

**Urban County Council
Schedule of Meetings
June 25, 2007 through July 2, 2007**

MONDAY, JUNE 25

No Meetings

TUESDAY, JUNE 26

Sanitary Sewers Oversight Committee Meeting11:30 am
Conference Room-5th Floor Government Center

COW-Budget Debriefing.1:00 pm
Council Chambers-2nd Floor Government Center

Confirmation Hearing of Public Safety Acting Commissioner Tim Bennett2:15 pm
Council Chambers-2nd Floor Government Center

Special Council Meeting-2nd Reading of Budget & Reorganization. 3:00 pm
Council Chambers-2nd Floor Government Center

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

WEDNESDAY, JUNE 27

Live Where You Work Meeting12:00 pm
Conference Room-6th Floor Government Center

MPO-Transportation Policy Committee Meeting 1:30 pm
Jessamine Co. Courthouse-101 N Main St, Nicholasville KY

THURSDAY, JUNE 28

Smoking Cessation Meeting. 12:00 pm
Conference Room-5th Floor Government Center

Special Meeting of the Council for a Public Hearing-an H-1(historic) Overlay Zone . . . 6:00 pm
Council Chambers-2nd Floor Government Center

FRIDAY, JUNE 29

No Meetings

MONDAY, JULY 2

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
WORK SESSION AGENDA

June 26, 2007

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, pp.8-13**
- IV. Budget Amendments – Yes, p.14**
- V. New Business-Yes, pp.17-43**
- VI. Continuing Business / Presentations**
 - A. Planning Committee-summary separate from packet**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Execute Second Amendment to Agreement with the University of Kentucky Research Foundation (UKRF) under the Project Safe Neighborhood Grant Program. (337-07) (King/Bennett)

This request will authorize the execution of a second amendment for the remaining Federal funds of \$7,500 to be awarded to UKRF for the creation, printing, and distribution of gang prevention / awareness brochures. The brochures are for schools and youth service agencies under the US Department of Justice Project Safe Neighborhood Grant program. Funds are budgeted.**p.17**

- B. Authorization of an Amendment to Agreement with Insight Kentucky Partners II, LP, for a Cable Television Franchise or Approval of Application of Insight or any Company that may Acquire Insight Assets, Whichever Occurs First. (343-07) (Boland)

This request will authorize an amendment to agreement with Insight Kentucky Partners II, LP, to extend cable television franchise through December 3, 2010. This will enable Insight Communications and Comcast Cable to complete division of the partnership. This extension would permit time for any possible new company to settle in Lexington and for LFUCG to get acquainted with the new management and their franchise philosophy. Insight has hired outside assistance to evaluate the future strategy of the company to include growth through acquisitions, sale or maintaining current assets. The current agreement expires September 3, 2007. The extension will enable approval of application of Insight or a future company that may acquire their assets.**pp.18-19**

- C. Authorization of Change Order No. 1 to Contract with CDP Engineers, Inc. for the Clays Mill Road Improvement Project. (336-07) (King/Kelly)

This request will authorize change order no. 1 to contract with CDP Engineers, Inc. for additional funds from the Kentucky Transportation Cabinet of \$206,700 (Federal funds of \$165,360 & State funds of \$41,340) for additional design work beyond the original negotiated scope of work for the Clays Mill Road Improvement project. This work will include the preparation of right-of-way plans for additional parcels, design for the relocation of sanitary sewers to accommodate new proposed roadway construction, and design services for additional traffic signals at locations not identified in the original scope of work. An additional \$75,000 was provided for map revisions required by the Federal Emergency Management Agency. Original contract total was \$805,000. New contract total is \$1,011,700. Funds are budgeted.**pp.20-23**

- D. Authorization to Execute Agreements with Bluegrass Regional Mental Health – Mental Retardation Board, Inc., the Board of Education of Fayette County, Croney and Clark Inc., and the Partners for Youth Foundation for Performance of Services under the Community Juvenile Justice Partnership Grant Program – FY2008. (338-07) (King)
 This request will authorize the execution of agreements with Bluegrass Regional Mental Health – Mental Retardation Board, Inc for \$54,000 for the Dixie Elementary School project; the Board of Education of Fayette County for \$60,000 for the Booker T. Washington Prevention project; Croney and Clark, Inc. for \$22,627 for the Pro-Social Education and Community Engagement project at Deep Springs Elementary School; \$41,113 for a Truancy Reduction Initiative; and the Partners for Youth Foundation for \$49,700 for program coordination. Other funds awarded include a dedicated program allocation of \$37,034 and \$11,372 for administration. LFUCG is designated the fiscal agent for these grant funds and is responsible for subcontracting with selected agencies. The source of funds is the Community Juvenile Justice Partnership Grant program pursuant to 505 KAR 1:070. All funding is from the State General fund. LFUCG is not required to provide matching funds.**pp.24-25**
- E. Authorization to Amend Ordinance No. 175-2004 Regarding Castlegate Neighborhood Private Streets. (339-07) (Boland)
 This request will authorize an amendment to Ordinance No. 175-2004 dated July 1, 2004 regarding private streets in the Castlegate neighborhood to include Wynd, Castlegate Ct., St. Ives Circle, Hidden Pond Rd., Long Pond Walk, and Honey Springs Place to extend the time for filing the final record plat. The neighborhood successfully completed the private street acceptance process in 2004 and performed all required road improvements. The Planning Commission has reapproved this action.**pp.26-27**
- F. Authorization to Purchase Property at 265 – 267 Ann Street for the Ann Street Acquisition Project. (340-07) (King)
 This request will authorize the purchase of 265 – 267 Ann Street at the fair market value of \$67,000 for the construction of the road extension for the Bluegrass – Aspendale project under the Ann Street Acquisition project. This project is funded by the Urban Development Action Grant (UDAG) Repayment funds originating from closed out UDAG projects.**p.28**
- G. Authorization to Purchase Property at 546 Grinstead Street for the Ann Street Acquisition Project. (353-07) (King)
 This request will authorize the purchase of property at 546 Grinstead Street for fair market value of \$28,500 for the construction of the road extension for the Bluegrass-Aspendale project for the Ann Street Acquisition project. This project is funded by the Urban Development Action Grant (UDAG) Repayment funds originating from closed out UDAG projects.**p.29**

- H. Authorization to Accept Donated Items from Windstream Communications on behalf of the Division of Police. (341-07) (Bennett)
This request will authorize the acceptance of donated items from Windstream Communications for use at the Police Range, 4300 Airport Rd. and the health services facilities, 1795 Old Frankfort Pk. Items are twenty-nine (29) gym lockers; two (2) dry erase boards; one (1) push pin board; one (1) push broom; one (1) dust broom; three (3) wall clocks; and twenty (20) concrete parking lot bumpers.**p.30**
- I. Authorization of a Memorandum of Understanding (MOU) with Insight Kentucky Partners II, LP, for Certain Operational Considerations and Donations to LFUCG. (344-07) (Boland)
This request will authorize a MOU with Insight Kentucky Partners II, LP, to provide a production van and \$40,000 worth of new production equipment for use by GTV 3 for remote broadcasts. Within 24 months of the effective date of this MOU, Insight will provide redundant communications connections with any EOC the Government may construct on the Coldstream campus. Insight will also provide temporary video distribution outlets for uses at points mutually agreed on by Insight, LFUCG, the Alltech FEI World Equestrian Games Foundation and the Carr-Hughes Production, and video and data fiber connections with the planned Leestown Road fire station near the Federal prison grounds. Insight also agrees to at least annually evaluate the commercial feasibility of extending residential service to the area known as Jack's Creek Pike.**p.31**
- J. Authorization to Amend Resolution No. 274-2007 to Change or Correct Name of Organization Receiving NDF Allocation. (345-07) (Southers)
This request will authorize an amendment to Resolution No. 274-2007 to change or correct name of organization receiving \$2,500 NDF allocation from Blue Grass Foundation, Inc. to read Kentucky Domestic Violence Association.**p.32**
- K. Authorization of an Ordinance to Amend Sections 2-200(b), 2-201, 2-203 and 2-205 of the Code of Ordinances pertaining to the Picnic with the Pops Commission. (346-07) (Southers)
This request will authorize amendments to Sections 2-200(b), 2-201, 2-203, and 2-205 of the Code of Ordinances pertaining to the Picnic with the Pops Commission to include guest artists within the definition of "Picnic with the Pops"; increase the number of at large members, provide for election of the Chair by the membership; authorize activities for development of a permanent outdoor facility and permit the creation of an executive committee.**pp.33-36**

