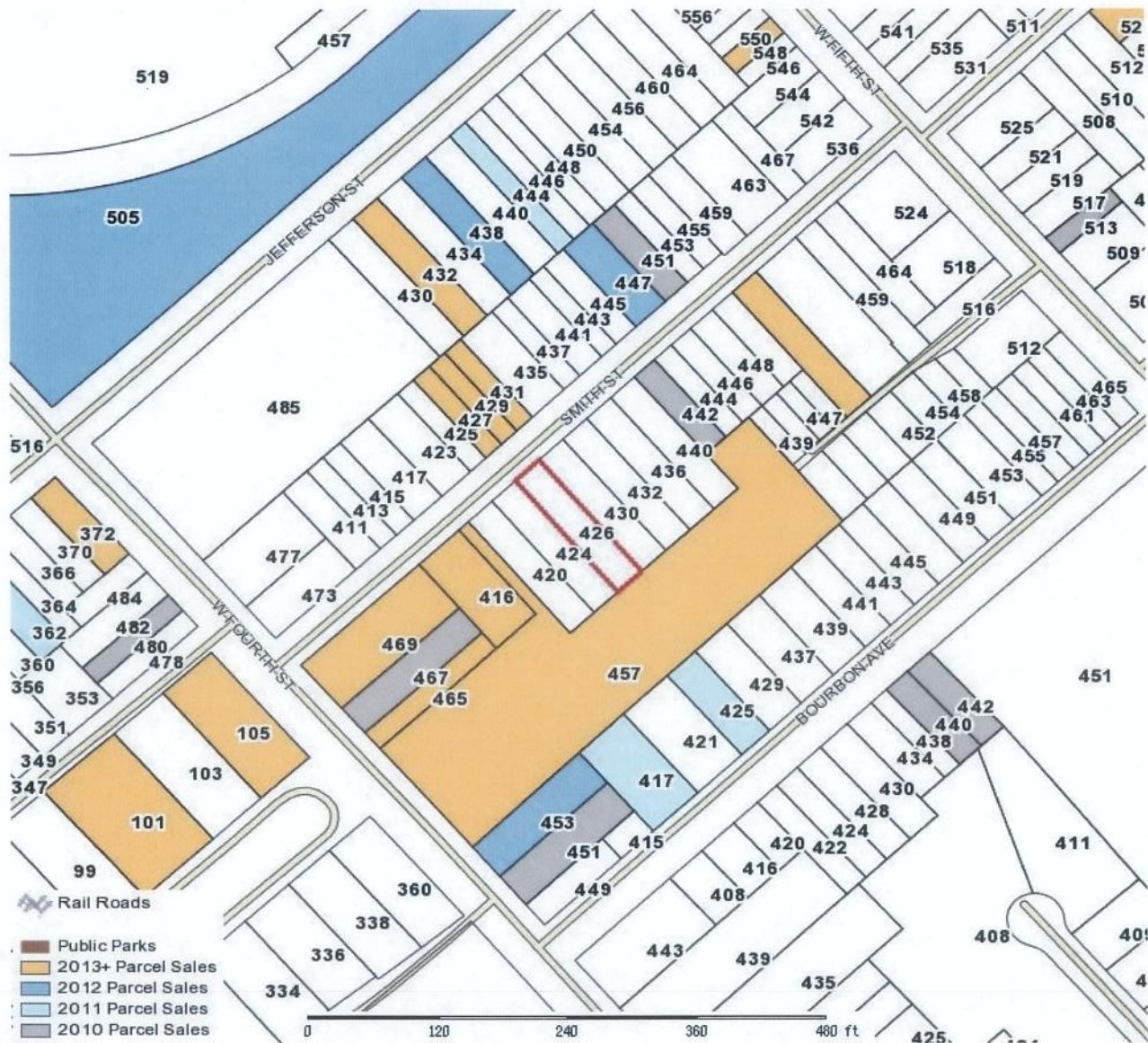
DATE: July 25, 2013

RE: Request Council authorization to declare the parcels of land located at 426 & 430 Smith Street as surplus.

The Department of General Services requests that Urban County Council grant approval for the disposal of 426 and 430 Smith Street as surplus. LFUCG is shown as the owner in the PVA records and the parcels are listed as follows:

NO	Street Name	Parcel ID	Acres	Square Ft	Council Dist	Owner
426	Smith Street	04012520	0.1033	4,500	1	LFUCG
430	Smith Street	04012530	0.1033	4,500	1	LFUCG

An internal review was conducted by Parks & Recreation to determine future need for the parcels and it was determined that they could be declared surplus. These parcels were used for a number of years as a small neighborhood park (aka Smith Street Park). The Coolavin site is nearby (about 3 blocks away) and now serves as the playground area with significantly better amenities. A title search has been conducted by the Department of Law and General Services wishes to offer these parcels for consideration for disposal. All easements or rights-of-ways located on the parcels shall convey and remain in effect and disposal of the property would alleviate ongoing maintenance and place the parcels back onto the tax roll.



Fayette County Property Valuation Administrator

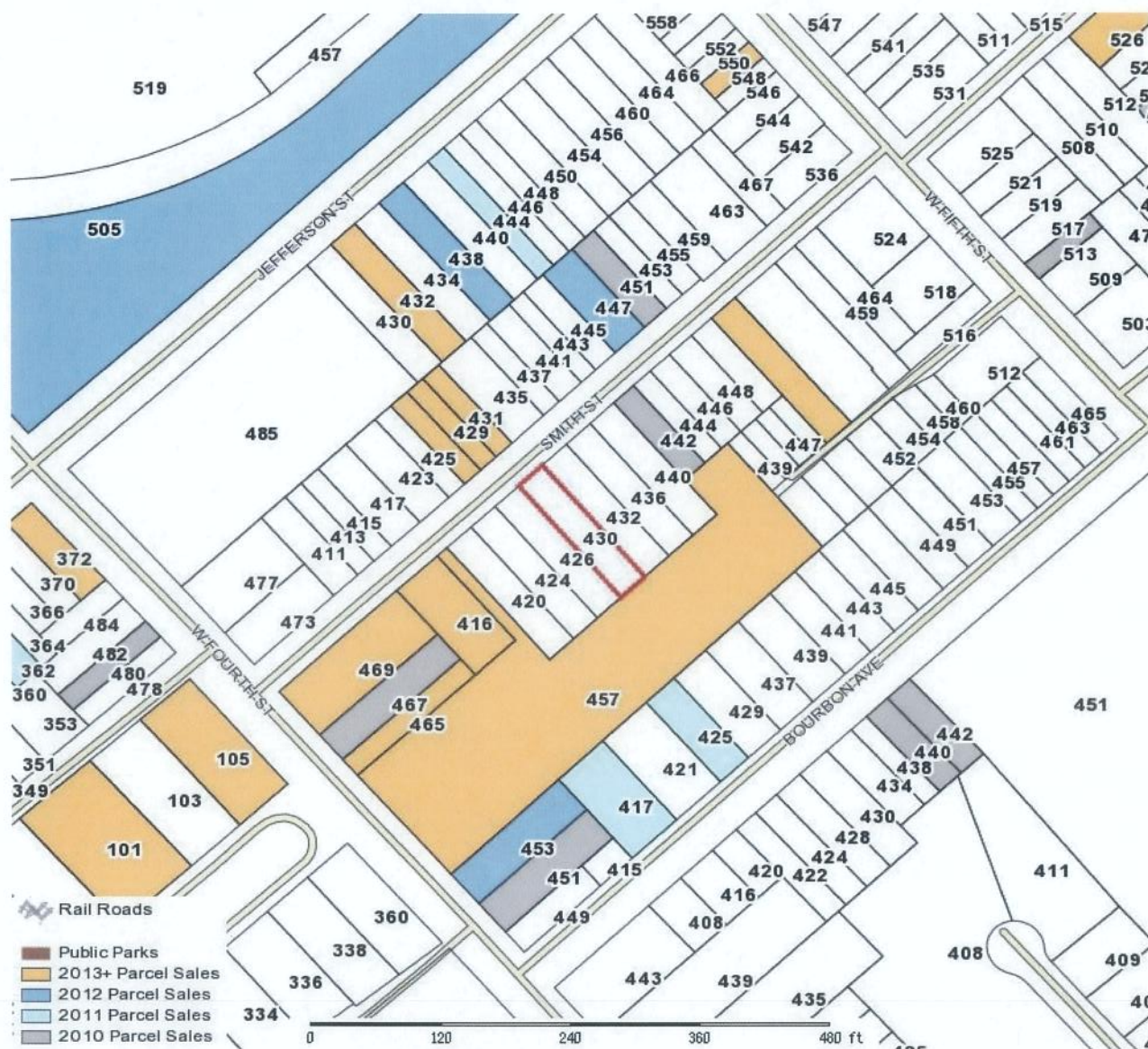
Parcel: 04012520 Acres: 0.1033 Book: 0939 Page: 297

Name:	LFUCG	Fair Cash Value	\$ 2,000
Site:	426 SMITH ST	Ag Land Value	0
Sale:	0 on 1968-07-10 Reason=Q Qual=00	Ag Total Value	0
Mail:	136 WALNUT ST LEXINGTON, KY 40507-1526	Taxable Value	0



The Fayette County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FAYETTE COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 07/25/13 : 08:42:29



Fayette County Property Valuation Administrator			
Parcel: 04012530 Acres: 0.1033 Book: 0939 Page: 297			
Name:	LFUCG	Fair Cash Value	\$ 2,000
Site:	430 SMITH ST	Ag Land Value	0
Sale:	0 on 1968-07-10 Reason=Q Qual=00	Ag Total Value	0
Mail:	136 WALNUT ST	Taxable Value	0
	LEXINGTON, KY 40507-1526		



The Fayette County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FAYETTE COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 07/25/13 : 08:43:35



29
0818-13

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: July 17, 2013

SUBJECT: Request Council Authorization to Execute Change Order #1 with Kalkreuth Roofing and Sheet Metal in the Amount of (\$3,945.00) for the Roof Repair for the Senior Citizen Center Contract #118-2013

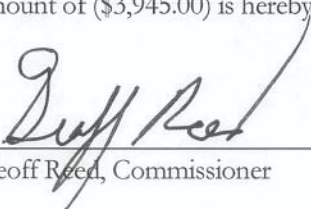
The Department of General Services is recommending the execution of change order No. 1 for a **credit** of \$3,945.00 with Kalkreuth Roofing and Sheet Metal, Lexington, Kentucky for the Roof Repair for the Senior Citizen Center project. The new contract total is \$52,044.00.

The original scope of work included the replacement of six (6) roof drains. This change order deletes the replacement of five (5) of the six (6) planned roof drains. Once the repair work was underway, it was determined that only one (1) roof drain needed to be replaced.

