

**URBAN COUNTY COUNCIL  
SCHEDULE OF MEETINGS  
September 29 through October 6, 2008**

**Monday, September 29**

No Meetings Scheduled

**Tuesday, September 30**

Sanitary Sewers Oversight Committee Meeting.....11:30 am  
5<sup>th</sup> Floor Conference Room, Government Center  
Budget and Finance Committee Meeting.....1:00 pm  
Council Chambers 2<sup>nd</sup> Floor, Government Center  
Council Work Session.....3:00 pm  
Council Chambers 2<sup>nd</sup> Floor, Government Center  
Mayor's Youth Council Meeting.....5:30 pm  
5<sup>th</sup> Floor Conference Room, Government Center

**Wednesday, October 1**

TIF Delegation Meeting.....1:30 pm  
3<sup>rd</sup> Floor Conference Room, Phoenix Building

**Thursday, October 2**

Courthouse Area Design Review Board Public Hearing.....2:00 pm  
12<sup>th</sup> Floor Conference Room, Government Center  
Council Economic Development Task Force Meeting.....4:00 pm  
5<sup>th</sup> Floor Conference Room, Government Center  
Council Confirmation Hearing.....6:15 pm  
5<sup>th</sup> Floor Conference Room, Government Center  
Council Meeting.....7:00 pm  
Council Chambers 2<sup>nd</sup> Floor, Government Center

**Friday, October 3**

Bicycle Pedestrian Advisory Committee Meeting.....12:00 pm  
7<sup>th</sup> Floor Conference Room, Phoenix Building

**Monday, October 6**

No Meetings Scheduled

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**September 30, 2008**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, September 23, 2008, pp.7-10**
- IV. Budget Amendments – Yes, pp.11-15**
- V. New Business, pp.18-50**
- VI. Continuing Business / Presentations**
  - A. Planning Committee(separate, not in packet)**
  - B. Corridors Committee**
  - C. Mental Illness Awareness Week Proclamation**
  - D. Leaf Vacuuming Program Update**
  - E. Equine Taskforce Report, Bob Quick, CCE President and CEO Commerce Lexington Inc.**
  - F. Finds from Bluegrass Entrepreneurial Environment (BEE) Study – UK Institute for Workplace Innovation  
Dr. Jennifer Swanberg and Mac Werner**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (512-08) (Allen/Taylor)  
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Program Manager within the Division of Environmental Policy. The fiscal impact for FY2009 is \$55,482.30. This was approved in the FY2009 Budget and is funded from the Urban Service Fund.**p.18**
- B. Authorization of Change Order No. 1 to Contract with Stantec (formerly FMSM, Inc.) Regarding the Loch Lomond Drainage Improvements Project. (513-08) (Martin/Taylor)  
This request will authorize Change Order No. 1 to contract with Stantec for \$7,340 regarding the Loch Lomond Drainage Improvements Project. Broader analysis required by the original engineering scope had to be completed before the design could be completed. The original contact amount was \$60,000. New contract amount is \$67,340. Funds are budgeted.**pp.19-21**
- C. Authorization of a Deed of Acceptance for a Permanent Sanitary Sewer Easement and a Temporary Construction Easement at 4454 Clays Mill Road for the South Elkhorn Force Main Project. (516-08) (Martin/Taylor)  
This request will authorize a deed of acceptance at a cost of \$20,000 for a Permanent Sanitary Sewer Easement of 100,522 square feet and a Temporary Construction Easement of 100,522 square feet at 4454 Clays Mill Road. Funds are budgeted.**p.22**
- D. Authorization of a Deed of Acceptance for a Permanent Sanitary Sewer Easement and a Temporary Construction Easement at 2299 Brannon Road (Nicholasville) for the South Elkhorn Force Main Project. (518-08) (Martin/Taylor)  
This request will authorize a deed of acceptance at a cost of \$15,000 for a Permanent Sanitary Sewer Easement of 73,525 square feet and a Temporary Construction Easement of 73,525 square feet at 2299 Brannon Road in Nicholasville. Funds are budgeted.**p.23**

E. Authorization of a Purchase of Service Agreement (PSA) with the Kentucky World Trade Center (KWTC). (511-08) (Koch)

This request will authorize a PSA in the amount of \$115,000 with KWTC on behalf of LFUCG for a 12-month period beginning July 1, 2008. The KWTC will manage and operate the KWTC franchise, provide trade promotion, trade counseling, trade assistance, seminars, and library services to assist Kentucky businesses interested in exporting to foreign countries or otherwise doing business overseas and to assist foreign companies seeking business opportunities in Kentucky, and submit an annual report to the Mayor and Council, and submit copies of all federal, state and local tax returned to the Department of Finance and Administration. Funds are budgeted.**pp.24-28**