L. Authorization to Execute a Purchase of Service Agreement with the Lexington-Fayette Urban County Human Rights Commission. (349-07) (King)

This request will authorize a purchase of service agreement for \$193,710 in the FY2008 General Fund budget to support operating costs of the Lexington-Fayette Urban County Human Rights Commission. This commission will continue to safeguard all individual within Lexington-Fayette County from discrimination based on race, color, religion, national origin, sex, age, disability, familial status and sexual orientation / gender identify in connection with housing, employment and public accommodations, and to effect the provisions and purposes of the Kentucky Civil Rights Act, (KRS Chapter 3444), Urban County Ordinances No. 199-94 and 201-99, provision 7.17 of the Lexington-Fayette, and any other laws enacted by the LFUCG relating to the commission.**p.37**

M. Authorization to Execute a Purchase of Service Agreement with Road to Homeownership, Inc. (350-07) (King)

This request will authorize a purchase of service agreement of \$37,500 in the FY2008 General Fund budget to support the operating costs of the Road to Homeownership, Inc. This entity provides homeownership educational programs to economically disadvantage and low-to-moderate income families.**p.38**

N. Authorization to Accept Award from CITI Foundation on behalf of the Family Care Center for Support of New Leaf Program. (351-07) (King/Helm)

This request will authorize the acceptance of an award of \$15,000 from CITI Foundation, a subsidiary of CitiFinancial for the support of the New Leaf Program. This program is a self-sufficiency project for single mothers to fill a programming gap, and provide clients with the opportunity to learn job skills while earning a high school diploma or GED. The Center also provides case management and counseling, WIC, access to a KTAP worker, medical care, child care, and transportation. This program promotes self-reliance, economic self-sufficiency and employability skills to teen mothers through job training, financial management training, and personal development. The program plans to serve 60 low-income mothers during the coming year. Funds will be used to purchase minor equipment, supplies, and computer equipment. No matching funds are required.**p.39**

O. Authorization to Accept Award from the Kentucky Cabinet for Health & Family Services under the Prevent Child Abuse Kentucky Initiative for an Expanded Healthy Access Nurturing Development Services (HANDS) Project and Provide Additional Family Visitation Services at the Family Care Center – FY2008. (356-07) (King/Helm)

This request will authorize the acceptance of an award of \$15,000 from the Kentucky Cabinet for Health & Family Services to support a Licensed Clinical Social Worker for 8 to 12 hours weekly for a one-year period under

the Prevent Child Abuse Kentucky Initiative for an expanded HANDS project. An additional \$65,000 in Federal funds has been offered to the Family Care Center to create a pilot Family visitation Program to provide in-home parent education for families with children from two to six years of age. The funds will be used to support a new position of Family Support Worker, mileage, cell phone, office supplies, computer and professional development. No matching funds are required for either project.**p.40**

P. Authorization to Submit Grant Application to the Department of Transportation for a Transportation Equity and Emergency Preparedness Project. (347-07) (King/Bennett)

This request will authorize the submission of a grant application for Federal funds of \$214,000 for year one of a three-year grant period from the Department of Transportation for a Transportation Equity and Emergency Preparedness project on behalf of the Division of Environmental and Emergency Management (DEEM). The first year project will form a partnership committee among DEEM, LexTran, Health Department, Social Services, community organizations and citizens to address the emergency preparedness and transportation needs of special needs populations; identify the specific locations and transportation requirements of medical and social needs populations that may include minority, low income, limited English proficiency, people with disabilities, older adults population; and, promote and implement a voluntary Special Needs Registry. No matching funds are required.**p.41**

Q. Authorization to Submit Application and Accept Award from the Kentucky Department of Juvenile Justice under the Juvenile Accountability Block Grant Program (JABG) – FY2008. (352-07) (King/Helm)

This request will authorize the submission of an application and acceptance of award of Federal funds of \$14,100 from the Kentucky Department of Juvenile under the JABG program. The federal funding for FY2005 was \$33,944, reduced to \$23,895 for FY2006, and for FY2007 and FY2008 the amount was reduced to \$14,100. The department of Social Services is proposing the allocation be used to continue the funding for the Juvenile Surveillance program (overtime for police officers), professional services and development, drug testing services, supplies, and educational materials. A match of 10% (\$1,570) is required and has been requested in Youth Services' 2008 General Fund budget.**p.42**

R. Authorization to Submit Application to the US Department of Justice under the 2007 State Criminal Alien Assistance Program (SCAAP). (348-07) (King/Bennett)

This request will authorize the submission of an application for Federal funds to the US Department of Justice under the 2007 SCAAP. This program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Program, in conduction with the US Department of Homeland Security. SCAAP provides funds to States and localities as

reimbursement for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for inmates who are foreign born (with no legal right or documentation to be in the US), incarcerated for at least four (4) consecutive days during the reporting period of July 1, 2005 to June 30, 2006, and incarcerated on conviction of at least one (1) felony or two (2) misdemeanors. The Immigration and Customs Enforcement (ICE) will take responsibility for ensuring aliens are properly identified and their status is verified before reimbursements are made. The FY2007 SCAAP payment amounts are determined using a sampling of actual inmate, cost and facility data for a specified sampling or reporting period. SCAAP uses prior year's data to determine applicants' annual relative percentage of available funding. No award has yet been made for the 2006 SCAAP.**p.43**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

June 19, 2007

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All council members were present, except CM Myers. Mayor Newberry called for a moment of silence in observance of the 9 SC firefighters who lost their lives in a fire.

- I. Public Comment – Issues on Agenda-None
- II. Requested Rezoning / Docket Approval-Yes

A motion by CM Ellinger to place on the docket without a hearing, the issue of changing the zone from a Planned Neighborhood Residential (R-3) zone to a High Density Apartment (R-4) zone for 14.71 net (18.60 gross) acres of property located at 2550 and 2559 Kearney Ridge Boulevard, seconded by CM Lane, passed without dissent.

A motion by CM Stinnett to place on the docket without a hearing the issue of changing the zone from a Professional Office (P-1) zone to a Light Industrial (I-1) zone for 2.55 net (11.13 gross) acres of property located at 974 Beasley Street, seconded by CM Ellinger, passed without dissent.

A motion by CM Stinnett to place on the docket for a Special Council Meeting for Public Hearing on 8/14/07 at 6 pm the issue of changing the zone from a Single Family Residential (R-1B) zone to a Planned Neighborhood Residential (R-3) zone for 1.26 net (1.56 gross) acres of property located at 756 Wilderness Road, subject to a certain use restriction imposed as a condition of granting the zone change, seconded by CM Stevens, passed without dissent.

A motion by CM Blevins to place on the docket without a hearing the issue of changing the zone from an Agricultural Urban (A-U) zone to a Townhouse Residential (R-1T) zone for 2.04 net (2.47 gross) acres and from an Agricultural Urban (A-U) zone to a Single Family Residential (R-1D) zone for 1.24 net (1.56 gross) acres of property located at 4145 Harrodsburg Road, subject to a certain use and buffering restrictions imposed as a condition of granting the zone change, seconded by CM Ellinger, passed without dissent.