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2602	707501	7041	91018	(\$3,945.00)

Council authorization to execute Change Order No. 1 to the agreement with Kalkreuth Roofing and Sheet Metal in the amount of (\$3,945.00) is hereby requested.



Geoff Reed, Commissioner

Cc: Jamshid Baradaran, Director of Facilities and Fleet Management
Jim Powell, Project Manager

Contract History FormContractor: Kalkreuth Roofing and Sheet MetalProject Name: Roof Repair for the Senior Citizen CenterContract Number and Date: 118-2013, March 21, 2013Responsible LFUCG Division: General ServicesChange 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>\$55,989.00</u>	
B.	Cumulative Amount of Previous Change Orders		<u>0.00%</u>
C.	Total Contract Amount Prior to this Change Order	<u>\$55,989.00</u>	
	<u>Current Change Order (#1)</u>		
D.	Amount of this Change Order	<u>-\$3,945.00</u>	<u>-7.05%</u>
E.	New Contract Amount Including this Change Order	<u>\$52,044.00</u>	<u>92.95%</u>

Signature Lines

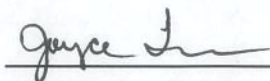
Project Manager:



Date:

7/22/13

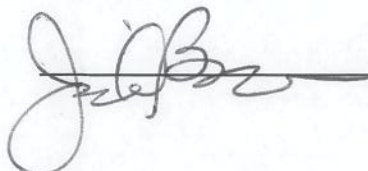
Reviewed By:



Date:

7/25/13

Division Director:



Date:

7/25/13

Change Order Request



C.O.R. # S3-7033-0001

G.C. #

Date: 5/28/2013

Project Name: S3-7033 Senior Citizen Center

Project #: S3-7033

To: Lexington Fayette Urban County Government
Attn: Dept. of Public Works
200 East Main Street

Lexington, KY 40507

From: Kalkreuth Roofing & Sheet Metal, Inc
Mollie Absher
2131 Capstone Drive
Lexington, KY 40511

Phone: Fax:

Phone: (859) 231-7663 Fax: (859) 231-7669

We hereby propose to make the following changes:

deduct for roof drains

deduct credit to eliminate the replacement of five of the six roof drains.
Five drains at \$789.00/each=\$3,945.00

Change Order Price	(\$3,945.00)
Original Contract Amount	\$55,989.00

This price is good for 5 days. If conditions change, this price is void.

We are requesting a time extension of 5 days in conjunction with this change.

Mollie Absher	5/28/2013
Author	Date Sent

☒ Accepted

The above prices and specifications of this Change Order request are satisfactory and are hereby accepted. All work to be performed under same terms and conditions as specified in original contract unless otherwise specified.

Authorized Signature

5/29/13
Date of Acceptance

CONTRACT CHANGE ORDER

To (Contractor):

Kalkreuth Roofing and Sheet Metal

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

[illegible]

Total decrease

\$ 3,945.00

Total increase

§

Net increase/(decrease) in contract price

§

Current Contract Amount: \$55,989.00

New Contract Amount: \$52,044.00

Recommended by

(Project Manager)

Date 7-22-13

Accepted by-

(Contractor)

Date 7-22-13

Approved by _____

_(Grant Manager)

Date_

Approved by:

Commissioner)

Date_

Approved by:

(Mayor or CAO)

Date_

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0818-13


JUSTIFICATION FOR CHANGE

PROJECT: Roof Repair for Senior Citizen Center 0818-13

CONTRACT NO. 118-2013

CHANGE ORDER: 1

1. Necessity for change: The original scope of work included the replacement of six roof drains. Once the repair work was underway, it was discovered that only one drain needed to be replaced.
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 X 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:
8. Effect on contract completion date: 5 days

Recommended by  Mayor _____ Date _____
(Project Manager)

Approved by _____ (Grant Manager)



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner, General Services

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members
From: Jerry Hancock, Director, Parks and Recreation *J. Hancock*
Date: July 30, 2013
Subj: Purchase of property at Raven Run Nature Sanctuary

Parks and Recreation is interested in purchasing a 14 acre piece of property that is now available to us at Raven Run. The Department of Law has recommended that we receive Urban County Council permission to negotiate a purchase agreement for the property before any negotiations take place.

The land is completely surrounded by existing LFUCG owned property that makes up Raven Run. Owning this remaining property would eliminate some issues that we currently have, as the property owners and their guests have to cross LFUCG property to get to theirs. No one lives on this property today.

Parks and Recreation is interested in acquiring the property if it can be purchased at a reasonable price. The property owners have contacted us indicating their willingness to sell, and we have performed an appraisal on the property.

This resolution seeks the approval of the Urban County Council to proceed with discussions to hopefully arrive at suitable terms. Funding exists in the Parks Acquisition Fund for this purpose.

Please let me know if there are any questions on this issue.




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
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: August 2, 2013

SUBJECT: Abolish/Create positions – Division of Family Services

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Program Coordinator, (Grade 109N) and creating one (1) position of Public Service Supervisor (Grade 111N) in the Division of Family Services, effective upon passage by Council.

The Division requests this action to allow for more adequate oversight of building and safety development and maintenance within the Family Care Center. It will also provide a more stable organizational structure by creating a supervisory position which will directly manage part-time staff and contracted workers.

The fiscal impact for FY2014 (20 pay periods) will be a cost savings of \$397.37. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Program Coordinator *	\$33,934.99	\$0	\$(33,934.99)
Vacant	Public Service Supervisor	\$0	\$33,527.64	\$33,527.64
Total Annual Impact/ Salary and Benefits \$(516.59)				

*actual budget

If you have questions or need additional information, please contact Nicole Rodriguez at (859) 258-3129.

Attachment

cc: Beth Mills, Commissioner - Department of Social Services
Joanna Rodes, Director – Division of Family Services

Log #14-0004



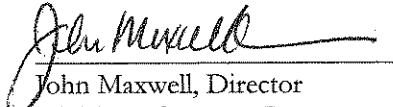
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: July 23, 2013

SUBJECT: Create positions – Division of Social Services

The attached action amends Section 22-5 of the Code of Ordinances, creating one (1) position of Program Supervisor P/T (Grade 106N) and one (1) position of Custodial Worker P/T (Grade 102N) in the Department of Social Services for a term to expire September 1, 2017 effective upon passage of Council.

Both positions will be housed at the Lexington Senior Center. The Program Supervisor P/T will offer programs and provide assistance to the seniors who utilize the center and will help reduce the staff to participant ratio which is currently 1:80+. The Custodial Worker P/T will be responsible for cleaning and janitorial support.

The fiscal impact is budget neutral. Funding for these positions is available in the adopted FY2014 budget.

If you have questions or need additional information, please contact Nicole Rodriguez at (859) 258-3129.

Attachment

cc: Beth Mills, Commissioner - Department of Social Services
Kristina Stambaugh, Program Administrator – Department of Social Services

Log #14-0005



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: JULY 30, 2013

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION,
AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY DIVISION
OF WASTE MANAGEMENT REQUESTING FUNDS FOR WASTE TIRE
DISPOSAL/RECYCLING— FY 2014**

The Department of Environmental Quality has prepared an application requesting state funds in the amount of \$3,000 from the Kentucky Division of Waste Management for the disposal/recycling of waste tires. Funding for this grant comes from the Waste Tire Trust Fund established in KRS 224.50-880.

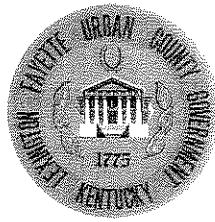
Funds will be used for actual costs incurred for the disposal or recycling of waste tires. No matching funds are required.

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



Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: JULY 30, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH THE COMMONWEALTH ATTORNEY'S
OFFICE FOR PROVISION OF "FAST TRACK" PROSECUTOR
SERVICES UNDER THE STREET SALES DRUG ENFORCEMENT
PROJECT--FY 2014**


The Kentucky Justice Cabinet has awarded the Lexington-Fayette Urban County Government a grant for continuation of the Street Sales Drug Enforcement project. Source of funds is the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. Council approved acceptance of these funds on March 21, 2013 (Resolution 136-2013).

The approved Street Sales Enforcement project includes funds to offset the cost of the "Fast Track" prosecution program and the Major Violator (Repeat Offender) prosecution program in the Commonwealth Attorney's Office, as part of a drug task force. Funds are used to support one full-time assistant prosecutor for a one-year period.

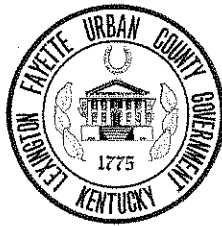
The total cost of this element of the project is \$59,920. Federal funds are in the amount of \$44,940. The Lexington-Fayette Urban County Government's general fund provides \$14,980 to the project. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3140	112006	0001	71101	2014	FED_GRANT	ST_SALES_2014

Council authorization to execute the agreement is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



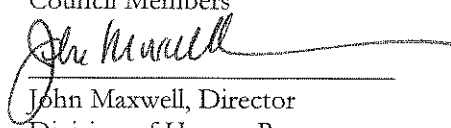
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: August 2, 2013

SUBJECT: Abolish/Create positions – Division of Police

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Police Analyst, (Grade 111N) and creating one (1) position of Property & Evidence Technician (Grade 111N) in the Division of Police, effective upon passage by Council.

The Division states that the Property & Evidence Technician is needed so that the Property and Evidence Unit can remain open for its customers while other staff need to go offsite to transport evidence, testify in court, and provide customer assistance in preparation for trial.

The fiscal impact for FY2014 (20 pay periods) will be a cost savings of \$13,014.08. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Police Analyst *	\$46,868.27	\$0	\$(46,868.27)
Vacant	Property & Evidence Technician	\$0	\$33,527.64	\$33,527.64
Total Annual Impact/ Salary and Benefits \$(16,918.31)				

*actual budget

If you have questions or need additional information, please contact Nicole Rodriguez at (859) 258-3129.

Attachment

cc: Clay Mason, Commissioner - Department of Public Safety
Ronnie Bastin, Chief of Police

Log #14-0006



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: 
Lori Rowland Houlihan
Special Events Liaison

Date: July 31, 2013

RE: Council authorization to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc.
Request Council authorization to execute the Purchase of Service Agreement with Roots and Heritage Festival, Inc. for 2013. Festival activities include street bazaar, parade, comedy show, art exhibit and various entertainments to be held primarily September 6th and 7th, 2013. The amount to be paid to the Roots and Heritage Festival, Inc. is \$35,415. This amount does not include approximately \$63,000. of in-kind services provided by various Divisions of the Lexington-Fayette Urban County Government.
The funds are budgeted in account 1101-134201-1430-71299. Council authorization to execute the Agreement is requested.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



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0828-13

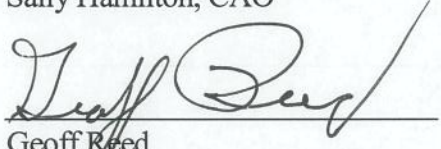
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council
Sally Hamilton, CAO

FROM: 
Geoff Reed
Commissioner of General Services

DATE: August 02, 2013

RE: Amendment to Management Agreement with Kentucky Theater Management Group, Inc. for operation and management of the Kentucky and State Theaters

I am requesting Urban County Council approval to amend the management agreement (Contract #5797; R-693-2006) with Kentucky Theater Management Group, Inc. for operation and management of the Kentucky and State Theaters located at 212 and 218 East Main Street, Lexington, Kentucky. The current amended agreement (R-521-2012) is set to expire October 31, 2013. This amendment will extend the agreement for a period of one year, beginning November 1, 2013 and ending October 31, 2014 with automatic annual extensions thereafter unless advance written notification of termination is provided by either party. All other terms and conditions of the management agreement shall remain unchanged.