F. Authorization to Execute an Agreement with Ad-Success for Mobility Office Marketing Campaign – FY2009. (524-08) (P. King/Webb)

This request will authorize the execution of an Engineering Services Agreement with Ad-Success for federal funds in the amount of \$40,400 for the Mobility Office Marketing Campaign. Ad-Success was selected for a contract award based on its experience with transit accounts, is a full service advertising agency.**p.29**

G. Authorization to Execute an Engineering Services Agreement with Strand Associates, Inc. for the Feasibility Study and Engineering Design of the Legacy Trail Project. (525-08) (P. King/Webb)

This request will authorize the execution of an Engineering Services Agreement in the amount of \$496,000 with Strand Associates, Inc. for the feasibility study and engineering design of the Legacy Trail Project. Federal funds from the Kentucky Transportation Cabinet have been awarded for two (2) sections of this Trail. The Maine Chance Trail is funded from the Congestion Mitigation Air Quality Program (\$286,000) and the Coldstream Park Trail is funded from the Transportation Enhancement Program (\$122,000). The Agreement includes feasibility study and development of construction documents for these two (2) sections and planning documents for the Lexmark and Downtown Sections (\$88,000). Funds for the feasibility study will come from Bond Revenue Funds generated for trail development.**p.30**

H. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Fire and Emergency Services. (519-08) (Allen/Bennett)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Heavy Equipment Mechanic (111N) and create one (1) position of Heavy Equipment Technician (Grade 113N) within the Division of Fire and Emergency Services. The fiscal impact for FY2009 will be \$3,703.96 and will be funded from the Division's Operating Supplies and Expenses Account.**p.31**

I. Authorization to Submit an Application to the Kentucky Justice Cabinet and Accept the Award ( if Offered) for the Violence Against Women Act Program for the Continuation of the Sexual Assault Nurse Examiner (SANE) Program – FY2009. (514-08) (P. King/Bennett)

This request will authorize the submission of an application for federal funds in the amount of \$67,570 to the Kentucky Justice Cabinet under the Violence Against Women Act Program for the continuation of the SANE Program within the Division of Police as a response to sexual assault for females 14 years old and above. A local match of 25% (\$23,190) is required and is budgeted in the Division of Police's FY2009 General Fund budget. Total costs for a 12-month period will be \$116,910. Funds are also requested for purchase of a new colposcope in the amount of \$29,000. It is projected that as many as 130 sexual assault examinations will be conducted during this period. It is estimated the SANE Manager will perform approximately 25 examines and the remaining 105 will be performed by a SANEs under contract with LFUCG. It is anticipated the state's Crime Victims Compensation Fund will pay \$200 for each exam for an estimated total of state revenue of \$21,000. LFUCG pays the nurses \$230 per examine. The remaining \$30 per examine (\$3,150) is budgeted as a grant match in the Division of Police's FY2009 General Fund budget.**pp.32-33**

J. Authorization to Accept an Award from Kentucky Department of Military Affairs, Division of Emergency Management on Behalf of the Department of Public Safety, Division of Emergency Management / 911 for FY2009 Emergency Management Assistance Project. (522-08) (P. King/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$55,133 from the Kentucky Department of Military Affairs, Division of Emergency Management, on behalf of the Division of Emergency Management / 911. Funds will be used to support emergency preparedness activities in Fayette County and to offset personnel and operating costs. The source of federal funds is the Department of Homeland Security, Federal Emergency Management Agency. A local match of 50% (\$55,133) is required and is budgeted in the FY2009 General Fund Budget.**pp.34**

K. Authorization to Accept Award from the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board on Behalf of the Department of Public Safety, Division of Emergency Management/911 for Improvements to the Regional 911 System. (526-08) (P. King/Bennett)

This request will authorize the acceptance of an award of state funds of \$177,015 from the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board on behalf of the Division of Emergency Management / 911 for improvements to the Regional 911 System. Funds will be used to purchase equipment and services necessary for the acquisition, installation and implementation of Next Generation 911



infrastructure to Public Service Answering Points in Boyd, Casey, Garrard, Lincoln, Rockcastle and Taylor Counties. No local match is required.**p.35**

- L. Authorization to Accept Donation from the Friends of the Lexington Mounted Police, Inc. on Behalf of the Department of Public Safety, Division of Police, Mounted Police Unit, to Attend the 2008 North American Police Equestrian Championships. (515-08) (Bastin/Bennett)

This request will authorize the acceptance of a donation valued at \$2,790 from the Friends of the Lexington Mounted Police, Inc. on behalf of the Mounted Police Unit for the cost of conference registration and lodging at the 2008 North American Police Equestrian Championships at Kinston, Ontario Canada.**p.36**

- M. Authorization to Accept a Donation from Windstream Communications on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (521-08) (Dugger/Bennett)