A motion by CM Stevens to place on the docket for Thursday, June 21, 2007 a resolution authorizing and directing the Mayor to execute an Agreement with JMJ Technologies, Inc. for an electronic medical records system for the Family Care Center Medical Clinic, seconded by CM Gorton, passed without dissent.

A motion by CM Blues to place on the docket for Thursday, June 21, 2007 a resolution authorizing and directing the Mayor to execute a Purchase Agreement for the properties located at 2253-2261 Frankfort Court and 2269 Frankfort Court, at a cost not to exceed \$1,325,000.00; and a Resolution making a declaration of official intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for acquisition and renovation of a Police communication, technical, and vehicle storage facility located at 2253-2261 and 2269 Frankfort Court in an approximate aggregate amount of \$1,645,000.00, seconded by CM Ellinger, passed without dissent.

A motion by VM Gray to ratify and place on the docket for 1st reading on Thursday, June 21, 2007 the Mayor's fiscal year 2008 proposed budget as amended by Council Committee of the Whole, seconded by CM Gorton, passed without dissent.

A motion by CM Stevens to approve the docket with changes, seconded by CM Stinnett, passed without dissent.

III. Approval of Summary – Yes

A motion by CM James to amend the June 12, 2007 summary to reflect her dissent in the approval of the Mayor's Report, seconded by CM Gorton, passed without dissent.

A motion by CM Stevens to amend the May 22, 2007 summary to reflect the motion and passage of the issue that referenced the Lake Area Neighborhood Association that was referred to the Planning Commission, seconded by CM McChord, passed without dissent.

A motion by CM Stinnett to approve the May 22, 2007 summary, seconded by CM McChord, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM DeCamp to approve the budget amendments, seconded by CM Stinnett, passed without dissent.

V. New Business

- A. Authorization to Execute Amendments to Agreements with Kentucky Transportation Cabinet (KYTC) for Extension of Projects. (322-07) (King/Kelly)

- B. Authorization to Amend a Grant Agreement with the Kentucky Governor's Office for Local Development for the Recreational Trails Project for the Liberty Park Trail. (324-07) (King/Kelly)
- C. Authorization to Accept 2007 Urban and Community Forestry Grant from the Kentucky Division of Forestry. (326-07) (King/Kelly)
- D. Authorization of a Memorandum of Agreement (MOA) with the Commonwealth of Kentucky Division of Forestry regarding the Arborist Technician Position Project under the 2006 Urban Forestry Project. (327-07) (King/Kelly)
- E. Authorization to Approve Settlement Payments with three (3) Subcontractors used by Air Mechanical Service Corporation (AMSC) under Resolution No. 119-2006. (323-07) (Cole)
- F. Authorization for a Modification to an Agreement with the Kentucky Office of Homeland Security on behalf of the Division of Police – FY2007. (325-07) (King/Bennett)
- G. Authorization to Accept Drug Control Supplemental Award from the Kentucky Justice and Public Safety Cabinet for Operation of the Drug Task Force within the Division of Police – FY2008. (330-07) (King/Bennett)
- H. Authorization to Accept \$7,500 Worth of Equipment from the Bureau of Alcohol, Tobacco and Firearms (ATF) for the Upgrade / Renovation at the Police Range at 4300 Airport Rd. (328-07) (Bennett)
- I. Authorization of a Resolution to Purchase the SkyTel Wi-Fi Infrastructure from SkyTel Corporation in the Downtown Area. (329-07) (Boland)
- J. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Revenue. (331-07) (Allen/Koch)
- K. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Waste Management. (332-07) (Allen/Kelly)
- L. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Traffic Engineering. (333-07) (Allen/Kelly)
- M. Authorization to Extend Contract with the Waterford Homeowners Association under the Retention Pond Action Match Project. (278-07) (Kelly)
- N. Authorization to Amend Section 21-5 and Section 22-5 of the Code of Ordinances for the Reorganization of the Lexington-Fayette Urban County Government (LFUCG). (335-07) (Allen/Boland)

A motion by CM Blevins to amend item N on the work session agenda relating to the Government reorganization to change the effective date from June 25, 2007 to July 1, 2007, seconded by CM Gorton, passed without dissent.

A motion by CM Blevins to approve new business, A-N with amendment, seconded by CM Beard, passed without dissent.

VI. Continuing Business / Presentations

A. LexTran Action Plan Presentation

This presentation was made by Mary Fister, Chair of LexTran Board of Directors.

B. LexTran Budget & Labor Negotiations Update

This update was made by Terry Garcia-Crews, General Manager of LexTran.

C. 2006 Congestion Management Study

This presentation was done by Tom Creasey.

D. Graffiti Clean-Up Presentation

This presentation was made by Jennifer Miller from the Sheriff's Dept.

VII. Council Report

CM Blevins-No Report.

CM Blues-Thanked Comm. Kelly, Andrew Grunwald, & CM Gorton for coming to the 2nd Dist. President's meeting; announced that tonight at 7 pm Masterson Station neighborhood association will meet at the clubhouse; on 6/21 @ 5 pm, the Southend Park NA will meet at Carver Center; also, on 6/25 at 7 pm several neighborhood associations will meet: Oakwood NA at Oakwood Park Shelter; Radcliff-Marlboro NA at Northside Library; and Leesway St NA at Bracktown Church.

CM James-Thanked CM Gorton for her attendance at a 1st District NA meeting; on 7/19 at 6:30 pm at the Brenda Cowan Coalition on Chestnut Street; Reminder: The Fayette Alliance will be hosting horse farm tours this Saturday (6/23) for three hours. For more information, please call the Fayette Alliance or 1st District Council Office at 258-3216.

CM Lane-No Report.

CM Crosbie-Announced that East Lake NA is almost complete with their new entrance into their neighborhood and would like to invite all citizens to come and see it; also thanked the Police for their enforcement of speeding, dogs left out and cars left on the street for longer than 24 hours in the 7th District.

CM Ellinger-Thanked everyone who helped in participation of the Senior Intern Program last week, especially Robin Pease for her organization.

CM Gorton- A motion by CM Gorton to approve the LexTran budget, seconded by CM Beard passed without dissent.

A motion by CM Gorton to have a presentation by the Louisville Water Company at Council Work Session on 7/10, seconded by CM Beard passed without dissent.

VM Gray-Announced a Committee of the Whole meeting on budget debriefing on 6/26/07 at 1 pm in Council Chambers followed by the confirmation hearing of Public Safety Acting Commissioner Tim Bennett. VM Gray will also send a memo with updates on the task forces and the new Council Administrator's orientation.

CM DeCamp-Made comments about the condition of our local tennis courts and asked Commissioner Koch to report on how we might be able to host a tennis tournament and improve our facilities and courts.

CM Beard-Announced that the Merry Wives of greenbrier will have their annual picnic on 6/25/07 at the 100 block cul-de-sac.

A motion by CM Beard to place on the docket of the Special Meeting to be held on Tuesday, June 26th at 3:00 pm, for second reading, a resolution authorizing an Agreement in lieu of taxes among BP Shelbourne, LLC, the Fayette County Board of Education, and the Urban County Government, seconded by CM Gorton, passed without dissent.

CM McChord-Announced that tomorrow night (6/20/07) at 5:30 pm in the 5th floor conference room of the Government Center, there will be a meeting of the Clays Mill Road Advisory Committee; tonight, the Citizen Police Academy will be hosting a picnic and demonstration of their response Unit; also, on Thursday, June 21st at 10:30 am at Commerce Lexington, Gov. Fletcher will be in town with Sec. of Health & Family Services Birdwhistle to go through his "Get Health KY" initiative and to honor some local folk who are helping to move KY forward in the health barometer; told Mayor Newberry that he will be passing on to him a matrix from the business community to make a part of his package to hold Commerce Lexington accountable; announced that it was a

privilege for him to be a part of the Lexington Area Sports Authority's kickoff of the Bluegrass Children's Charity Golf Classic; also congratulated the Dunbar Boys baseball team for winning the state tournament this past weekend.