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0829-13

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

DATE: August 22, 2013
TO: Jim Gray, Mayor
FROM: David S Lucas, Director of Enhanced 9-1-1 
RE: Emergency Notification System – Service Renewal
VIA: Clay Mason, Commissioner of Public Safety

This request will authorize the mayor to continue the current service agreement with Dialogic Communications Corporation (DCC), dba Cassidian Communications, as a sole source provider. The DCC hosted emergency notification system has been in operation since January 2009 within the Division of E911 call centers and other public safety support offices. The annual service continues to include maintenance, support upgrades and professional services from DCC for the ongoing support of existing products previously acquired by LFUCG.

The total cost for the current fiscal year is \$31,330 and all funds are budgeted within the Division of Enhanced 911. There is no increase in cost from the previous fiscal year.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Sole Source Justification Certification




43
0830-13

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

DATE: August 2, 2013
TO: Jim Gray, Mayor
FROM: David S Lucas, Director of Enhanced 9-1-1 
RE: Agreement with NeuStar, Inc – Service Renewal
VIA: Clay Mason, Commissioner of Public Safety

This request will authorize the mayor to continue the current service agreement with NeuStar Inc, to provide LFUCG access to the Number Portability Administration Center (NPAC) in order to track telephone number portability for the exclusive use related to supporting Enhanced 911 services.

The total annual cost is not to exceed \$ 3,200 and all funds are budgeted within the Division of Enhanced. The requested access, training, products, software, installation and maintenance meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 1, 2013

RE: Memorandum of Agreement -
Kentucky Community and Technical College System, Bluegrass Community &
Technical College

Please find attached Memorandum of Agreement (MOA) with the Kentucky Community and Technical College System, Bluegrass Community & Technical College. The purpose of this agreement is to establish guidelines and responsibilities of the off campus educational experiences (internships) for students in the Criminal Justice Program. The interns will also be required to sign a waiver and release form.

This MOA shall be effective from the date of its execution through the end of the fiscal year (June 30th) of its execution. At the end of the initial term, this MOA shall be automatically renewed for one year successive terms unless a party provides notice of termination or non-renewal at least sixty (60) days prior to the end of the term. The attached MOA requires the Mayor's signature.

Upon Mayor signing, please return original document to the Chief's Office to acquire additional signatures.

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

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

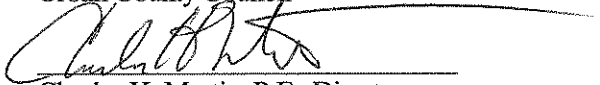


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: July 15, 2013

Subject: Change Order # 1 (FINAL) Roland Ave. Stream Bank Stabilization RES # 544-2012

The Division of Water Quality requests approval of Change Order #1 (FINAL) with Todd Johnson Contracting for Roland Ave Stream Bank Stabilization RES # 544-2012. The original amount of this project was \$184,631.05 Change Order #1 is for \$26,428.96. Change Order #1 gives a revised total contract amount of \$211,060.01. The sum of this Change Order amounts to 14% of the original contract amount.

Description of Change Order

1. Additional lean concrete at retaining walls.
Add: \$5,167.00
2. Removal of trees 5" to 9" Dia.
Add: \$1,890.00
3. Removal of unsuitable soil.
Add: \$572.22
4. Additional stone backfill.
Add: \$525.16
5. Additional slope restoration.
Add: \$3,896.20
6. Remove and replace additional sidewalk.
Add: \$14,378.38

Total Cost of Change Order #1: \$26,428.96



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0832-13

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

Jim Gray
Mayor

Richard Moloney
Commissioner

Change Order Signature Sheet

Change Order # 1(FINAL)
Contract # 544-2012
Add \$ 26,428.96

Roland Ave. Stream Bank Stabilization
Lexington Fayette-Urban County Government
Division of Water Quality

SIGNATURES TO CHANGE ORDER ACCEPTED

Date: 7-22-13

By: 
Jeremy Johnson Todd Johnson Contracting

RECOMMENDED

Lexington Fayette-Urban County Government

Date: 7.22.13

By: 
Rick Day, P. E. Construction Manager

REVIEWED

Lexington Fayette-Urban County Government

Date: 8-1-13

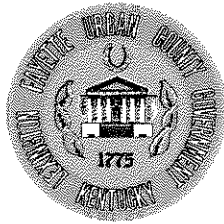
By: 
Charles Martin, P. E. Division Director

APPROVED

Lexington Fayette-Urban County Government

Date: _____

By: _____
Jim Gray, Mayor



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

Jim Gray
Mayor

Richard Moloney
Commissioner

Change Order Summary

Change Order No.1 (FINAL)
Roland Ave. Stream Bank Stabilization RES# 544-2012
Lexington Fayette-Urban County Government
Division of Water Quality

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

Contractor: Todd Johnson Contracting Inc.
497 Dillehay Street
Danville, KY 40422

SUMMARY OF INFORMATION

Date of Change Order:	07/15/2013
Date of Contract:	11/25/2012
Date of Notice to Proceed:	11/16/2012
Date of Contract Completion:	05/22/2013
Change in Contract Time (Calendar Days):	90
Original Contract Amount:	\$184,631.05
Previous Change Order Total:	\$0
Current Contract Amount:	\$184,631.05
Change Order # 1 Amount:	\$26,428.96
New Contract Amount Including Change Orders:	\$211,060.01
Percent of Change from Original Contract Amount:	14%



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

Jim Gray
Mayor

Richard Moloney
Commissioner

CONTRACT HISTORY FORM

Contractor: Todd Johnson Contracting

Project Name: Roland Ave. Stream Bank Stabilization

Contract Number and Date: # 544-2012

Responsible LFUCG Division: Division of Water Quality

CHANGE ORDER DETAILS

<u>Summary of previous Change Orders to Date</u>	<u>Dollar Amount</u>
A. Original Contract Amount:	<u>\$184,631.05</u>
B. Cumulative Amount of Previous Change Orders:	<u>\$0</u>
C. Total Contract Amount Prior to this Change Order:	<u>\$184,631.05</u>
 <u>Current Change Order</u>	
D. Amount of this Change Order:	<u>\$26,428.96</u>
E. New Contract Amount Including this Change Order:	<u>\$211,060.01</u>

SIGNATURE LINES

Project Manager: [Signature]

Reviewed By: [Signature]

Division Director: [Signature] 8-1-13

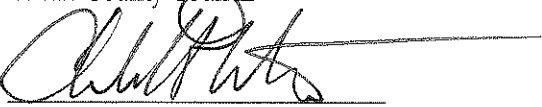


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Commissioner

TO: Mayor Jim Gray
Urban County Council

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

DATE: August 1, 2013

RE: Amendment to Lease Agreement with WINMAR Corporation for Administrative Office Space to Consolidate the Division of Water Quality Staff

The Division of Water Quality requests Urban County Council approval authorizing the Mayor to enter into an amendment to the lease with WINMAR Corporation for office space located at 125 Lisle Industrial Road. The additional space will allow the Division of Water Quality to house new employees and provide office, meeting and training space required to meet UCG operational needs including meeting obligations required by the Consent Decree.

The original lease began on February 1, 2011 and was for a term of three years with two, one-year extensions approved at a higher rate. Current cost per square foot including all utilities, parking, and custodial services is \$15.25. The two one-year extensions will be billed at \$15.75 per square foot and will provide the same services. Also included in these costs are the fit-up required to make the space appropriate to meet our needs.

This amendment covers the remainder of the original lease which will end January 31, 2014 and will carry forward for any desired renewals allowed by the agreement. Requested increase in space of 10,118 square feet will take the total space included in the lease to 25,449 square feet.

Annual impact to the budget for FY14 for the increase in square footage will be \$130,690.84. This is based on the cost of the additional space at \$15.25 per square foot for five months between September 1, 2013 – January 31, 2014 (\$64,291.46), and \$15.75 per square foot for the five months between February 1, 2014 – June 30, 2014 (\$66,399.38). Please see chart below for breakdown of month-to-month total costs including additional space and increased square footage costs:

July-August 2013 @ \$21,394.48/month	\$ 42,788.96	
September 2013-January 2014 @ \$32,341.44/month	\$161,707.20	
February 2014-June 2014 @ \$33,401.81/month	\$167,009.05	
FY14 Total Lease Costs		\$371,505.21

Funding for this lease, including the requested additional space, is located in 4002-303401-3401-71302 and was included in the approved FY2014 Annual Budget.

If additional information is required, or you have questions, please contact me at 425-2455.

AMENDMENT TO LEASE AGREEMENT

THIS AMENDMENT TO LEASE AGREEMENT (the "Amendment") is made and entered into effective as the 1st day of September, 2013, by and between **WINMAR CORPORATION**, with an address of Suite 208, Bakhaus Building, 1500 West Main Street, Lexington, Kentucky 40511 (hereafter "Lessor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40511 (hereafter "Lessee").

WITNESSETH:

WHEREAS, Lessor and Lessee are parties to that certain Lease Agreement dated December 9, 2010 (the "Lease") regarding that certain property known as 125 Lisle Industrial Avenue, Lexington, Kentucky 40511, as more particularly referred to in the Lease (the "Property"); and

WHEREAS, Lessor and Lessee wish to amend the Lease to add contiguous office space to the area currently under lease to the Lessee, under terms and conditions set forth in this agreement.

Now Therefore, for and in consideration of the Property to be occupied and the mutual covenants and agreements set forth and described in this Amendment and in the Lease, Lessor and Lessee hereby agree as follows:

1. The additional office space measures approximately 10,118 sq. ft. and that space will be refitted as agreed between Lessor and Lessee. The total square footage for space occupied by LFUCG, after the Amendment, will be 25,449 sq. ft.
2. The lease rate for the entire occupied area (25,449 sq. ft.) will be \$15.25 per square foot, according to the terms of the Lease Agreement dated December 9, 2010. That rate is effective until January 31, 2014.
3. The additional office space will be merged in to the space already occupied by LFUCG, and the terms and conditions of the Lease Agreement dated December 9, 2010 and future modifications of that Lease, will control the entire space, as if it were one space.