This request will authorize the acceptance of a donation from Windstream Communications of 100 First Alert WX-17 portable emergency alert radios on behalf of the Division of Emergency Management / 911. The radios will be given to the public during various educational events, talks, presentations, booths and preparedness campaigns.**p.37**

- N. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of General Services, Division of Parks and Recreation for the Extended School Program (ESP) and the Recreational Enrichment and Learning (REAL) Program. (517-08) (Hancock/Cole)

This request will authorize a Facility Usage Contract with FCBE for use of various Fayette County Public School facilities on behalf of the Division of Parks and Recreation for the ESP and REAL Program. These programs provide activities, before and after school, for elementary and middle school age children with high-quality child care alternative combined with student enrichment opportunities that include educational support, positive socialization skills and a variety of leisure activities.**pp.38-43**

- O. Authorization of Lease Agreements with Non-Profit Agencies Located in the Black and Williams Neighborhood Center. (520-08) (Talbert/Helm)

This request will authorize lease agreements with the National Alliance for the Mentally Ill (NAMI), Bluegrass Community Action Agency, National Association for the Advancement of Colored People (NAACP), Eldercrafters, Community Reinvestment Alliance (CRAL), Legal Aid of the Bluegrass, Lexington Fayette County Urban League, LexCare, Area Health Education Center (AHEC), and the West End Community Empowerment Project (WECEP) for office space at the Black and Williams Neighborhood Center. The non-profit agencies receive rent-free space, utilities and janitorial services in exchange for their services to residents of

the neighborhood. The agreements are for one year beginning July 1, 2008 and expiring June 30, 2009. **p.44**

P. Authorization to Renew Aircraft Liability Insurance with ACE USA for the Two (2) LFUCG Police Helicopters. (523-08) (Askew)

This request will authorize the renewal of Aircraft Liability Insurance at a cost of \$19,000.80 with ACE USA. The policy provides \$20 million coverage limit for liability claims associated with the use of two (2) LFUCG Police helicopters. The policy is from October 21, 2008 – October 21, 2009. There is no change in premium from last year. Funds are budgeted. **pp.45-49**

Q. Authorization of a Resolution Requesting the Kentucky Economic Development Finance Authority to Issue Bonds for the Catholic Health Initiatives, Inc. (527-08) (Wright/Kelly)

This request will authorize a resolution requesting the Kentucky Economic Development Finance Authority to issue bonds in an amount not to exceed \$438,920,000 for the Catholic Health Initiatives, Inc. to pay the costs of acquisition, construction, renovation and installation of certain additions and improvements, including equipment, at the hospitals. The adoption of this resolution shall not impose any financial liability or responsibility on LFUCG. **p.50**

# URBAN COUNTY COUNCIL

## WORK SESSION SUMMARY

September 23, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:01pm. All Council Members were in attendance.

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

Motion by Gorton to approve the September 16, 2008 work session summary, seconded by Stinnett motion passed.

- IV. Budget Amendments – None
- V. New Business

Ellinger had a question about item G of New Business which refers to the living wage and was told by Michael Allen, HR Director, 17 employees have been identified to receive the living wage.

Motion by DeCamp to approve new business items, seconded by Gorton, motion passed.

- VI. Continuing Business/Presentations

Down Syndrome Awareness and Buddy Walk Day Proclamation

Mayor Newberry declared Saturday, September 27, 2008 as the 6<sup>th</sup> Annual Buddy Walk Day to be held at Keeneland Race Track at 9:30 am

Intergovernmental Committee update by James, with one motion coming forward:

Motion by James for building inspection to provide a list of business affected by the temporary structure proposal and to notify those business that have received a temporary structure permit in the last three (3) years to attend the November 2008 Intergovernmental Committee Meeting, seconded by Stinnett, motion passed.



Stevens asked James if the intent was to add the motion as an ordinance and be placed on the work session agenda. Myers asked if the work of the committee was completed yet on this issue. James replied no. Stevens then withdrew his question since the issue is still under consideration by the committee.

Leaf Vacuuming Program Presentation was rescheduled for September 30, 2008 Work Session.

Downtown Survey Presentation – Renee Jackson, President, Downtown Lexington Corp. and Phil Osborne, Consultant presented the council with results of a survey conducted July 30, 2008 to August 13, 2008. There was much discussion regarding findings with several questions, observations and recommendations from council members. Council member Blues asked for hard copies of the presentation. Mr. Osborne agreed to provide.

#### Council Report

McChord announced the Metropolitan Planning Organization meeting at 6:30 pm that evening at Southland Christian Church. He congratulated Div. of Police and officers recognized at the recent awards banquet. He also announced the Second Sunday Event to be held from 2:00 – 6:00 pm in October. South Lime Street will be closed during those hours for people to walk, bike ride, etc.