CM Stevens-Announced that the USGA Amateur Public Links Championships will be held in Lexington this week.

CM Stinnett-Announced the city tournament for the Cal Ripken League starts Sunday night at Veterans Park; also announced that he will be heading up the Dog task Force and asked that each CM nominate at least 1 person from their district to be on the task force and they will report back to Council on 9/19/07.

CM Moloney-No Report.

VIII. Mayor's Report-Yes

A motion by CM Gorton to approve the Mayor's Report, seconded by CM Ellinger, passed without dissent.

IX. Public Comment-Issues not on the agenda-None

Mayor Newberry stated that 288 people had come through the Gallery Hop last week. Mayor Newberry also stated that he was grateful for all the cooperation from Council on the budget.

A motion by CM Stinnett to adjourn was seconded by CM Gorton, passed without dissent.

Work Session was adjourned at 5:58 pm.

BUDGET AMENDMENT REQUEST LIST

JOURNAL# 9892	DIVISION Community Development	Fund Name US Dept of HUD			
		Fund Impact	1,520,989.00		
			1,520,989.00CR		
			.00*		

To amend the CDBG, HOME, and PAL budgets to provide funds for Housing Rehab program by reducing funds in Administration, Housing Administration and cleaning up closed out projects. In addition, providing funds for the Hope Center for Men Recovery Facility and additional funds for REACH.

JOURNAL# 9893	DIVISION Community Development	Fund Name US Dept of Homeland			
		Fund Impact	5,893.00		
			5,893.00CR		
			.00*		

To provide for purchase of computer equipment of SCEPP laptops/wireless service at Jacobson Parks.

JOURNAL# 9894	DIVISION Community Development	Fund Name US Dept of Justice			
		Fund Impact	2,730.00		
			2,730.00CR		
			.00*		

To reduce budget for servers in the Arrest Policies Grant to provide for purchase of furniture for Victim Advocates.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	3120	US Department of Housing and Urban Development	.00
Fund	3140	US Department of Justice	.00
Fund	3200	US Department of Homeland Security	.00
			.00*

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

15

June 26, 2007 Work Session

If the item listed below is on the Agenda, approval of the listed Item 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
351-07 N	To be Determined	Community Development	To provide funds for the New Leaf Program at the Family Care Center. 3300 15,000 3300 15,000CR 0*
352-07 Q	To be Determined	Community Development	To provide federal funding under the Juvenile Accountability Block Grant Program – FY 2008. 3140 15,670 3140 15,670CR 0*
356-07 O	To be Determined	Community Development	To provide funds for the Healthy Access Nurturing Development Services (HANDS) – FY 2008 under the Prevent Child Abuse Kentucky Initiative. 3190 80,000 3190 80,000CR 0*
356-07 O	To be Determined	Community Development	To provide funds for a Social Worker position for the Healthy Access Nurturing Development Services (HANDS) – FY 2008 under the Prevent Child Abuse Kentucky Initiative by recognizing personnel recovery from the grant. 1101 53,200 1101 53,200CR 0*

EFFECT ON FUND BALANCES

FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICES DISTRICT – GENERAL FUND
FUND 3140	0*	NO EFFECT ON:	US DEPARTMENT OF JUSTICE
FUND 3190	0*	NO EFFECT ON:	US DEPARTMENT OF HEALTH AND HUMAN SERVICES
FUND 3300	0*	NO EFFECT ON:	GRANTS - OTHER

Budget Information For New Business Items
June 26, 2007 Work Session

Item	Number	Amount	Fund	Name / Description
A	337-07	7,500	3140	US Department of Justice
B	343-07	NA		
C	336-07	206,700	3160	US Department of Transportation
D	338-07	227,440	3400	Grants - State
E	339-07	NA		
F	340-07	67,000	3300	Grants – Other
G	353-07	28,500	3300	Grants – Other
H	341-07	NA		
I	344-07	NA		
J	345-07	NA		
K	346-07	NA		
L	349-07	193,710	1101	General Services District – General Fund
M	350-07	37,500	1101	General Services District – General Fund
N	351-07	15,000	3300	Grants – Other Budget Journal
O	356-07	80,000 NA	3190 1101	US Department of Health and Human Services General Services District – General Fund Budget Journals
P	347-07	214,000		Federal Grant Funds Requested
Q	352-07	15,670	3140	US Department of Justice Budget Journal
R	348-07			Federal Grant Funds Requested



337-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 13, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE SECOND AMENDMENT TO AGREEMENT WITH THE UNIVERSITY OF KENTUCKY RESEARCH FOUNDATION FOR THE PURCHASE OF ADDITIONAL COMMUNITY OUTREACH AND EDUCATION SERVICES UNDER THE PROJECT SAFE NEIGHBORHOOD GRANT PROGRAM/U.S. DEPARTMENT OF JUSTICE

The U.S. Attorney's Office—Eastern District of Kentucky was awarded federal funds from the U.S. Department of Justice under the Project Safe Neighborhoods Grant Program, with the Lexington Fayette Urban County Government serving in the capacity of fiscal agent. Council approved acceptance of the award on July 8, 2004 (Ordinance # 183-2004). Overall implementation and operation of this project rests with the U.S. Attorney's Office—Eastern District of Kentucky, in conjunction with a Project Safe Neighborhoods Advisory Committee, made up of law enforcement officials from throughout the eastern district. The approved grant includes the support of a Community Outreach Program for Anti-Gun/Anti-Violence Juvenile Education project. Upon recommendation of the Project Safe Neighborhoods Advisory Committee, an agreement with the University of Kentucky Research Foundation (UKRF), on behalf of the Kentucky Center for School Safety, in the amount of \$70,000 was approved by Council on June 9, 2005 (Resolution # 288-2005).

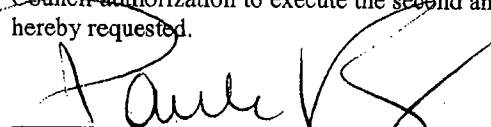
Supplemental federal funds were awarded to the LFUCG on behalf of the U.S. Attorney's Office and the Project Safe Neighborhoods Advisory Committee. Additional funds in the amount of \$2,790 were approved for use by UKRF for support of database updates, graphic design, web-based programming, and printing of educational materials. This amendment was approved by Council on August 24, 2006 (Resolution # 521-2006).

With federal funds remaining on the project, the Project Safe Neighborhoods Advisory Committee has recommended that funding in the amount of \$7,500 be awarded to UKRF for the creation, printing, and distribution of a gang prevention/awareness brochure for schools and youth serve agencies.

Funds are budgeted as follows:

FUND	DID	SECTION	ACCOUNT	PROJECT	BUD REF
3140	505001	5011	71299	PROJ SAFE NEIGH	2005

Council authorization to execute the second amendment to agreement with University of Kentucky Research Foundation is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety

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343-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Office of the Chief Administrative Officer

**TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, CHIEF ADMINISTRATIVE OFFICER-ACTING**

**FROM: ROBERT K. STARKWEATHER, ADMINISTRATIVE OFFICER
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER**

DATE: June 15, 2007

**SUBJECT: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR,
ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO
EXECUTE AN AMENDMENT TO THE AGREEMENT WITH
INSIGHT KENTUCKY PARTNERS II, L.P. ("INSIGHT") FOR A
CABLE TELEVISION FRANCHISE, TO EXTEND THE AGREEMENT
THROUGH DECEMBER 3, 2010, OR UNTIL THE URBAN COUNTY
COUNCIL APPROVES THE APPLICATION OF INSIGHT, OR ANY
COMPANY THAT MAY ACQUIRE INSIGHT ASSETS, FOR A
SUBSEQUENT CABLE TELEVISION FRANCHISE, WHICHEVER
OCCURS FIRST.**

Insight has been a partnership between Insight Communications and Comcast Cable. In April, 2007, the two companies announced they had reached agreement to divide the partnership in which each company held a 50% interest. Closing of the transaction is subject to closing conditions, including government and other approvals, and is expected to be completed by the end of 2007.