4. Except as expressly amended hereby, all remaining terms and conditions set forth in the Lease are hereby reaffirmed in their entirety by Lessor and Lessee, and shall remain unaffected and unmodified by this Amendment.

LESSOR:

WINMAR CORPORATION, a
Kentucky corporation

By: 

Title: President

LESSEE:

LEXINGTON-FAYETTE
URBAN COUNTY
GOVERNMENT

By: _____

Title: _____



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0835-13

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

FROM: Clay Mason, Commissioner
Department of Public Safety *Clay Mason*

DATE: August 5, 2013

RE: Purchase of Service Agreement with
Lexington-Fayette Animal Care and Control, LLC

Attached is the annual Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC. The proposed agreement incorporates compensation in the amount of \$1,105,980 to the Humane Society as authorized in the FY 2014 budget.

I recommend approval of these Agreements with the Lexington-Fayette Animal Care and Control, LLC for FY 2014 and the funds are budgeted.

Attachment



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: AUGUST 5, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH GROUP CJ, LLP, FOR MOBILITY OFFICE MARKETING
CAMPAIGN FOR FISCAL YEAR 2014**


The Lexington-Fayette Urban County Government annually receives federal funds for operation of its mobility office (Ridesharing program), funded from the Surface Transportation Program-Lexington (SLX) and operated by the Division of Planning. Acceptance of these funds for Fiscal Year 2014 was approved by Council on April 25, 2013 (Resolution No. 179-2013).

The approved grant project provides for the design and implementation of a marketing campaign that will increase the public's awareness of air quality issues and encourage the use of transportation alternatives. The ultimate goal of the air quality program is to ensure air quality conformity in accordance with the state of Kentucky's implementation plan. A Request for Proposals (RFP-#26-2012) was issued in August 2012 soliciting proposals from interested firms for the design and implementation of a marketing campaign in Fiscal Year 2013. Of the three proposals received, Group CJ, LLC was selected for contract award. In addition to contract award in Fiscal Year 2013, the RFP provides for a one-year renewal in Fiscal Year 2014, pending agreement by both parties and availability of funding. The Agreement in the amount of \$44,400 with Group CJ, LLC, includes design, television and radio time, print materials, commodities, and documentation of Public Service Announcements.

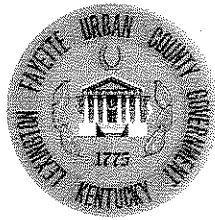
Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	160705	0001	71299	MOBILITY_2014	2014	3.4

Council authorization to execute the agreement for Fiscal Year 2014 is hereby requested.


Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: AUGUST 5, 2013

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF FEDERAL FUNDS FROM THE KENTUCKY ENERGY AND ENVIRONMENT CABINET FOR ENVIRONMENTAL PROTECTION/KENTUCKY DIVISION OF WATER FOR IMPLEMENTATION OF THE WOLF RUN WATERSHED BASED PLAN

The Kentucky Energy and Environment Cabinet for Environmental Protection/Kentucky Division of Water has offered the Lexington-Fayette Urban County Government an award of federal funds in the amount of \$300,000 for implementation of the Wolf Run Watershed Based Plan. In March 2013 the *Wolf Run Watershed Based Plan* was completed. This plan lays out a path forward to improve water quality in Wolf Run and its tributaries through public involvement, education, and implementation of Best Management Practices (BMPs).

The goals for this project relate to successful implementation of two of the High Priority BMPs identified in the *Wolf Run Watershed Based Plan*. Goals include improvement of warm water aquatic habitat and reduction of non-point source pollution entering Gardenside Tributary, Cardinal Run, Vaughn's Branch, and Wolf Run through Retrofit of the Cross Keys Park Retention Basin and Stream Enhancement and Constructed Wetlands in Picadome Park. Public involvement and public education goals are tied to BMP implementation efforts.

Project Activities include engineering evaluations, design, permitting, and construction activities related to successful completion of the two High Priority BMP projects. Project Activities related to public involvement and education include holding public meetings with a design charrette and collaboration with the established Wolf Run Watershed Council.

The source of federal funds is the Environmental Protection Agency's Section 319(h) Nonpoint Source Pollution Control Program. A 40% match in the amount of \$200,000 is required. Matching funds are being budgeted from personnel costs in the divisions of Water Quality and Environmental Policy (\$36,000) and \$164,000 from the Water Quality Management Fund. Total project cost is \$500,000.

Council authorization to accept the award is hereby requested.


Irene Gooding, Director

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



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

Jim Gray
Mayor

Richard Moloney
Commissioner

MEMORANDUM

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director

Date: July 31, 2013

Re: Requesting authorization for Property, Right of Way and Easement Acquisition
Project ID: Walhampton_2012 (Walhampton Stormwater Improvements)

The purpose of this memorandum is to request a resolution authorizing the acceptance of deeds of permanent right of way and acquisition of storm sewer easements from the owners of record on properties for the Walhampton Stormwater Improvements project. Fair market values have been determined and will be used in the presentation of the offers. The cost of the acquisitions is not to exceed \$410,000.00.

The acquisitions are for the Walhampton Drive Stormwater Priority Project (#61.2). This project is to mitigate home and street flooding in the Walhampton Drive area. This project is Consent Decree related.

Funds for the payments are currently budgeted in the following account:

<u>Account Number</u>	<u>Project/Grant</u>	<u>Activity</u>	<u>Budget Ref.</u>	<u>Amount</u>
4052-303204-3334-92211	Walhampton_2012	Construct	2012	\$410,000.00

Questions regarding this project may be directed to Ben Krebs, Municipal Engineer Sr. at 859-258-3426.

C: Richard Moloney, Commissioner
Greg Lubeck, Stormwater Section Manager



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 H. Martin, P.E., Director
Division of Water Quality

Date: August 5, 2013

Re: Request to Amend Resolution #190-2013

The Division of Water Quality requests authorization to amend Resolution #190-2013 to accept the second lowest bid for Invitation to Bid #16-2013 for demolition and removal of the secondary digester blend tank damaged cover.

The original bid was awarded to MCM Demolition for \$26,500.00; however, in June 2013 they notified the Division that they would be unable to complete the work. A letter from MCM Demolition is attached.

The next lowest bid was received from Pace Contracting for \$30,000.00. Pace Contracting has agreed to honor the bid amount originally submitted. A letter confirming this is attached.

We are recommending award of this project to Pace Contracting.

Funding for this project is located in:

4002 303402 0001 91017	\$26,500.00
4002 303402 0001 76101	\$ 3,500.00

Please feel free to contact me if you have any questions or concerns regarding this matter.



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0841-13

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: July 25, 2013

SUBJECT: Request Council Authorization to Execute Change Order #4 with Triton Services, Incorporated in the Amount of \$6,801.00 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. 4 for \$6,801.00 with Triton Services Incorporated, Mason, Ohio for the HVAC and Piping Repair for the Phoenix Building project. The new contract total is \$241,371.00.

The change order compensates the contractor for performing in scope work after hours in lieu of during normal operating hours. Some facets of the cooling tower work require the cooling tower be taken offline. In order to maintain a comfortable and safe working environment for building occupants it is preferable to perform this work after normal operating hours. This change order also includes the relocation an existing heat pump and ductwork to three other heat pumps.

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2602	707501	7041	91013	\$6,801.00

Council authorization to execute Change Order No. 4 to the agreement with Triton Services Incorporated in the amount of \$6,801.00 is hereby requested.



Geoff Reed, Commissioner

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

JUSTIFICATION FOR CHANGE

PROJECT: HVAC and Piping Repair for the Phoenix Bldg.

CONTRACT NO. 145-2013

0841-13

CHANGE ORDER: 4

1. Necessity for change: Cooling tower work (in scope) requires taking the cooling tower offline which would be uncomfortable and possibly dangerous to building occupants. Performing this work after normal operating hours is preferred under these circumstances. Relocation and connection due to missed units.
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: Doing this work after normal operating hours ensures building occupant comfort and safety.
8. Effect on contract completion date: None

Recommended by _____ Mayor _____ Date _____
 (Project Manager)

Approved by _____ (Grant Manager)

Contract History FormContractor: Triton Services, Inc.Project Name: HVAC and Piping Repair for the Phoenix BuildingContract Number and Date: 145-2013, April 11, 2013Responsible LFUCG Division: General ServicesChange 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>\$16,130.00</u>	<u>7.38%</u>
C.	Total Contract Amount Prior to this Change Order	<u>\$234,570.00</u>	
<u>Current Change Order (#4)</u>			
D.	Amount of this Change Order	<u>\$6,801.00</u>	<u>3.11%</u>
E.	New Contract Amount Including this Change Order	<u>\$241,371.00</u>	<u>110.50%</u>

Signature LinesProject Manager:  Date: 7/25/13

Reviewed By: _____ Date: _____

Division Director: _____ Date: _____



TO: Lexington Fayette Urban County Government
DATE: July 8, 2013
RE: Phoenix Building Project
Change Order for BAC Repair Shift Differential
ATTENTION: Matt Branham

The remaining repairs on the BAC cooling tower require forty (40) man hours to complete.

This work has been requested to be performed during weekend hours versus the normal business hours allotted for this task, as bid and requested.

The total sum difference is \$2,141.00. This is the difference between forty (40) regular man hours versus twenty (20) overtime and twenty (20) double time hours.

This will allow the BAC tower to be dropped off line without impacting the comfort of the entire building.

Thank you,

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

Jeff Mitchell
Operations Manager

ESTIMATE RECAP

				DATE: 7/9/2013	C.O.#	5
Job Number: 134692 Phoenix Building LFCUG						
DESCRIPTION OF COSTS	LABOR			MATERIAL COSTS	This change order covers the labor and materials required to install new duct and return filter grilles on four WSHP's on the seventh floor	
	mh's	rate	cost			
1. Equipment	39	\$ 74.00	\$ 2,886.00			
2. Material				\$ 1,508.00		
3. Expendables *	~	~	~			
4. Equip./tool rentals*	~	~	~			
5. Drafting/ sketching			\$ -			
6. Coordination			\$ -			
7. Supervision			\$ -			
8. Clean-up			\$ -			
9. Warranty	~	~	\$ -			
10. Start-up / Testing			\$ -			
11. Trucking	~					
12. Parking / Travel	~	~	\$ -			
13. Subtotal	39 mh's		\$ 2,886.00	\$ 1,508.00		
14. Total Labor & Material:				\$ 4,394.00		
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:				\$ 4,394.00		
23. Profit:		5%		\$ 219.70		
24. Total Cost & Profits before Bonds and other cost				\$ 4,613.70		
25. Bond:		2.26%		\$ 45.85		
26. Sales Tax: (* expendables and rentals taxable on public work)				private work 0.00%	public work 0.00%	\$ -
27. Permits:		HVAC: \$ -	Press. Piping: \$ -	Boiler: \$ -	\$ -	
28. TOTAL PRICE OF CHANGE PROPOSAL:				\$ 4,660.00		
29. Extension of Time due to this Change Order is:				Workdays	<input checked="" type="checkbox"/>	Deferred
30. This proposal based on: <input type="checkbox"/> Straight Time <input type="checkbox"/> Overtime				Overtime	<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 type="checkbox"/> Included	<input checked="" type="checkbox"/> Deferred	<input type="checkbox"/> N / A		
COMMENTS: labor and materials to cover the water source heat pumps found on the fifth and seventh floor. (two total)						



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

TO: MAYOR JIM GRAY
URBAN COUNTY COUNCIL

FROM: KEVIN ATKINS *KRA*
CHIEF DEVELOPMENT OFFICER

DATE: AUGUST 2, 2013

RE: CATHOLIC HEALTH INITIATIVES KEDFA INDUSTRIAL BUILDING REVENUE
BONDS

This is to request adoption of a resolution supporting Catholic Health Initiatives (CHI) request to the Kentucky Economic Development Finance Authority (KEDFA) Industrial Building Revenue Bond application in an amount not to exceed \$158,195,000 for the purposes of financing and refinancing various projects in Kentucky, to finance cost of issuance of the Bonds and, if deemed necessary or desirable, to fund a debt service reserve for the bonds.