James asked McChord if any business owners along that route should have questions about the event who they should address them to. McChord recommended calling the Shaye Rabold, in the Mayor's Office.

Stinnett announced an Eastland Parkway Neighborhood Assoc. meeting and encouraged the public to attend since the high school property issue will be discussed. He also shared details of his recent visit to Larry Roberts's office and said he plans to coordinate a group visit including council members for a Wednesday morning at approx. 10:00 am. James also commented on her visit and observations made. He referred to the second TIF project that was walked on to the docket and was concerned about each TIF project request being treated differently. He wanted to know if there was a process or outline identified in preparation for the upcoming TIF public hearings. He asked the Mayor to direct the TIF hearings be broadcasted on GTV3.

Lane commented on his recent visit to the Horse Park stating he was very impressed and commended them on a flawless organization.

Blues announced the Spicewood Neighborhood Assoc. meeting and also encouraged public participation in the Bryan Station High School discussion previously referred to by Stinnett.

A motion by Myers to approve the NDF list dated September 23, 2008, seconded by Gorton, motion passed.

Myers also had a question about the sign ordinance and was told by DeCamp that motion and request for an ordinance had already been placed in the Services Committee. Myers asked the Services Committee chair if the issue might be placed on the agenda for the next meeting.

Motion by McChord to direct the TIF Delegation to create a project summary, list of standards that would be presented prior to any public hearing. The summary would include" timeframes & costing, general statement of finance, if or how much public money required upfront, track record/performance history of developer, seconded by Lane, motion passed.

Gray indicated he would like to discuss the motion before voting and suggested the TIF Delegation review, evaluate and determine the attributes of a report from Laura Daugherty.

Blevins also commented about the need for a basic list of standards since there have been not one but two TIF applications brought forward. He did not wish to slow the process of those, but stated beyond those, there was a need for a process, standards, etc.

Stevens talked about why the TIF Task Force Delegation was created and the intent and expectations for it.

Beard reminded the council of the time line starting with the first TIF meeting, July 17, 2008 and pressure to get things done with legislation in Frankfort. He said approx. 80% of the TIF process is dictated by state government and not by LFUCG.

James did not agree with the decision for a project summary and list of standards coming from the TIF Delegation but would rather see the matter in a council committee.

Mayor Newberry directed the Council Administrator to have Paul Schoningher, TIF Delegation staff person to add McChord's motion to the agenda for information/action/discussion at the next TIF Delegation meeting October 1, 2008.

## VII. Mayor's Report - None

Mayor Newberry announced a reminder of the Neighborhood Summit to be held on Saturday, October 25, 2008 at the Government Center, 200 E. Main from 8:00 am until 1:00 pm.

## VIII. Public Comment – Issues Not on Agenda

One citizen spoke before the council.

Motion by Gorton to adjourn work session, seconded by Myers, motion passed.

Meeting was adjourned at 4:49 p.m.

Motion by McGlothlin to direct the TIF Delegation to create a project summary list of standards that would be presented prior to any public hearing. The summary would include: findings & conclusions, general statement of findings, & any other public input received without. Jack recommended history of findings, supported by data, to be included.

Gary indicated he would like to discuss the motion before voting and suggested the TIF Delegation review, evaluate and determine the attributes of a report from Laura Gargano.

Blaine also commented about the need for a basic list of standards since there have been not one but two TIF applications brought forward. He did not wish to slow the process of those but stated beyond those, there was a need for a process, standards, etc.

Stevens talked about why the TIF Task Force Delegation was created and the intent and expectations for it.

Beard reminded the council of the time line starting with the first TIF meeting, July 17, 2008 and pressure to get things done with legislation in Franklin. He said approx. 80% of the TIF process is dictated by state government and not by LUCG.

James did not agree with the decision for a project summary and list of standards coming from the TIF Delegation but would rather see the matter in a council committee.

Mayor Newberry directed the Council Administrator to have Paul Scheninger, TIF Delegation staff person to add McGlothlin's motion to the agenda for information/discussion at the next TIF Delegation meeting October 1, 2008.

#### VII. Mayor's Report - None

Mayor Newberry announced a reminder of the Neighborhood Summit to be held on Saturday, October 25, 2008 at the Government Center, 200 E. Main from 8:00 am until 1:00 pm.

#### VIII. Public Comment - Issues Not on Agenda

One citizen spoke before the council.

## BUDGET AMENDMENT REQUEST LIST

11

<b>JOURNAL</b>	27437	<b>DIVISION</b>	Environmental Quality	<b>Fund Name</b>	Urban Service Fund
				<b>Fund Impact</b>	20,000.00
					20,000.00

To provide funds for small equipment for nine new positions in the Division of Environmental Policy. Funds will be taken from fund balance.