Insight has hired outside assistance to evaluate the future strategy of the company including growth through acquisitions, sale or maintaining current assets.

If the company decides to follow the sale route it is my opinion that a number of companies would express interest in the assets.

The current Insight franchise expires on September 3, 2007. This extension would permit

H O R S E C A P I T A L O F T H E W O R L D

time for any possible new company to "settle in" in Lexington and for the government to get to know the possible new management and their franchise philosophy. The current franchise contains a number of provisions that various companies around the country have tried to negotiate out of their franchises. One example is PEG channels. The franchise also contains penalty provisions, cable company paid audits and technical reviews under certain conditions, and transfer of control provisions.

The contemplated action would not affect Insight's "franchise fee", since LFUCG no longer collects any such fee from Insight. The Commonwealth of Kentucky took over this function as a result of the tax modernization act passed in the 2005 regular session of the General Assembly.



3-36-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 14, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT
NUMBER 1 WITH CDP ENGINEERS, INC., FOR THE CLAYS MILL
ROAD IMPROVEMENT PROJECT

The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Transportation Cabinet for the Clays Mill Road Improvements Project. Funds for project design were initially accepted by Council on July 1, 2003 (Ordinance No. 174-2003). The source of federal funds is SLX or Surface Transportation Lexington.

CDP Engineers, Inc. was awarded a design contract for this project approved by Council on July 10, 2003 (Resolution # 367-2003), in the amount of \$805,000.

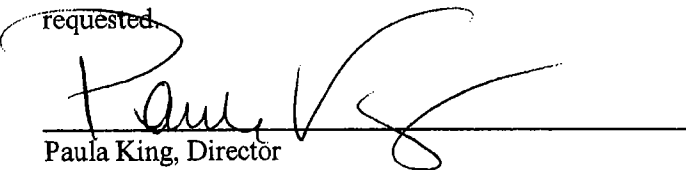
The Kentucky Transportation Cabinet has awarded the LFUCG additional funding in the amount of \$206,700 (\$165,360-federal and \$41,340 local) for additional design work beyond the original negotiated scope of work including, the preparation of right-of-way plans for additional parcels, design for the relocation of sanitary sewers to accommodate new proposed roadway construction, and design services for additional traffic signals at locations not identified in the original scope of work. An additional \$75,000 was provided for map revisions required by the Federal Emergency Management Agency. Budget amendments accepting these funds are in process.

Amendment Number 1 in the amount of \$206,700 has been negotiated with CDP Engineers, Inc.

Funds are budgeted as follows:

Fund	Dept ID	Section	Project	Budget Reference	Account
3160	303201	0001	Clays Mill Road	2004	91715

Council authorization to execute Amendment No.1 with CDP Engineers, Inc., is hereby requested.


Paula King, Director

Xc: Don Kelly, Commissioner of the Department of Public Works

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LEXINGTON-FAYETTE

URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Page 1 of 2

Date: June 16, 2006

21

Project: Clays Mill Road
Improvement Project **336-07**Location: Clays Mill Road from
Harrodsburg Road to Twain
Ridge Road

To (Contractor).

CDP Engineers, Inc.

Contract No. 5029

Change Order No. (1)

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
	Redesign and change in scope		\$131,700
	File CLOMR with FEMA for South Elkhorn, Wolf Run, and Stonewall streams (allowance only)		\$75,000
	Change in contract price due to this Change Order:		
	Total decrease		XXXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$206,700
	Net (increase) contract price		\$206,700

The sum of \$206,700 is hereby added to the total contract price, and the
total adjusted contract price to date thereby is \$1,011,700.

The time provided for completion in the contract and all provisions of the
contract will apply hereto.

Recommended by Keith Lora (Proj. Engr.) Date 7/5/06
 Accepted by John B. Stegman (Contractor) Date 6/22/06
 Approved by M. A. [Signature] (Urban Co. Engr.) Date 7/10/06
 Approved by Don C. Kelly (Commissioner) Date 6/14/07
 Approved by _____ (Mayor or CAO) Date _____

336-07

Page 2 of 2

JUSTIFICATION FOR CHANGE**PROJECT: Clays Mill Rd Improvement Project****CONTRACT NO.: 5029****CHANGE ORDER: (1)****1. Necessity for change:**

Numerous changes and revisions; redefined FEMA requirements

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: N/A**8. Effect on contract completion date: N/A**_____
Mayor_____
Date

CONTRACT HISTORY FORM

336-07 23

Contractor: CDP Engineers, Inc.
Project Name: Clays Mill Road Improvement Project
Contract Number and Date: 5029 July 10, 2003
Responsible LFUCG Division: Engineering

CHANGE ORDER DETAILS

A. Original Contract Amount: \$ 805,000
Next Lowest Bid Amount:
N/A (qualification based selection)

B. Amount of Selected Alternate or Phase: \$ 0

C. Cumulative Amount of All Previous Alternates or Phases: \$ 0

D. Amended Contract Amount: \$ 805,000

E. Cumulative Amount of All Previous Change Orders: \$ 0 0 %
(Line E / Line D)

F. Amount of This Change Order: \$ 206,700 26 %
(Line F / Line D)

G. Total Contract Amount: \$ 1,011,700

SIGNATURE LINES

Project Manager: Keith Loran Date: 7/5/06

Reviewed by: Rodney Byrd Date: 7/6/06

Division Director: M. A. Day Date: 7/10/06



338-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

**TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER**

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 14, 2007

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENTS WITH FOUR ORGANIZATIONS FOR
PERFORMANCE OF SERVICES UNDER THE COMMUNITY
JUVENILE JUSTICE PARTNERSHIP GRANT PROGRAM DURING
FISCAL YEAR 2008**

The 1998 Kentucky General Assembly passed legislation requiring the Department of Juvenile Justice to form local juvenile delinquency prevention councils for the purpose of encouraging the initiation of interagency cooperation and collaboration in addressing juvenile crime and juvenile status offenders. Partners for Youth Foundation serves Lexington-Fayette County in the capacity of local juvenile delinquency prevention council. On July 11, 2006 (Ordinance No. 209-2006), Council approved acceptance of grant funding from the Kentucky Department of Juvenile Justice in the amount of \$275,846 for Fiscal Year 2007 and \$275,846 for Fiscal Year 2008. These funds have been made available for programming for the two-year period for use by agencies in Fayette County for the purpose of operating programs that will serve to prevent juvenile delinquency, and more specifically to reduce truancy and suspensions in targeted elementary schools. A Request for Proposals was issued with proposals being reviewed by a subcommittee of the local council. Recommendations for funding were made to the Kentucky Department of Juvenile Justice, where final approval for funding rested.

These approved projects for Fiscal Year 2008 are:

- Bluegrass Regional Mental Health-Mental Retardation Board, Inc., in the amount of \$54,000 for the Dixie Elementary School project;
- Board of Education of Fayette County, Kentucky, in the amount of \$60,000 for the Booker T. Washington Prevention Project;

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338-07

- Croney and Clark in the amount of \$22,627 for the Pro-Social Education and Community Engagement (PEACE) project at Deep Springs Elementary School and \$41,113 for a Truancy Reduction Initiative;
- Partners for Youth Foundation for program coordination in the amount of \$49,700;

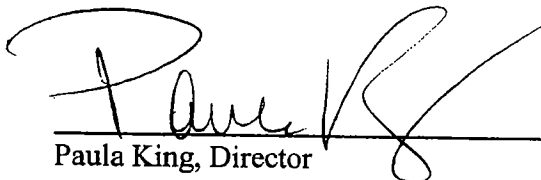
Written agreements with the four outside agencies are attached for Council approval. Funds for these agreements are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT NAME	BUD REF
3400	133005	0001	71200	COMM JUV JUS	2007

Other funds awarded include a dedicated program allocation of \$37,034 and \$11,372 for administration.