Sections 154 and 103 of the Kentucky Revised Statutes (KRS) authorizes KEDFA to issue the bonds if requested by the legislative body of the city or county in which a project (or portions of the project) is to be located. A portion of the projects to be financed or refinanced with proceeds of the Bonds are located within Lexington. The Industrial Revenue Bond Review Committee approved the request at their meeting on Tuesday, June 30, 2013.

Lexington-Fayette Urban County Government (LFUCG) will incur no expenses related to this action and all risk or repayment of the Bond is borne by CHI.

FOLLOW MAYOR GRAY:

www.facebook.com/JimGrayLexKY www.twitter.com/JimGrayLexKY



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

Jim Gray
Mayor

Richard Moloney
Commissioner

Memorandum

To: Mayor Jim Gray
Urban County Council

From: Vernon Azevedo
Vernon Azevedo, P.E.,
Remedial Measures Program Manager

Date: July, 31 2013

Re: Contract Extension/Change Order (No. 2) for Hazen & Sawyer, PSC to Continue Project Management of Remedial Measures Plans Implementation

The purpose of Change Order #2 is to request authorization of a contract extension to the existing agreement with Hazen and Sawyer, PSC (H&S) to continue project management of the Remedial Measures Plans (RMP) implementation as outlined in RFP#26-2010.

Resolution #394-2010, in the amount of \$2,000,000, was for the development of three Sanitary Sewer System Assessment reports for submission to the United States Environmental Protection Agency (EPA) and the Kentucky Energy and Environment Cabinet's Division of Water (DOW) in accordance with the requirements of the Consent Decree. Also in accordance with the Consent Decree, Change Order #1 with H&S (Resolution #571-2011), in the amount of \$1,500,000, was for the development of the three Remedial Measures Plans (RMP) for submission to EPA and DOW delineating the capital implementation schedule of projects.

Change Order #2 requests authorization to encumber the remaining \$1,444,145.95 Council previously budgeted for the RMP project. As outlined in the original Request for Proposal for the RMP, H&S will continue to provide project management assistance during the implementation of the \$592,000,000 RMP capital projects. With the help of H&S, implementation of the RMP projects is currently on schedule.

Funds are fully budgeted in 4003-303401-3425-71205 and 4003-303401-3425-92811.

Questions regarding this agreement should be directed to Vernon Azevedo at 425-2438.

Pc: Richard Moloney, Commissioner, Department of Environmental Quality
Charles H. Martin, P.E., Director, Division of Water Quality
Todd Slatin, Director, Division of Purchasing
John B. Steinmetz, P.E., Hazen & Sawyer
Courtney Thacher, Remedial Measures Program

SIGNATURES TO CHANGE ORDER - RMP Contract Extension

Change Order #2 Amount -- \$1,444,145.95

ACCEPTED:**Hazen and Sawyer. P.S.C.**DATE: 8/5/13BY: John B. Steinmetz
John B. Steinmetz, P.E., Senior Associate**RECOMMENDED:****Lexington-Fayette Urban County Government**DATE: 7-31-13BY: Vernon Azevedo
Vernon Azevedo, P.E., Remedial Measures Program Manager**REVIEWED:****Lexington-Fayette Urban County Government**DATE: 8-5-13BY: Richard Moloney
Richard Moloney, Commissioner
Department of Public Works and Environmental Quality**APPROVED:****Lexington-Fayette Urban County Government**

DATE: _____

BY: _____
Jim Gray, Mayor

CONTRACT HISTORY FORMContractor: Hazen and Sawyer, P.S.C.Project Name: Sanitary Sewer Assessment Reports and Sanitary Sewer
and WWTP Remedial Measures PlansContract Number and Date: Resolution #394-2010 July 6, 2010Responsible LFUCG Division: Division of Water Quality**CHANGE ORDER DETAILS****Summary of Previous Change Orders
To Date****Dollar Amount****Percent Change to
Original Contract**A. Original Contract Amount: \$ 2,000,000.00B. Cumulative Amount of
Previous Change Orders: \$ 1,500,000.00 75% %
(Line B / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 3,500,000.00**Current Change Order**D. Amount of This Change Order: \$ \$1,444,145.95 72% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 4,944,145.95 247% %
(Line E / Line A)**SIGNATURE LINES**Remedial Measures Program Manager: Vinny AguirreDate: 7-31-13Department Commissioner: [Signature]Date: 8-5-13

SIGNATURES TO CHANGE ORDER - RMP Contract Extension

Change Order #2 Amount -- \$1,444,145.95

ACCEPTED:

Hazen and Sawyer. P.S.C.

DATE: 8/5/13BY: John B. Steinmetz
John B. Steinmetz, P.E., Senior Associate**RECOMMENDED:**

Lexington-Fayette Urban County Government

DATE: 7-31-13BY: Vernon Azevedo
Vernon Azevedo, P.E., Remedial Measures Program Manager**REVIEWED:**

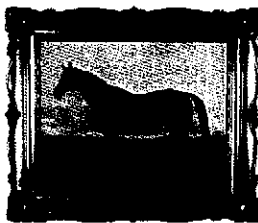
Lexington-Fayette Urban County Government

DATE: 8-5-13BY: Richard Moloney
Richard Moloney, Commissioner
Department of Public Works and Environmental Quality**APPROVED:**

Lexington-Fayette Urban County Government

DATE: _____

BY: _____
Jim Gray, Mayor



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

TO: MAYOR JIM GRAY
URBAN COUNTY COUNCIL

FROM: KEVIN ATKINS *KEA*
CHIEF DEVELOPMENT OFFICER

DATE: AUGUST 5, 2013

RE: TIF FOR SUMMIT LEXINGTON DEVELOPMENT AREA

Bayer Properties, the developer of the proposed Summit project, has requested the establishment of a TIF development area to be known as the "Summit Lexington Development Area" in which state and local incremental tax revenues could be used to pay for public infrastructure related to the project. The initial step in this process is the establishment of the development district and the submission of Local Participation Agreement to the state. The development area is approximately 60 acres. The private investment is estimated to be \$66 million with \$26.5 million in additional public infrastructure.

Council approval of an ordinance establishing the district and authorizing the Mayor and the Commissioner/Department of Finance to execute the Local Participation Agreement and any other necessary related documents is requested.

FOLLOW MAYOR GRAY:

www.facebook.com/JimGrayLexKY www.twitter.com/JimGrayLexKY



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

Jim Gray
Mayor

Richard Moloney
Commissioner

MEMORANDUM

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

From: Kevin Wentz

Date: August 5, 2013

RE: Request for transfer of right-of-way – 1324 Camden Ave

This memorandum is to request, via Urban County Council authorization, the transfer of LFUCG right-of-way to the adjacent property owner located at 1324 Camden Ave. LFUCG Division Directors and utility company representatives have responded with comments and consented to this request. The adjacent property owner will accept full responsibility of the maintenance and repair of the right-of-way. I am requesting Council authorization of the transfer as presented and execution of all related documents. Should you have any questions regarding this request please feel free to contact me at 258-3407.

ROW Transfer Request



70
0851-13

CAMDEN

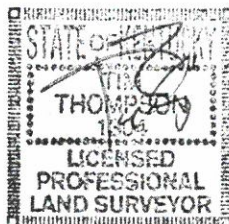


I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A RANDOM TRAVERSE SURVEY PERFORMED BY TIM THOMPSON IN NOV. 2012 AND A SUBSEQUENT SURVEY PERFORMED IN MARCH 2013 WITH AN UNADJUSTED FIELD CLOSURE OF 1 IN 41,886. THE TRAVERSE WAS NOT CLOSED OR BALANCED. BEARINGS BASED ON KY NORTH GRID FROM TIE TO LFUCG CONTROL MONUMENT STA 0028. STEEL PINS SET ARE 3/4" DIA. BY 18" LONG RE-BAR WITH ID CAP LS #1304. MAG NAILS SET ARE 1/4" DIA. BY 2" LONG WITH ID WASHER LS #1304.

Tim Thompson APR 3, 2013
TIM THOMPSON, LS 1304 DATE

TIM THOMPSON, LS 1304

DATE _____



IMPERIAL WALLER, LLC
DB 2702, PG 708

PERIAL WALLER, LLC
DB 2702, PG 708

NRFC HOLDINGS, LLC
DB 3055, PG 328

3/4" BY 18" STEEL REBAR SET
WITH ID CAP # 1304

△ 1/4" BY 2" MAG NAIL SET
WITH ID WASHER # 1304

MONUMENT FOUND (STATED)

○ MEANDER POINT

MONUMENT FOUND (STATED)

PARRISH ADDITION
PC, "E", SL. 256

ANDERSON COMMUNITIES
1720 SHARKEY WAY, SUITE 100
LEXINGTON, KY 40511



SCALE: 1"=40'

1. THE 20 FT. PASSWAY SHOWN HEREON IS THAT SHOWN ON THE SUBDIVISION PLAT FOUND IN CAB. "E", SL. 256 AND KNOWN AS THE PARRISH ADDITION.

DATE: 1 APRIL 1, 2013

THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

TIM THOMPSON
Professional Engineer
Land Surveyor

232 Henton Court
Versailles, KY 40383
(859) 873-5252



FILE: 1324_CAMDEN.DWG

PLAT OF SURVEY OF
A TWENTY FOOT PASSWAY
ADJACENT TO
1324 CAMDEN AVE.