<b>JOURNAL</b>	27435	<b>DIVISION</b>	Water Quality	<b>Fund Name</b>	Sanitary Sewer
				<b>Fund Impact</b>	13,000.00
					13,000.00CR
					.00

To provide funds for modem and antenna equipment for flow monitoring related to CMOM (Capacity, Management, Operation, and Maintenance) activities.

<b>JOURNAL</b>	27440-41	<b>DIVISION</b>	Engineering	<b>Fund Name</b>	Municipal Aid Program
				<b>Fund Impact</b>	249,652.10
					249,652.10CR
					.00

To provide funds for street reimbursement account by recognizing a reimbursement from Commonwealth of Kentucky for work done on the Hamburg Force Main Project.

<b>JOURNAL</b>	27279	<b>DIVISION</b>	Traffic Engineering	<b>Fund Name</b>	2009 Bond Projects
				<b>Fund Impact</b>	200,000.00
					200,000.00CR
					.00

To provide funds for fiber in the proper capital account for the 2009 Bond Projects fund.

<b>JOURNAL</b>	27281	<b>DIVISION</b>	Parks and Recreation	<b>Fund Name</b>	PFC – Parks Project
				<b>Fund Impact</b>	271,996.71
					103,166.77CR
					168,829.94

To provide funds fro golf course contingency by recognizing fees earned during prior years dedicated for this purpose and to allocate golf course dedicated fees for purchase of off road motorized equipment.

<b>JOURNAL</b>	27194	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	US Dept Transportation
				<b>Fund Impact</b>	19,874.00
					19,874.00CR
					.00

To reallocate funds budgeted in professional development to fiber optic cable installation activities for the 2007 Fiber Optic Cable project.



<b>JOURNAL</b>	27428-29	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	US Dept Agriculture
				<b>Fund Impact</b>	10,000.00
					10,000.00CR
					.00

To reallocate personnel costs to support higher food costs for the National School Lunch Program for 2008.

### BUDGET AMENDMENT REQUEST SUMMARY

Fund	1115	Urban Service District Fund	20,000.00
Fund	1136	Municipal Aid Program Fund	.00
Fund	2518	2009 Bond Projects Fund	.00
Fund	3100	US Department of Agriculture	.00
Fund	3160	US Department of Transportation	.00
Fund	4003	Sanitary Sewer Revenue and Construction Fund	.00
Fund	4024	Public Service Corporation – Parks Projects	168,829.94





Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

**Budget Journal Number** 27279  
**Requesting Division** Traffic Engineering  
**Fund Name** 2009 Bond Projects  
**Fund Number** 2518  
**Contact for Additional Information** Kimberly Ammeter 3496  
**Description**

Funds for fiber purchases need to be in account 91711 – the 2009 funds were established in the wrong detail account.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

**Budget Journal Number** 27194  
**Requesting Division** Community Development  
**Fund Name** 3160  
**Fund Number** US Department of Transportation  
**Contact for Additional Information** Irene Gooding-3079  
**Description**

Budget amendment decreases Professional Development (74101) by \$19,874 and increases Fiber Optic Installation (91711) in the amount of \$19,874 in order to continue the installation of fiber optic to improve traffic flow on New Circle Road between North Broadway and Winchester Road.



Mayor Jim Newberry  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

**Budget Journal Number** 27428  
**Requesting Division** Community Development  
**Fund Name** US Department of Agriculture  
**Fund Number** 3100  
**Contact for Additional Information** Irene Gooding-3079  
**Description**

Budget amendment provides for the reallocation of \$10,000 from personnel costs (Benefits--63611) to Food and Household (75102) to support higher food costs for National School Lunch. In addition to the increase in food prices, vendors have also begun to place fuel surcharges on invoices.

# NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

September 30, 2008 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	
514-08	BA 1769	Community Development	To establish grant budget for SANE Project – FY 2009.	
I			3140	116,910
			3140	116,910CR
				0*
519-08	CB 0010	Fire	To provide funds for one position of Heavy Equipment Technician by abolishing funds for one position of Heavy Equipment Mechanic and by reducing funds for operating supplies and expenses.	
H			1101	3,700
			1101	3,700CR
				0*
522-08	BA 1774	Community Development	To establish grant budget for Emergency Management Assistance Program for the Division of Emergency Management/911 – FY 2009.	
J			3200	110,266
			3200	110,266CR
				0*
522-08	BA 1775	Community Development	To budget additional personnel recovery for Emergency Management Assistance Program – FY 2009.	
J			1101	10,000
			1101	10,000CR
				0*
526-08	BA 1773	Community Development	To establish grant budget for Commercial Mobile Radio Service Grant for State Homeland Security Communication Project – FY 2009	
K			3400	177,015
			3400	177,015CR
				0*