The Lexington-Fayette Urban County Government has been designated as the fiscal agent for these grant funds and has the responsibility for subcontracting with the selected agencies. The source of funds is the Community Juvenile Justice Partnership Grant Program, a grant program pursuant to 505 KAR 1:070. All funding is from the state general fund. As fiscal agent for this grant, there is no requirement that the Lexington-Fayette Urban County Government provide matching funds.

Council authorization to approve the agreements for performance of services is hereby requested.


Paula King, Director



339-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Chief Administrator's Office

MEMORANDUM

To: Mayor Jim Newberry
Urban County Councilmembers

From: Charlie Boland, Acting CAO

Date: June 14, 2007

Re: Reauthorization of Ordinance 175-2004

This is to request reauthorization of Ordinance 175-2004, approved July 1, 2004, which approved acceptance of the private streets in the Castlegate neighborhood, including Castlegate Wynd, Castlegate Court, St. Ives Circle, Hidden Pond Road, Long Pond Walk, and Honey Spring Place.

This neighborhood successfully completed the private street acceptance process in 2004 and performed all required road improvements prior to acceptance. The final step in the process is the recording of an amended final record plat, as approved by the Planning Commission. Unfortunately this did not occur when the matter was first approved by Council, and one of the requirements to complete the process is to record the plat within one year of the Council's approval.

Since more than one year has passed, the matter needs reauthorization. The Planning Commission has already voted to reapprove, and the request is now being submitted to the Council with my recommendation that it be reapproved so the plat can be recorded and the process brought to completion. I will be available for any questions you may have.

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Lexington, KY 40507

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339-07

AN ORDINANCE ACCEPTING THE PRIVATE STREETS, CASTLEGATE WYND, CASTLEGATE COURT, ST. IVES CIRCLE, HIDDEN POND ROAD, LONG POND WALK AND HONEY SPRING PLACE AS PUBLIC STREETS PURSUANT TO THE PRIVATE STREET ACCEPTANCE POLICY CONTINGENT UPON THE CASTLEGATE HOMEOWNERS ASSOCIATION SATISFACTORILY COMPLETING THE RESURFACING OF ALL PAVEMENT WITH 1.5 INCH OVERLAY, ACCEPTING RESPONSIBILITY FOR ALL NON-STREET COMMON AREAS AND STRUCTURES, INCLUDING THE GUARD BUILDING, GRASS MEDIANS, STREET PAVERS, FENCING, PONDS AND LANDSCAPING, BEARING THE COST OF NEW OR REPLACEMENT STREET SIGNS, AND RECORDING A FINAL RECORD PLAT WITHIN ONE YEAR OF PASSAGE OF THIS ORDINANCE DEDICATING THE STREETS AS PUBLIC RIGHTS OF WAY AND A NOTE ASSIGNING MAINTENANCE OF COMMON AREAS OUTSIDE THE PUBLIC RIGHT OF WAY TO THE HOMEOWNERS ASSOCIATION.

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

Section 1 - That the Ordinance accepting the private streets, Castlegate Wynd, Castlegate Court, St. Ives Circle, Hidden Pond Road, Long Pond Walk and Honey Spring Place as public streets pursuant to the Private Street Acceptance Policy contingent upon the Castlegate Homeowners Association satisfactorily completing the resurfacing of all pavement with 1.5 inch overlay, accepting responsibility for all non-street common areas and structures, including the guard building, grass medians, street pavers, fencing, ponds and landscaping, bearing the cost of new or replacement street signs, and recording a final record plat within one year of passage of this ordinance dedicating the streets as public rights of way and a note assigning maintenance of common areas outside the public right of way to the Homeowners Association.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: July 1, 2004

/s/ Teresa Ann Isaac
MAYOR

ATTEST:

/s/ Liz Damrell
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: July 7, 2004-1t



340-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

**TO: CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER
OFFICE OF THE MAYOR**

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 15, 2007

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO PURCHASE PROPERTY
AT 265-267 ANN STREET FOR THE ANN STREET ACQUISITION
PROJECT**

It is necessary for the government to purchase 265-267 Ann Street for the construction of the road extension for the Bluegrass-Aspendale Project. This project is funded by the Urban Development Action Grant (UDAG) Repayment fund, which is program income received from closed out UDAG projects. The homeowners, Suliman & Helue Shalash have accepted the offer at the Fair Market Value of \$67,000.00.

Sufficient funds are budgeted in the following account:

3300-160201-0001-90111-1992-UDAG REPAYMENT-DEFAULT

Council authorization to purchase the property is requested.

Paula King
Director

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353-07

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

**TO: CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER
OFFICE OF THE MAYOR**

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 19, 2007

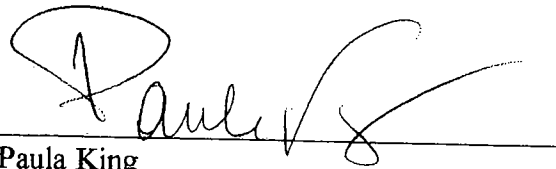
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO PURCHASE PROPERTY
AT 546 GRINSTEAD STREET FOR THE ANN STREET ACQUISITION
PROJECT**

It is necessary for the government to purchase 546 Grinstead Street for the construction of the road extension for the Bluegrass-Aspendale Project. This project is funded by the Urban Development Action Grant (UDAG) Repayment fund, which is program income received from closed out UDAG projects. The homeowners, Clarence & Karen Jones and Regina & Rosselle Cowan have accepted the offer at the Fair Market Value of \$28,500.00.

Sufficient funds are budgeted in the following account:

3300-160201-0001-90111-1992-UDAG REPAYMENT-DEFAULT

Council authorization to purchase the property is requested.



Paula King
Director

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Lexington-Fayette Urban County
Division of Police
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE

June 8, 2007

EFFECTIVE DATE

341-07

NUMBER

COP:
07/0537

30

To:

Jim Newberry, Mayor
Charlie Boland, Acting CAO
Urban County Council

SUBJECT:

Council Approval (Blue Sheet) –
Approval of Donated Items
from Windstream

From:

Anthony Beatty
Chief of Police

Please find attached a blue sheet requesting approval to accept the listed donated items from Windstream for use at the Police Range, 4300 Airport Road and at the health services facility, 1795 Old Frankfort Pike. Donated items are valued at \$3,495.00.

Donated Items:

- 29 Gym Lockers
- 2 Dry Erase Boards
- Push Pin Board
- Push Broom
- Dust Broom
- 3 Wall Clocks
- 20 Concrete Parking Lot Bumpers

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

Anthony Beatty
Chief of Police

AB/rmh

Attachment

cc: Tim Bennett, Commissioner



344-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Office of the Chief Administrative Officer

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, CHIEF ADMINISTRATIVE OFFICER-ACTING

FROM: ROBERT K. STARKWEATHER, ADMINISTRATIVE OFFICER
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

DATE: June 15, 2007

SUBJECT: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR,
ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO
EXECUTED A MEMORANDUM OF UNDERSTANDING IN WHICH
INSIGHT AGREES TO CERTAIN OPERATIONAL
CONSIDERATIONS AND TO PROVIDE LFUCG CERTAIN
DONATIONS.

This Resolution would permit the Mayor to execute a Memorandum of Understanding with Insight Kentucky Partners II, L.P. covering certain operational provisions and donations to LFUCG.