LEXINGTON, FAYETTE CO., KY 40503

LEGAL DESCRIPTION OF A 0.069 ACRE,
TWENTY FOOT WIDE PASSWAY TRACT
CAMDEN AVENUE-PARRISH ADDITION
LEXINGTON, FAYETTE COUNTY, KY 40503

That tract of land lying in Lexington, Fayette Co., KY, shown as a 20 ft wide Passway on a Plat of the Parrish Addition to the city of Lexington recorded in Cabinet "E", Slide 256, said tract lying southwest of Lot 71, (now known as 1324 Camden Avenue) and said tract being further described as follows:

"Beginning at a steel pin set in the southeast right-of-way (50 ft total) of Camden Avenue, said point being the west corner of Lot 71 (Anderson Burley, LLC; DB 3094, PG 575) of the Parrish Addition as shown in Cabinet "E", Slide 256, thence from said point and with the southwest line of Lot 71

S 58° 51' 14" E 150.33 feet to a steel pin set at the west corner of Lot 104 of the Parrish Addition and said point being in the northwest line of Imperial Waller, LLC; DB 2702, PG 708), and said point being the east corner of the 20 ft Passway, thence with the northwest line of Imperial Waller, LLC and crossing the 20 ft Passway

S 34° 57' 36" W 20.04 feet to a steel pin set at the south corner of the 20 ft Passway, said point being in the northeast line of NRFC Holdings, LLC; DB 3055, PG 328, thence with said northeast line

N 58° 51' 14" W 150.33 feet to a steel pin set in the southeast right-of-way of Camden Avenue, said point being the west corner of the 20 ft Passway, thence with the southeast right-of-way of Camden Avenue

N 34° 57' 36" E 20.04 feet to the point of beginning and containing 0.069 acres more or less and subject to any and all easements or rights of way whether of record or not."

This description is based on an Urban Survey performed in Nov. 2012 and a subsequent survey performed in March 2013 with a unadjusted field closure of 1 in 41,886. The survey complies with 201 KAR 18:150. The survey was not closed or balanced. The basis for bearings is Kentucky Grid North Zone. Steel pins set are 3/4 inch diameter by 18 inch long re-bar with ID cap "LS 1304". Mag-nails set are 1/4 inch diameter by 2 inches long with ID washer "LS 1304".



Lexington & Fayette County Parking Authority

101 E. Vine St., 1st Floor • Lexington, KY 40507 ☎ 859.233.PARK (7275) 📠 859.425.2292



MEMORANDUM

DATE: July 22, 2013

TO: CM Ford, VM Linda Gorton, and CAO Sally Hamilton

FROM: Gary A. Means, Executive Director
Lexington & Fayette Co. Parking Authority

RE: *Residential Parking Permit District – Miller Street*

In early April, 2013, the residents of Miller Street requested the establishment of a Residential Permit Parking District for the following times: 24 hours per day, Monday through Sunday.

The Lexington and Fayette County Parking Authority staff determined that this area of Miller Street contains approximately 5 legal parking spaces totaling 5 for the Study area. The 5 parking spaces are located on the South side of Miller Street, near the addresses of 220-240 Miller Street. A study was conducted between June 19th and July 2nd of 2013 (business days only) using license plate information of vehicles registered to residents in this Study area. This Study data revealed that non-residents used most all of the available curbside parking.

In order for a street or part of a street to be qualified for the RPP District designation, Section III-(b) items (1) and (2) of the Residential Parking Permit Program must be met. Section III-(b) items (1) and (2) state:

- (1) The total number of curbside parking spaces occupied by vehicles equals or exceeds seventy-five percent (75%) of the number of curbside parking spaces on the public streets, roads and highways of the proposed residential parking permit area; and
- (2) The total number of curbside parking spaces occupied by vehicles whose operators do not reside within the proposed residential parking permit area equals or exceeds twenty-five percent (25%) of the total number of curbside parking spaces occupied by vehicles.

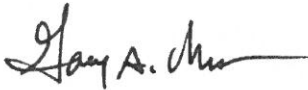
The attached spreadsheet shows that the range of available curbside parking spaces utilized for all vehicles ranged from 1 spaces (20.00% of available) to 5 spaces (100.00% of available). The *minimum* number of vehicles owned by *residents* observed in the available curbside spaces was 0 vehicle (0% of available), and the *maximum* observed

was 0 vehicles (0% of available). The *minimum* number of vehicles owned by *nonresidents* observed in the available curbside spaces was 1 vehicles (20.00% of available), and the *maximum* observed was 5 vehicles (100.00% of available). Therefore, the requirement of Section III-(b) (1) was met on 3 of the 10 days during the study, and the requirement of Section III-(b) (2) was met on 8 of the 10 days during the study.

Based upon the above study, the criteria defined in Section III-(b) of the Residential Parking Permit Program has been satisfied. Therefore, the Lexington & Fayette County Parking Authority recommends that this section of roadway be designated as a Residential Permit Parking District.

If you need further information concerning this matter or wish to discuss it further, please contact me at 859-233-PARK (7275).

Sincerely,



Gary A. Means
Executive Director

Attachments: Copy of Residential Parking Permit Program, Section III-(b), (1) and (2)
Copy of petition
Spreadsheet of study results

Cc: Chris Ford, 1st District Councilmember
Brad Frazier, Traffic Engineer
Sherry Aytes, LEXPARK
Benjamin Gallagher, Resident 227 Miller Street, Neighborhood Representative



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: AUGUST 6, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FUNDS FROM THE BLUEGRASS COMMUNITY
FOUNDATION FOR SUPPORT OF A LOCAL FOOD
COORDINATOR PROJECT IN THE MAYOR'S OFFICE— FY 2014**

Bluegrass Community Foundation in conjunction with a Local Food Coordinator Advisory Committee has accumulated funding from several sources to support the creation of a Local Food Coordinator position in the Office of the Mayor. The Local Food Coordinator's responsibilities will include serving as an advocate for policies, provide education, convene potential collaborators, and support projects that lead to increased markets for local farm products. The position will also support consumer education, with an emphasis on underserved populations by encouraging nutrition education and increasing the availability and purchase of wholesome foods to underserved populations.

Funds to support this project come from the Kentucky Agricultural Development Board (\$25,000), Foundation for a Healthy Kentucky (\$25,000), Mount Brilliant Family Foundation (\$10,000), and matching funds from Lexington-Fayette Urban County Government (\$25,000). Funds will be used to support a full-time position in the Office of the Mayor under the direction of the Chief Development Officer. Total available funding for project is \$82,601.74.

Council authorization to accept award of funds in the amount of \$57, 601.74 from Bluegrass Community Foundation is hereby requested.

Irene Gooding, Director

XC: Jamie Emmons, Chief of Staff, Mayor's Office

**Neighborhood Development Funds
August 13, 2013
Work Session**

Amount	Recipient	Purpose
\$ 250.00	Martin Luther King Neighborhood Association, Inc. 362 N. Martin Luther King Blvd. Lexington, KY 40508 Travis Robinson	To assist with printing costs associated with publishing a bi-monthly neighborhood newsletter.
\$ 250.00	East End Reunion c/o Inner Youth Development, Inc. 500 Ohio Street Lexington, KY 40508 George Moorman	To help purchase event supplies for the 5th Annual East End Reunion Celebration.

ECONOMIC DEVELOPMENT COMMITTEE OF THE WHOLE

July 9, 2013
Meeting Summary

Chair Beard called the meeting to order at 1:02 PM. All members present except Gorton.

1. April 23, 2013 Committee Summary

On a motion by Lane, second Farmer, the summary of the 4.23.13 meeting was approved unanimously.

2. Itinerant Merchant Ordinance

Henson introduced the issue. She stated that she met with David Barberie after the Committee packet was distributed. She then requested that Barberie amend the draft removing sections pertaining to mobile food units as that was dealt with the Food Truck Ordinance.

Barberie summarized the revised draft ordinance (dated 7.8.13). The summary included definition, hours of operation, locations and exceptions, including an exemption for charitable organizations.

A motion was made by Akers, second Henson to approve the 7.8.13 Itinerant Merchant Ordinance.

A motion was made by Lawless, second Farmer to amend the door to door sales hours - sec 15-12(b) (2) - to 9 AM to **7PM** from 9AM to 9 PM.

Clarke spoke against the amendment. Lawless withdrew the amendment.

Motion was made by Lawless, second Farmer to amend the door to door sales hours to 9 AM to **8PM** from 9AM to 9 PM. Amendment passed on a 10-2 vote (Farmer, Lane- No; Gorton, Stinnett, Myers- Absent)

Farmer spoke against the motion as the community had not had an opportunity to review and comment on it the revised ordinance.

Lane spoke against the motion as it infringed on business activities.

Henson stated that she was in favor of the ordinance because transient businesses should be subject to increased regulation.

The original motion as amended passed on a 9-4 vote (Kay, Lane, Clarke, Farmer-No; Gorton, Stinnett-absent).

3. Commerce Lexington Quarterly Activity Report

Gina Greathouse presented the quarterly report. She discussed marketing trips to Dallas, TX; Charleston, SC; Anaheim, CA; Chicago, IL; and San Francisco, CA, as well a trade mission to Canada.

Greathouse also discussed an effort to grow the information technology, software and gaming market. She introduced John Mester with RunJumpDev. RunJumpDev sent a team to the PAX Expo in Boston with support from Commerce Lexington. He showed a video of the expo and discussed merits of this niche economy.

Bob Quick discussed the Canadian trade mission.

Greathouse discussed the recent business expansion announcements including Tiffany & Company, Toyota, the move in of Bingham McCutchen, YS Precision Stamping (in Georgetown), Transposagen Biopharmaceuticals and Birtley Processing. She also reported on launch of the minority business accelerator meant to strengthen & expand the regional minority community.

Myers voiced his support for the efforts of Commerce Lexington.

In response to a question from Akers, Greathouse stated that while YS Precision Stamping wanted to locate in Lexington, the building and site in Georgetown was ideal for their needs.

Lawless commented on the importance of economic development activities.

Clarke commented on the importance of the IT niche.

4. Economic Development Expense & Performance Reporting

Jonathan Hollinger presented information on the 2013-2014 performance reporting mechanism. He stated that he worked with Kevin Atkins, the Mayor's Office and staff with Commerce Lexington.

Myers asked that the economic impact analysis be included in future reporting.

Beard suggested including both initial job data as well as future employment added to the data.

Akers wanted to know if the reporting system would be used by other agencies. In response Hollinger stated that all of the economic development partner agencies would be required to submit similar information.

5. Collaborative Economic Development Activities

Kevin Atkins reported that his office will be hosting quarterly meetings with the economic development partner agencies so that the group can work more collaboratively.

Clarke spoke in favor of the collaboration efforts.

The meeting adjourned at 2:15 PM.