## EFFECT ON FUND BALANCES

FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICES DISTRICT
FUND 3140	0*	NO EFFECT ON:	US DEPARTMENT OF JUSTICE
FUND 3200	0*	NO EFFECT ON:	US DEPARTMENT OF HOMELAND SECURITY
FUND 3400	0*	NO EFFECT ON:	GRANTS STATE

**Budget Information For New Business Items**  
September 30, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	512-08	55,482	1115	Urban Service District Fund
B	513-08	7,340	2522	Public Works Bond Fund
C	516-08	20,000	4003	Sanitary Sewer Construction Fund
D	518-08	15,000	4003	Sanitary Sewer Construction Fund
E	511-08	115,000	1101	General Service District – General Fund
F	524-08	40,400	3160	US Department of Transportation
G	525-08	408,000 88,000	3160 2517	US Department of Transportation 2008 Bond Projects Fund
H	519-08	3,700	1101	General Service District – General Fund Budget Journal
I	514-08	116,910	3140	US Department of Justice Budget Journal
J	522-08	110,266 10,000	3200 1101	US Department of Homeland Security General Service District – General Fund Budget Journal
K	526-08	177,015	3400	Grants – State Budget Journal
L	515-08	NA		
M	521-08	NA		
N	517-08	NA		
O	520-08	NA		
P	523-08	19,000	1101	General Service District – General Fund
Q	527-08	NA		





512-08

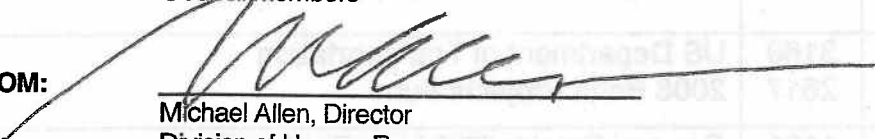
Jim Newberry, Mayor

LEXINGTON

Division of Human Resources

**MEMORANDUM**

**TO:** Mayor Jim Newberry  
Senior Advisor Joe Kelly  
Council Members

**FROM:**   
Michael Allen, Director  
Division of Human Resources

**DATE:** September 17, 2008

**RE:** **Create Position—Division of Environmental Policy**

The attached action amends Section 21-5 of the Code of Ordinances, creating one (1) position of Program Manager Sr. (Grade 120E) within the Division of Environmental Policy, effective upon passage by Council.

The Division of Environmental Policy is responsible for keeping L.F.U.C.G. divisions in compliance with environmental laws and regulations, assisting in compliance of the consent decree, developing air quality and enforcement programs, heading sustainability initiatives, providing guidance on environmental policy, and helping to educate L.F.U.C.G. employees and the public on environmental issues. The creation of this position will provide the Division with a Program Manager Sr. to be the primary leader for development in implementation of programs to enhance Lexington/Fayette Counties environment.

The fiscal impact for FY2009 (17 pay periods) results in a cost of \$55,482.30. This was included in the approved in the FY2009 budget, and is funded from Urban Service Fund. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Program Manager Sr.	\$0	\$65,120.64	\$65,120.64
Total Annual Impact/ Salary and Benefits \$84,855.29				

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

**Attachment**

**cc:** Cheryl Taylor, Commissioner, Department of Environmental Quality  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log #09-0011



513-08

Mayor Jim Newberry

## LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water Quality

MEMORANDUM

TO: Mayor Jim Newberry  
Urban County Council

FROM: David A. Carroll, PE  
Municipal Engineer, Senior

DATE: September 16, 2008

SUBJECT: Loch Lomond Drainage Improvements  
LFUCG Project Number # 505  
**Amendment to Contract #6029**

As indicated on the attached letter dated May 13, 2008, from our Engineering Consultant, Stantec (formerly FMSM, Inc), for the referenced project, we are recommending the approval of the requested contract change or amendment for \$7,340.00. As described within the attached letter, unanticipated surveying and broader analysis had to be completed before the design required by the original engineering scope could be completed. The change will help assure that street drainage to residents is reduced.