Insight will provide a production van and \$40,000 worth of new production equipment for use by Channel 3 for remote broadcasts. Video upstream transport capabilities will be provided from various points throughout the LFUCG. Within 24 months of the effective date of this Memorandum Insight will provide redundant communications connections with any EOC the Government may construct on the Coldstream campus. Insight will provide temporary video distribution outlets for use at points mutually agreed upon by Insight, the LFUCG, the Alltech FEI World Equestrian Games Foundation, and Carr-Hughes Productions, and video and data fiber connections with the planned Leestown Road fire station near the federal prison grounds. Operationally, Insight agrees to at least annually evaluate the commercial feasibility of extending residential service to the area commonly known as "Jack's Creek Pike."

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LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

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345 -07

TO: Jerry Southers
Vicki Steele
Pat Boots
Elizabeth McGee

FROM


Melynda Milburn
Legislative Aide to Councilmember Linda Gorton

DATE: June 20, 2007

SUBJECT: Blue Sheet to Amend Resolution #274-2007

A blue sheet has been prepared to amend resolution # 274-2007 to correct the name of the organization from Blue Grass Foundation, Inc. to Kentucky Domestic Violence Association. This is due to the fact that the incorrect organization name was provided upon first contact with the Kentucky Domestic Violence Association. Therefore the request is that the \$2,500 check that was issued to Blue Grass Foundation, Inc. and has since been returned and cancelled be reissued in the amount of \$2,500 to the Kentucky Domestic Violence Association. Thank you for your help.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

346-07

TO: Mayor Jim Newberry
Council Members
Charlie Boland, Acting CAO

FROM: Jeannette Williams
Staff to Council II

DATE: June 20, 2007

RE: Amending Code of Ordinances pertaining to Picnic with the Pops

This memo is to request that an amendment be done to the Code of Ordinances pertaining to the Picnic with the Pops Commission to include guests artists within the definition; to increase the number of at-large members; to have the election of the chair by the membership; to create an executive committee; and to have activities for development of a permanent outdoor facility.

Attachments



AN ORDINANCE AMENDING SECTION 2-200(b), SECTION 2-201, SECTION 2-203 AND SECTION 2-205 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PERTAINING TO THE PICNIC WITH THE POPS COMMISSION, TO INCLUDE GUEST ARTISTS WITHIN THE DEFINITION OF "PICNIC WITH THE POPS"; TO INCREASE THE NUMBER OF AT LARGE MEMBERS; TO PROVIDE FOR ELECTION OF THE CHAIRMAN BY THE MEMBERSHIP; TO AUTHORIZE ACTIVITIES FOR DEVELOPMENT OF PERMANENT OUTDOOR FACILITY; AND TO PERMIT THE CREATION OF AN EXECUTIVE COMMITTEE.

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

SECTION 1 – That Section 2-200 (b) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section (b) "Picnic with the Pops" shall mean an outdoor performance of the Lexington Philharmonic Orchestra, including the appearance of popular guest Artist(s), at the Kentucky Horse Park Amphitheatre during the summer, at which picnic facilities shall be included among the seating arrangements offered for public sale.

SECTION 2 – That Section 2-201 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

The commission created by this article shall consist of thirteen (13) members, which shall be appointed by the mayor subject to confirmation by a majority of the Councilmembers. The thirteen (13) appointed members shall be representative of the following: Lexington-Fayette Urban County Government (2 members); Lexington Philharmonic Society (2 members); Lexington Herald Leader (1 member); Kentucky Horse Park Board (1 member) and at large (7 members). The Mayor and one (1) Councilmember

designated by the Mayor; subject to confirmation by a majority of the Councilmembers, shall serve as ex officio, non voting members of the Commission.

346-07³⁵

SECTION 3 - That Section 2-203 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

The commission created by this article shall have a chairman elected by the membership for a term of one (1) year and any other officers elected from the membership as set forth in the bylaws. The officers shall take office at the first meeting of the commission, and their duties shall be as implied by their respective titles and as may be specified in the bylaws. The commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.

SECTION 4 - That Section 2-205(1), (5) and (8) of the Code of Ordinances, Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(1) Plan and assist, with the division of parks and recreation, in conception, development and implementation of "Picnic with the Pops" performances; and encourage the development of a permanent outdoor facility suitable for such performances through methods consistent with this article.

(3) - Solicit and receive contributions and obtain grants and loans appropriate to the goals of the commission, including funding capital efforts in behalf of a permanent outdoor facility suitable for such performances.

(8) - Perform any other act necessary or appropriate to carry out the purposes of this article, including designating an executive committee, by a majority vote of the members of the commission, to exercise the authority of the Commission in all matters

permitted by law but not including changes to the by-laws.

SECTION 5 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

ATTEST:

MAYOR

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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349-07

Mayor Jim Newberry

Division of Community Development

**TO: JIM NEWBERRY, MAYOR
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER**

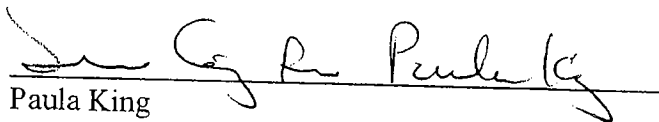
**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: JUNE 18, 2007

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
PURCHASE OF SERVICE AGREEMENT WITH LEXINGTON-
FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION
FOR \$193,710**

The FY 2008 General Fund budget provides for \$193,710 to support the operating costs of the Lexington-Fayette Urban County Human Rights Commission. The agency will continue to safeguard all individuals within Lexington-Fayette County from discrimination based on race, color, religion, national origin, sex, age, disability, familial status and sexual orientation/gender identity in connection with housing, employment and public accommodations and to effect the provisions and purposes of the Kentucky Civil Rights Act (KRS Chapter 3444), Urban County Ordinance 199-94 and 201-99, provision 7.17 of the Lexington-Fayette Merger Charter of 1974, and any other laws enacted by the Lexington-Fayette Urban County relating to the Commission.

Council authorization to execute agreement is requested.


Paula King
Director

HORSE CAPITAL OF THE WORLD

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350-07

Mayor Jim Newberry

Division of Community Development

TO: JIM NEWBERRY, MAYOR
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

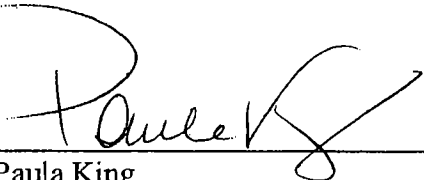
FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 18, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
PURCHASE OF SERVICE AGREEMENT WITH ROAD TO
HOMEOWNERSHIP, INC. FOR \$37,500

The FY 2008 General Fund budget provides for \$37,500 to support the operating costs of the Road to Homeownership, Inc. The agency will provide homeownership educational programs to economically disadvantaged and low-moderate income families.

Council authorization to execute agreement is requested.



Paula King
Director

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351-07

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

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 19, 2007

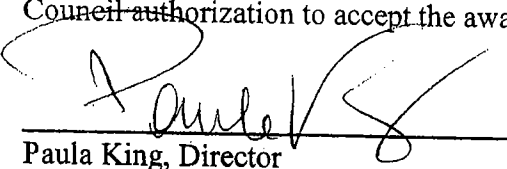
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM CITI
FOUNDATION FOR SUPPORT OF NEW LEAF PROGRAM AT THE FAMILY
CARE CENTER

Citi Foundation, a subsidiary of CitiFinancial, has offered the Lexington-Fayette Urban County Government Family Care Center an award in the amount of \$15,000 for the support of the New Leaf Program, a self-sufficiency project for single mothers. The New Leaf Program was begun at the Family Care Center in 2004 to fill a programming gap, providing clients with the opportunity to learn job skills while they are earning a high school diploma or GED. To ensure success, the Family Care Center also provides case management and counseling, WIC, access to a KTAP worker, medical care, child care, and transportation. The New Leaf Program promotes self-reliance, economic self-sufficiency and employability skills in teen mother through job training, financial management training, and personal development. The New Leaf Program plans to serve 60 low-income mothers during the coming year.