Summary of Itinerant Merchant Ordinance

1. Regulates peddlers, itinerant merchants and door-to-door sales. Excludes licensed mobile food unit vendors.
2. General health, safety, welfare regulations (Section 15-12 (a)).
3. Hours of operation (Section 15-12(b)) -
 - a. Itinerant Merchants 7 a.m. to 11 a.m. If there is also permanent business located on the same property the merchant may stay open as late as the permanent business.
 - b. Door-to-door sales 9 a.m. to 8 p.m.
4. Locations –
 - a. Both peddlers and itinerant merchants are prohibited from locating in areas that are otherwise prohibited or which would cause crowding or access issues. (Section 15-12(c)).
 - b. Itinerant Merchants are also prohibited from operating on public property or within a residential or within 100 feet of a residential zone. There is an exception if the property is owned or operated by a not-for-profit and the merchant has permission. (Section 15-12(d),(e)).
 - c. Exceptions for license Mobile Food Unit Vendors, wholesalers, bazaars, and yard sales. (Section 15-13).
5. Penalty of not more than \$250. (Section 15-14).
6. Effective date of 30 days after passage.

ORDINANCE NO. ____-2013

AN ORDINANCE CREATING SECTION 15-12 OF THE CODE OF ORDINANCES, LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PERTAINING TO THE GENERAL REGULATION OF ITINERANT MERCHANTS, PEDDLERS, AND DOOR-TO-DOOR SALES AND PROVIDING FOR GENERAL CONDUCT, PUBLIC SAFETY, TRANSIENT MERCHANT REGISTRATION, PARKING RESTRICTIONS, MAINTENANCE, GARBAGE AND RECYCLING REQUIREMENTS, NOISE AND LIGHTING RESTRICTIONS; HOURS OF OPERATION FROM 7 A.M. TO 11 P.M. OR LATER AND FROM 9 A.M. TO 8 P.M. FOR DOOR-TO-DOOR SALES; LOCATION RESTRICTIONS FOR PEDDLERS AND ITINERANT MERCHANTS WITH ADDITIONAL RESTRICTIONS FOR ITINERANT MERCHANTS; NO SALES BY ITINERANT MERCHANTS ON PUBLIC PROPERTY; CREATING SECTION 15-13 OF THE CODE OF ORDINANCES PROVIDING FOR EXCEPTIONS FOR MOBILE FOOD UNIT VENDORS, WHOLESALERS, BAZAARS, MALLS, YARD AND GARAGE SALES, AND NOT-FOR-PROFITS; AND CREATING SECTION 15-14 OF THE CODE PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$250.00; ALL EFFECTIVE THIRTY (30) DAYS FROM PASSAGE.

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

Section 1 - That Section 15-12 of the Code of Ordinances be and hereby is created and enacted to read as follows:

Sec. 15-12. *Requirements – peddlers and itinerant merchants.*

- (a) *General Requirements.* In addition to the licensing and other general requirements contained in the code of ordinances relating to peddlers and itinerant merchants, each such business shall also comply with the following requirements at all times while conducting business in Fayette County:
 - (1) All applicable federal, state, or local laws or regulations pertaining to their conduct and operations.
 - (2) Operate in a manner that ensures the safety of patrons, pedestrians and the public.
 - (3) If the business is a “transient” merchant, as defined in KRS 365.650, have filed a completed transient merchant application as required by KRS 365.665 with the division of revenue at least ten (10) days prior to conducting business.
 - (4) Shall not park or operate in a manner which prohibits others from parking in otherwise available spaces or areas or which creates a traffic hazard.
 - (5) Ensure that any vehicle, other conveyance, structure, or stand used in the operation of the business is maintained and kept in good operating order.
 - (6) Shall provide, in a prominent location, trash and recycling container(s) sufficient in size to collect all waste and recyclables generated by customers and staff of the vendor. All trash and debris related to the

operation shall be collected by the vendor throughout the duration of their vending and deposited in their own trash or recycling container(s) and removed from the site by the vendor. Such waste shall not be placed in urban county government trash receptacles. The vendor shall be responsible for any litter or debris located within a five feet (5') radius of their unit, including sidewalks in the immediate vicinity. Provide or make available garbage receptacle(s) sufficient for customer use.

- (7) Ensure that its operations do not violate, or contribute to a violation of the noise ordinance (section 14-70 through 14-80 of the code, as may be amended).
 - (8) Shall only use lighting which is located within the area lawfully permitted for conducting the business and which does not cause any glare that could be considered a public hazard, nuisance or distraction to vehicular movement, neighboring business operations or residential uses. No flashing or strobe lighting shall be permitted.
 - (9) Ensure that any and all signs are compliant with any ordinances or regulations pertaining to signage and located only within the area lawfully permitted for conducting the business.
 - (10) Ensure that all merchandise, goods, or wares are only displayed or offered for sale within the area lawfully permitted for conducting the business.
 - (11) Shall not use any electrical outlet located within the public right-of-way or on public property, unless specifically authorized by the urban county government or, if required, the utility company. A vendor shall not create any tripping or other hazard related to its use of electricity.
 - (12) Shall not block access to or use of, any public bench or any public utility pole or set up any chairs or tables on the public right-of-way.
 - (13) Shall not in any manner damage public property or the public right-of-way. Examples, include, but are not necessarily limited to, using stakes, rods or any method of support that is required to be drilled, driven or otherwise fixed in asphalt pavement, curbs, sidewalks or buildings. The vendor shall be solely responsible for any such damage.
 - (14) Shall not locate or operate within an area closed for an emergency.
- (b) *Hours of operation.* No peddler or itinerant merchant shall engage or attempt to engage in business except during the hours of operation provided herein.
- (1) Unless otherwise authorized by the urban county government, the general lawful hours of operation shall be limited to the hours of 7:00 a.m. to 11 p.m.

However, the hours of operation shall be allowed to continue after 11 p.m. if a permanent business also located on that parcel of property is open to the general public. In those instances, the peddler's or itinerant merchant's operation may lawfully continue to conduct business until the time at which such a permanent business is closed to the general public.

- (2) Door-to-door sales are limited to the hours of 9 a.m. to 8 p.m. Door-to door sales means going from dwelling unit to dwelling unit (i.e., house, apartment, condominium, etc.) or from business to business in Fayette County selling or taking orders for, or offering to sell or take orders for, goods, wares and merchandise for present or future delivery or for services to be performed immediately or in the future whether such person has, carries or exposes a sample of such goods, wares and merchandise or not and whether he/she is collecting advance payments on such sales or not.
- (c) *Locations.* Unless otherwise permitted or authorized by the urban county government, no peddler or itinerant merchant shall locate, conduct business, or solicit in the following manner or within the following specified areas or locations:
- (1) Within an urban county government park unless permission of the urban county government is obtained pursuant to section 14-62 of the code of ordinances;
 - (2) In a location which causes a violation of section 17-5 of the code of ordinances (congregating so as to obstruct sidewalk), or which causes people to congregate in any street, avenue, or alley which is open to vehicular traffic;
 - (3) In a location or manner that restricts pedestrian access to any other business or building;
 - (4) In or upon any public right-of-way or public property within one hundred (100) feet of the defined boundary for a Lexington-Fayette Urban County Government permitted special event, or any other event sponsored by the urban county government, without the written permission of the event organizers or the department or division sponsoring said event or unless otherwise authorized by the urban county government.

All distances shall be measured at the shortest distance between the nearest point of the vending operation's location to the closest property line or district.

- (5) Within any other area or location in which such activity is otherwise prohibited or restricted unless all necessary permission or approval is otherwise obtained, including but not limited to the "Lexington Center Area" (section 15-1.1 of the code of ordinances).
- (d) *Additional location restrictions on itinerant merchants.* In addition to the restrictions listed in subsection 15-12(c),

above, no itinerant merchant shall locate, conduct business, or solicit in the following manner, or within the following specified areas or locations:

- (1) Within a Residential Zone, or within a land use zone where the underlying business activity would otherwise be prohibited under the zoning ordinance.
- (2) Within one hundred (100) feet of the property line of a dwelling unit located in an area zoned as a Residential District under the Lexington-Fayette County Zoning Ordinance.

All distances shall be measured at the shortest distance between the nearest point of the vending operation's location to the closest property line, district, or other merchant or vendor.

- (3) These restrictions shall not apply to locations owned or operated by religious, charitable, health, welfare, educational, political, or youth service organizations or neighborhood or homeowner's associations as long as the vending activities are expressly permitted in writing by the organization or association.
- (e) No itinerant merchant shall locate, conduct business, or solicit on public property, including but not limited to the public right-of-way, unless the merchant has obtained any additional appropriate licensure and such property has been designated for such use by the urban county government through a resolution, ordinance, or the adoption of a pilot program, or the government has otherwise provided express permission for such conduct.

Section 2 - That Section 15-13 of the Code of Ordinances be and hereby is created and enacted to read as follows:

Sec. 15-13. *Exceptions.*

- (a) The provisions of section 15-12 of the code of ordinances shall not apply to the following:
 - (1) Properly licensed Mobile Food Unit Vendors, as defined in section 15-11.1 of the code of ordinances.
 - (2) The selling of personal property at wholesale to dealers in such articles; to newspaper carriers or newspaper vendors; to merchants or their employees in delivering goods in the regular course of business; or to vendors' products distributed or sold to regular customers on established routes.
 - (3) The selling or soliciting for the sale of goods or services at a properly licensed bazaar or sales exhibition, or on property owned or operated by the Commonwealth of Kentucky.
 - (4) The selling or offering for sale or distribution from interior private pedestrian circulation areas of shopping centers or malls of products to pedestrians

which are traversing such areas or patrons of retail stores. Such merchants or vendors are required to obtain a temporary mall merchant license pursuant to chapter 13 of the code of ordinances unless otherwise exempt.

- (5) Yard sales, garage sales, bake sales or other similar types of activities. These activities must be temporary in nature and must comply with all local ordinance and zoning ordinance provisions and must not be located on public property or public right-of-way unless expressly authorized by the urban county government.
- (b) The provisions of sections 15-12(b), (c), and (d) of the code shall not apply to vending activities by appropriately permitted merchants at a Lexington Fayette Urban County Government Special Event.
- (c) No license shall be required for any member or members of a religious, charitable, health, welfare, educational, political or youth service organization selling or offering to sell goods or services to raise funds for the work of such organization and for no other purpose.

Section 3 - That Section 15-14 of the Code of Ordinances be and hereby is created and enacted to read as follows:

Sec. 15-14. *Penalty.*

Any person convicted of violating any provision of section 15-12 of the code of ordinances shall be subject to a fine of not more than two hundred fifty dollars (\$250.00). Each day a violation occurs shall constitute a separate offense.