The accounting for this project is 2522-303204-3334-92211  
Project: LOCH\_LOMOND\_DR  
Activity: STORMWATER

Approved by :

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

Cheryl Taylor  
Commissioner, Department of Environmental Quality

## Attachments:

Blue Sheet  
Amendment No. 1  
Project History Form  
Stantec 05.13.2008 Letter

c:

D. Bennett  
C. Fely

HORSE CAPITAL OF THE WORLD



**Stantec**

**Stantec Consulting Services Inc.**  
1409 North Forbes Road  
Lexington KY 40511-2050  
Tel: (859) 422-3000  
Fax: (859) 422-3100

513-08

20

May 13, 2008

0.1.1.1771467066-LX2007066L05

David Carroll, PE, SE  
Lexington-Fayette Urban County Government  
101 East Vine Street, 4th Floor  
Lexington, KY 40507

Dear Mr. Carroll:

**Reference: Change Order Request  
Loch Lomond Capital Stormwater Improvement Project**

Stantec Consulting Services Inc. (Stantec) was contracted by the Lexington-Fayette Urban County Government (LFUCG) to analyze and design stormwater improvements along Loch Lomond Drive (Purchase Order LF00032501, dated January 11, 2008). The purpose of this letter is to request a change order in the amount of **\$7,340.00** for additional work requested by LFUCG. The additional items described below were not included in the original scope of work, were identified during preliminary analyses on the project, and are required to complete the project. A description of the work being requested and the estimated fee associated with completing each task are provided below.

1. Wilson Downing Roadway Drainage Improvements. During site reconnaissance and resident interviews, it was identified that the existing drainage channel along the south side of Wilson Downing Road is not functioning properly, resulting in uncontrolled stormwater runoff across Wilson Downing Road to the Loch Lomond project area. Work on this task would expand the Loch Lomond stormwater improvements project area to include the portion of the south side of Wilson Downing Road identified in Attachment #1. Specifically, the work would include performing a topographic survey, hydrologic and hydraulic analysis, engineering design of stormwater improvements, and incorporating recommended improvements into the Loch Lomond design drawings. The estimated fee associated with this task is \$5,970.00.
2. Field Survey Sanitary Sewer System in Project Area. Record drawings showing pipe invert elevations for the existing sanitary sewer system within the Loch Lomond project area are unavailable from LFUCG. Sanitary sewer elevation information is necessary to verify that proposed stormwater improvements do not adversely impact the sanitary sewer system. Work under this task would consist of field surveying incoming and outgoing pipe inverts at the ten (10) sanitary sewer manholes within the Loch Lomond project area (Attachment #1). Invert elevation information would be provided to LFUCG for incorporation into their Geographic Information System (GIS) and displayed, as appropriate, on design drawing for the Loch Lomond stormwater improvements. The estimated fee associated with this task is \$1,370.00.

RECEIVED  
MAY 14 2008

ENGINEERING

**CONTRACT HISTORY FORM**

Contractor: StanTec (formerly FMSM, Inc )

Project Name: Loch Lomond Drainage Improvements: P505

Contract Number and Date: 6029 R 680-2007

Responsible LFUCG Division: Water and Air Quality

**CHANGE ORDER DETAILS**

	<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A.	Original Contract Amount:	\$ <u>60,000.00</u>	
B.	Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	\$ <u>60,000.00</u>	
<u>Current Change Order</u>			
D.	Amount of This Change Order:	\$ <u>7,340.00</u>	<u>12</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order :	\$ <u>67,340.00</u>	<u>112</u> % (Line E / Line A)

**SIGNATURE LINES**

Project Manager: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

Division Director: \_\_\_\_\_

Date: \_\_\_\_\_

516-08



Mayor Jim Newberry

## LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

**MEMORANDUM**

To: Mayor Jim Newberry  
Urban County Council

From: Mary Bennett *MB*  
Engineering Technician

Date: September 17, 2008

Re: Resolution Authorizing Acceptance of Deed  
Project No: 485 - South Elkhorn Force Main Project

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for a permanent sanitary sewer for the South Elkhorn Force Main Project. The deed will be from RSCS, LLC at a cost of \$20,000.00 for the acquisition of 100,522 square feet of permanent sanitary sewer easement and 100,522 square feet of temporary construction easement on the property located at 4454 Clays Mill Road.

Funds for the payment are currently budgeted. Acceptance of the deed in payment of the consideration is recommended.

Approved by:

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

Cheryl Taylor, Commissioner  
Department of Environmental Quality

## Attachments

c: Robert Bayert, P.E.      Rick Day, P.E.      Leigh Karr, w/a      Keith Horn      James Wray  
Yvonne Stone      File

09.P485.406.bluep4

HORSE CAPITAL OF THE WORLD





518-08

Mayor Jim Newberry

## LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

**MEMORANDUM**

To: Mayor Jim Newberry  
Urban County Council

From: Mary Bennett *MB*  
Engineering Technician

Date: September 17, 2008

Re: Resolution Authorizing Acceptance of Deed  
Project No: 485 – South Elkhorn Force Main Project

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for a permanent sanitary sewer for the South Elkhorn Force Main Project. The deed will be from George D. and Ann M. Robinson at a cost of \$15,000.00 for the acquisition of 73,525 square feet of permanent sanitary sewer easement and 73,525 square feet of temporary construction easement on the property located at 2299 Brannon Road, Nicholasville, Kentucky.