Citi Foundation funds in the amount of \$15,000 will be used to purchase minor equipment, supplies, and computer equipment for the production of items during Fiscal Year 2008. No matching funds are required.

Citi Foundation focuses grants primarily in three areas: building communities and entrepreneurs, financial education, and education of the next generation.

Council authorization to accept the award is hereby requested.


Paula King, Director

Cc: Marlene Helm, Commissioner of the Department of Social Services

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356-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 19, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES UNDER THE PREVENT CHILD ABUSE KENTUCKY INITIATIVE FOR AN EXPANDED HEALTHY ACCESS NURTURING DEVELOPMENT SERVICES (HANDS) PROJECT AT THE FAMILY CARE CENTER AND TO PROVIDE FOR ADDITIONAL FAMILY VISITATION SERVICES--FY 2008

On April 19, 2007 (Resolution # 177-2007), Council approved the submission of a grant application prepared by the Home Network program at the Family Care Center to Prevent Child Abuse Kentucky, requesting funds in the amount of \$15,000 for an expanded Healthy Access Nurturing Development Services (HANDS) project to address substance abuse issues and child maltreatment. The project has been approved in the amount of \$15,000 to support a Licensed Clinical Social Worker for 8-12 hours weekly for a one-year period. This is an existing employee. No matching funds are required. HANDS is an intensive home visitation program created to address potential risk of child-abuse/neglect, infant mortality, substance abuse and other high-risk life style behavior by making weekly visits to at-risk families for up to two years of a child's life, providing new parents with family education, mentoring, and support services to increase the likelihood of success for children. The expanded program will provide for additional substance abuse assessment and education for at-risk client families. All intake and substance abuse screening will be completed by a Licensed Clinical Social Worker. Education will include information about the adverse effects of parental alcohol and drug use, the benefits of stopping drug/alcohol use during pregnancy, the long-term effects of drug and alcohol abuse to children and families, and community resources available for treatment.

In addition to the amount requested, \$65,000 in federal funds has been offered to the LFUCG Family Care Center for the purpose of creating a new pilot Family Visitation Program providing in-home parent education for families with children aged from two years to six years. These additional funds will be used to support the costs of an additional Family Support Worker (**new position**), mileage, cell phone, office supplies, computer, and professional development. No matching funds are required. These funds are provided to Prevent Child Abuse Kentucky by the Kentucky Cabinet for Health and Family Services with funding established by Title II of the Child Abuse Prevention and Treatment Act Amendments of 1996.

Council authorization to accept the award is hereby requested.


Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

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347-07

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

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 18, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT A GRANT
APPLICATION TO DEPARTMENT OF TRANSPORTATION
REQUESTING FEDERAL FUNDS FOR A TRANSPORTATION EQUITY
AND EMERGENCY PREPAREDNESS PROJECT

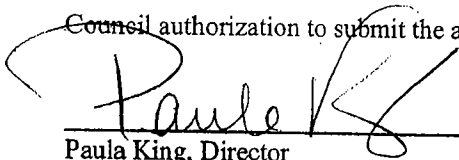
The Division of Environmental and Emergency Management has prepared an application for submission to the Department of Transportation/Federal Transit Agency requesting federal funds for the purpose of implementing a demonstration project that will improve emergency preparedness, disaster response, and disaster recovery for populations with specific mobility needs in the event of a natural or man-made emergency. If approved, the proposal will be funded by the Transportation Equity Research Program (TERP), which was established by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act--A Legacy for Users (SAFETEA-LU) for research and demonstration activities that focus on the impacts that transportation planning, investment, and operations have on low-income and minority populations that are transit dependent.

DEEM is proposing during the first year of a three-year project to:

- Form a partnership committee between DEEM, Lextran, Health Department, Social Services, community organizations and citizens to address the emergency preparedness and transportation needs of special needs populations.
- Identify the specific locations and transportation requirements of medical and social needs populations. These may include minority, low income, limited English proficiency, people with disabilities and older adult populations.
- Promote and implement a voluntary Special Needs Registry.

By the end of the three-year grant period, an emergency transportation plan for disaster response will be in place. The amount of federal funds requested for year one is \$214,000. If approved, succeeding years' funding will be \$250,000 per year. No match is required.

Council authorization to submit the application is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety

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352-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 19, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND ACCEPT AWARD FROM THE KENTUCKY DEPARTMENT OF
JUVENILE JUSTICE FOR FEDERAL FUNDING UNDER THE
JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM FOR FY
2008

The Department of Social Services, Division of Youth Services has prepared an application for submission to the Kentucky Department of Juvenile Justice requesting federal funding in the amount of \$14,100 from the Juvenile Accountability Block Grant (JABG) program.

Public Law 105-119 enacted by Congress on November 26, 1997, established the JAIBG program. The program was significantly restructured in October, 2003. The intent of the program is to provide states and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. This is not a delinquency prevention program and none of the funds can be used for prevention activities.

This will be the ninth year of this project. The amount of federal funds available in Fiscal Year 2005 was \$33,944, reduced to \$23,895 in 2006, and for 2007 and 2008, the amount of federal funds available to Fayette County has been reduced to \$14,100. The Department of Social Services is proposing that the Fayette County allocation of funds be used to continue the funding for the Juvenile Surveillance Program (overtime for police officers), professional services, professional development, drug testing services and supplies, and educational materials. A 10% match (\$1,570) is required. The grant match for this project has been requested in Youth Services' 2008 General Fund budget.

Council authorization to submit the application and accept the award if offered is hereby requested, subject to the availability of funds in Fiscal Year 2008.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

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348-07

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

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
CHARLIE BOLAND, ACTING CHIEF ADMINISTRATIVE OFFICER

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: JUNE 18, 2007

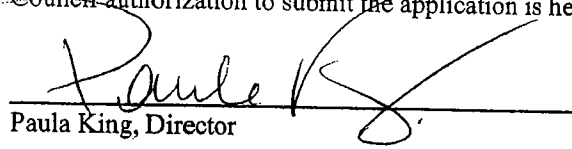
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S.
DEPARTMENT OF JUSTICE REQUESTING FEDERAL FUNDS UNDER THE 2007
STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

An application has been prepared by the Lexington-Fayette Urban County Government requesting federal funding under the State Criminal Alien Assistance Program (SCAAP). The program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security. This program is governed by the Immigration and Nationality Act, 8 U.S.C. §1231 (i) as amended, and Title II, Subtitle C. Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for inmates who are foreign born (with no legal right or documentation to be in the United States), incarcerated for at least four consecutive days during the reporting period (July 1, 2005 to June 30, 2006), and incarcerated on conviction of at least one felony or two (2) misdemeanors. Immigration and Customs Enforcement (ICE) will take responsibility for ensuring that aliens are properly identified and their status verified before reimbursements are made.

The FY 2007 SCAAP payment amounts are determined using a sampling of actual inmate, cost and facility data for a specified sampling or reporting period. SCAAP is not a traditional reimbursement program in which the actual cost, facility and data are collected. SCAAP uses prior year's data, from a specified sampling period, to determine applicants' annual relative percentages of available funding. The requested data is from the period of July 1, 2005 through June 30, 2006. For the 2005 SCAAP, the actual revenue to the LFUCG was \$69,269. No award has yet been made for the 2006 SCAAP. The Bureau of Justice Assistance cautions applicants about using the prior year award as a basis for estimating this year's award. Immigration and Customs Enforcement (ICE) will review all information submitted on eligible inmates to make final determination of which inmates are qualified undocumented criminal aliens. Any funds received from the 2007 SCAAP must be used for a corrections purpose.

Council authorization to submit the application is hereby requested.


 Paula King, Director

Cc: Tim Bennett, Commissioner of the Department of Public Safety

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