Section 4 - If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5 -That this Ordinance shall become effective thirty (30) days from passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

00399010



Ad Valorem Options FY 2014

August 13, 2013

Overview

- ❖ Required Ad Valorem Dates
- ❖ Taxing Districts
- ❖ Real Estate Values
- ❖ Taxing Options
 - General Services Fund
 - Special District Tax Rates
 - Urban Services Fund
- ❖ Questions



Required Ad Valorem Dates (KRS 132.0225)

M	T	W	TH	F
JULY 22 CERTIFICATION DATE DAY 1	23	24	25	26
29	30	31 AUGUST 1	2	
5	6	7	8	9
12	13 WORK SESSION DISCUSSION AND APPROVAL OF RATES	14	15 COUNCIL MEETING FIRST READING OF TAX RATES	16 FIRST ADVERTISEMENT*
19 SECOND ADVERTISEMENT*	20 WORK SESSION	21	22	23
26	27 WORK SESSION	28	29 COUNCIL MEETING PUBLIC HEARING** SECOND READING OF TAX RATES	30
SEPTEMBER 2	3 DAY 45	4		



Taxing Districts

LFUCG Taxing Districts

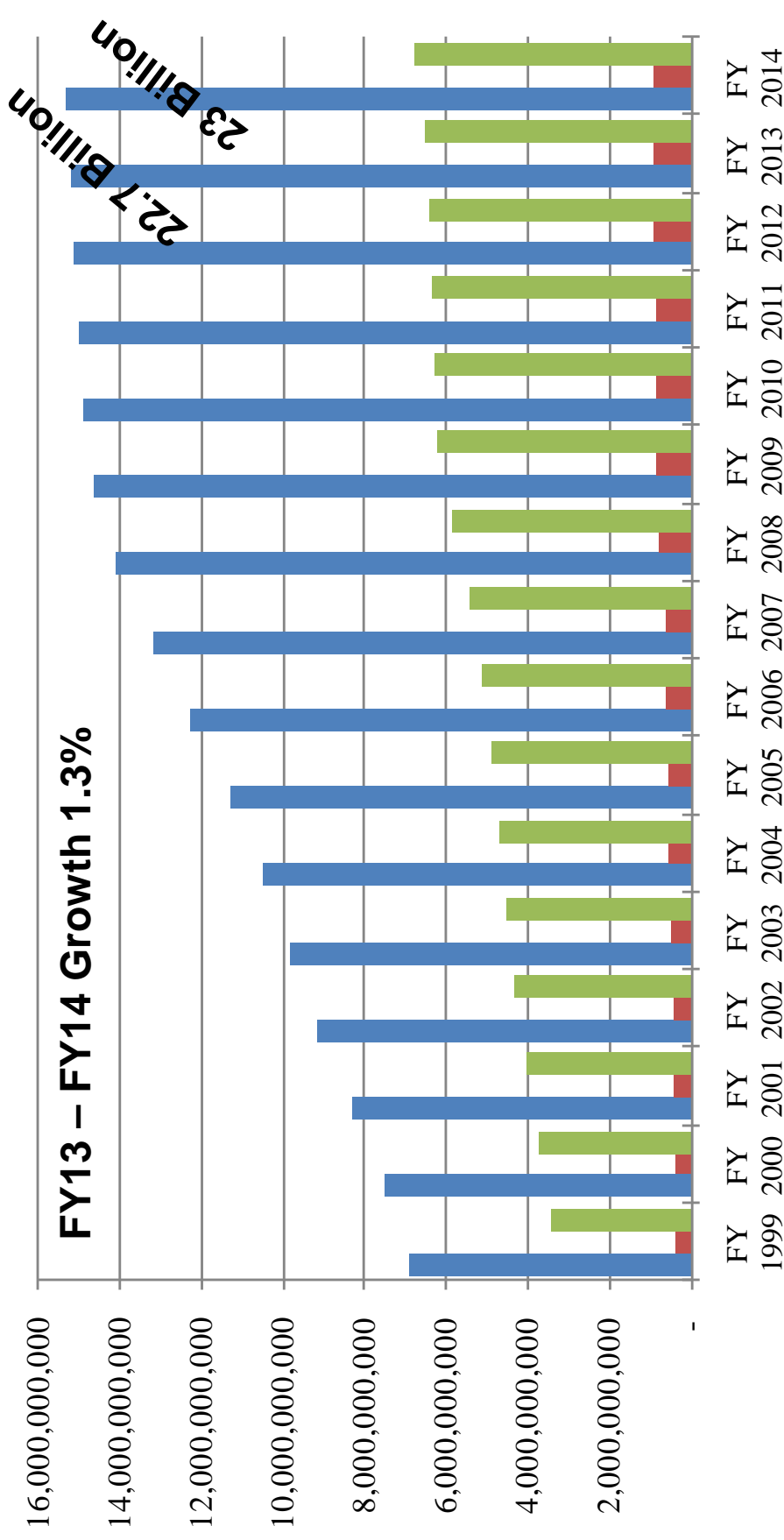
- ❖ General Services
- ❖ Urban Services
 - Street Lights
 - Refuse
 - Street Cleaning

Special Taxing Districts

- ❖ Soil and Water Conservation District
- ❖ Agricultural Extension Service
- ❖ Health Department



Real Estate Values (General Services)



Ad Valorem Tax Rate Options for Consideration

1. Keep Rate the Same
2. Compensating Rate – provide approximately the same revenue as previous fiscal year for existing property
3. Maximum 4% Increase - highest increase that can be generated without triggering a voter recall
4. Set the rate above 4% - subject to voter recall within 45 days if petition signed by 10% of voters in the last Presidential Election (12,841)



General Services Fund (Options 1-3)

Category	Prior Year Rates	Option 1 (Prior Rates)	Option 2 (Compensating)	Option 3 (Maximum)
Real Estate	0.08	0.08	0.081	0.084
Personalty	0.099	0.099	0.1061	0.1100
Motor Vehicles/Watercraft	0.088	0.088	0.088	0.088
Tobacco in Storage	0.015	0.015	0.015	0.015
Agri. Products in Storage	0.045	0.045	0.045	0.045
Insurance Companies Capital	0.15	0.15	0.15	0.15
Aircraft	0.099	0.099	0.1061	0.1100
Watercraft (Non-Commercial)	0.099	0.099	0.1061	0.1100
Impact on FY 2014 Budget:		(\$43,680)	\$319,320	\$1,051,320



General Services – Average Tax Bill

General Fund Property Tax Bill on a \$165,000 house

Taxing District	Prior		Maximum (Plus 4 %)
	Rates	Compensating	
LFUCG			
General	\$132.00	\$133.65	\$138.60



Urban Services Fund

❖ Services

- Refuse
- Street Lights
- Street Cleaning

❖ Analysis

❖ Options



Urban Services Analysis – Street Lights

	Projected Net Income/(Loss)	Cost of Service	Increase
Unaudited FY 2013*	\$ (1,496,208)**	\$0.0210***	
Est. FY 2014	\$ (1,988,558)	\$0.0319	1.0¢ 51.7%
Est. FY 2015	\$ (2,595,286)	\$0.0331	.12¢ 3.8%
Est. FY 2016	\$ (2,356,963)	\$0.0340	.09¢ 2.9%
Est. FY 2017	\$ (2,559,955)	\$0.0352	.12¢ 3.4%
Est. FY 2018	\$ (2,775,552)	\$0.0364	.12¢ 3.4%

*Unaudited Actual Thru June

**Does not reflect the transfer of \$2,529,224 from the General Fund in FY13 or \$300,000 in capital

***Current Rate

In 2012 the street light tax was 2% of the total property tax bill in Fayette County



Urban Services Analysis – Street Cleaning

	Projected Net Income/(Loss)	Cost of Service	Increase
Unaudited FY 2013*	\$ (579)**	\$0.0094***	
Est. FY 2014	\$ 16,482**	\$0.0097	.03¢ 2.8%
Est. FY 2015	\$ (145,561)	\$0.0107	.10¢ 10.6%
Est. FY 2016	\$ (148,486)	\$0.0108	.01¢ 1.2%
Est. FY 2017	\$ (149,780)	\$0.0109	.01¢ 1.1%
Est. FY 2018	\$ (151,269)	\$0.0111	.02¢ 1.1%

*Unaudited Actual Thru June

**Does not include any capital expenditures

*** Current Rate



Urban Services Fund (Options 1-4)

Category	Prior Year Rates	Option 1 (Prior Rates)	Option 2 (Compensating)	Option 3 (Maximum)	Option 4 (Cost of Service)
Refuse Collection	.1431	.1431	.1420	.1470	.1431
Street Lights	.0210	.0210	.0210	.0218	.0319
Street Cleaning	.0094	.0094	.0100	.0100	.0097
Public Service Companies	.1735	.1735	.1730	.1788	.1847
Insurance Companies Capital	.0920	.0920	.0920	.0920	.0920
Impact on FY 2014 Budget:		\$29,000	(\$74,000)	\$1,027,000	\$2,209,000

Per \$100 of Assessed Value



Urban Services – Average Tax Bill

Urban Fund Property Tax Bill on a \$165,000 house

Taxing District	Prior		Compensating	Maximum (Plus 4%)	Cost of Service
	Rates				
Refuse Collection	\$236.12		\$234.30	\$242.55	\$236.12
Street Lights	34.65		34.65	35.97	52.64
Street Cleaning	15.51		16.50	16.50	15.95
TOTAL	\$286.28		\$285.45	\$295.02	\$304.70



Street Light Funding Options – Example A

Impact on a \$165,000 Home with a \$100 Monthly Utility Bill

Scenarios	Annual Cost Increase/(Savings)		Total Increase/ (Savings)
	Property Tax	Utility Bill	
Property Tax Only*	\$ 17.99	\$ -	\$ 17.99
Franchise Fee Only**	\$ (34.65)	\$ 24.00	\$ (10.65)
Hybrid Property Tax & Franchise Fee***	\$ -	\$ 12.00	\$ 12.00

*Property tax rates raised to Cost of Service Rate (0.0319)

**Eliminate property tax for street lights, Franchise rate raised to 5%

Current property tax for \$165,000 home is \$34.65

***No change in Property Tax rates, Franchise fee raised to 4% to fully fund service



Street Light Funding Options – Example B

Impact on a \$225,000 Home with a \$200 Monthly Utility Bill

Scenarios	Annual Cost Increase/(Savings)		Total Increase/ (Savings)
	Property Tax	Utility Bill	
Property Tax Only*	\$ 24.53	\$ -	\$ 24.53
Franchise Fee Only**	\$ (47.25)	\$ 48.00	\$ 0.75
Hybrid Property Tax & Franchise Fee***	\$ -	\$ 24.00	\$ 24.00

*Property tax rates raised to Cost of Service Rate (0.0319)

**Eliminate property tax for street lights, Franchise rate raised to 5%

Current property tax for \$225,000 home is \$47.25

***No change in Property Tax rates, Franchise fee raised to 4% to fully fund service



Recommendation: Fix the Problem

Suggested Approach

- ❖ Street Lights
 - Eliminate property tax for street lights
 - Adopt as a general fund obligation
 - Fund by 5% franchise fee
- ❖ Street Cleaning
 - Use General Fund to pay for capital





Questions?