Funds for the payment are currently budgeted. Acceptance of the deed in payment of the consideration is recommended.

Approved by:

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

Cheryl Taylor, Commissioner  
Department of Environmental Quality

## Attachments

c: Robert Bayert, P.E.  
Yvonne Stone

Rick Day, P.E.  
File

Leigh Karr, w/a

Keith Horn

James Wray

09.P485.406.bluep5

HORSE CAPITAL OF THE WORLD

511-08



Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Department of Finance & Administration

**MEMORANDUM**

**TO:** Mayor Jim Newberry  
Urban County Council

**FROM:** Kyna Koch, Commissioner  
Department of Finance and Administration *Kyna Koch*

**DATE:** September 22, 2008

**SUBJECT:** Purchase of Service Agreement – Kentucky World Trade Center

The Department of Finance requests approval of the attached Purchase of Service Agreement between the Lexington-Fayette Urban County Government and the Kentucky World Trade Center for FY09.

The agreement states that the Kentucky World Trade Center will receive \$ 115,000 from the Urban County Government which is fully budgeted.

I recommend that the Mayor be authorized to execute the agreement with the Kentucky World Trade Center.

I am available if questions arise.

Attachment

**HORSE CAPITAL OF THE WORLD**

511-08

PURCHASE OF SERVICE AGREEMENT

THIS PURCHASE OF SERVICE AGREEMENT, made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the COMMONWEALTH OF KENTUCKY created pursuant to KRS chapter 67A ("Government"), 200 East Main Street, Lexington, Kentucky 40507, and **KENTUCKY WORLD TRADE CENTER LEXINGTON, INC.**, a Kentucky non-stock, non-profit organization, ("Organization") with offices located at 1600 World Trade Center, 333 West Vine Street, Lexington, Kentucky 40507.

WITNESSETH

That for and in consideration of the mutual promises and covenants herein expressed, the Government and the Organization agree as follows:

1. Government hereby retains Organization for the period beginning on July 1, 2008, and continuing for a period of twelve (12) months from that date unless within that period Government gives the Organization thirty (30) days written notice of termination of this Agreement in which case this Agreement shall terminate thirty (30) days from the date notice is given to the Organization.
2. Government shall pay the Organization the sum of One Hundred Fifteen Thousand Dollars (\$115,000.00) for services required by this Agreement, the payment schedule for which shall be mutually agreed between the parties.
3. The Organization agrees to provide the following services:
  - A. Manage and operate the World Trade Center franchise in Lexington, Kentucky;

B. Provide other such services to include, but not be limited to, trade promotion, trade counseling, trade assistance, seminars, library services to assist Kentucky businesses interested in exporting to foreign countries or otherwise doing business overseas and to assist foreign companies seeking business opportunities in Kentucky;

C. Submit an annual report each year to the Mayor and the Urban County Council, which report shall contain a summary of its activities for the preceding year.

D. File all federal, state and local tax returns which are required by the respective governmental unit and to submit copies of same to the Department of Finance and Administration ("Department")

4. In the event of termination of this Agreement by Government as provided for in Paragraph 1 above, Organization shall be entitled to that portion of total compensation due under this Agreement, or renewals thereof, as the service rendered bears to the service required hereunder.

5. Organization shall perform all duties and services described in item 3 above faithfully and satisfactorily at the time, place and for the duration prescribed herein. Organization shall keep itself fully informed of all national and state laws and all municipal ordinances and regulations in any manner affecting the work or performances of this Agreement, and shall at all times observe and comply with such laws, ordinances and regulations, whether or not such laws, ordinances or regulations are mentioned herein and shall indemnify Government, its officers, agents and employees against any claim or liability arising from and based on Organization's violation of any such laws, ordinances or regulations.

511-08

6. Organization represents that it has filed any federal, state or local income tax returns required by law in the legally prescribed time and manner for the preceding fiscal year. This Agreement shall not become effective unless and until copies of all of the executed originals of the aforementioned tax returns filed for the Organization have been registered by the Organization in the office of the Commissioner of the Department, and the Organization shall not be compensated unless and until such registration has taken place.

7. Books of accounts shall be kept by the Organization and entries shall be made therein of all money, goods, effects, debts, sales, purchases, receipts, payments and any other transactions of the Organization. The books of accounts, together with all bonds, notes, bills, letters and other writings belonging to the Organization, shall be maintained at the principal place of business of the Organization as set forth in this Agreement. Government shall have free and complete access to the books papers and affairs of the Organization at all reasonable times, and if it desires, it may have the books and papers of the Organization audited and examined by auditors, accountants or attorneys. Any examination shall be at the expense of the Government.

8. Government may designate such persons as may be necessary to monitor and evaluate the services rendered by the Organization. The Government, its agents and employees, shall, at all times, have unrestricted access to all places where or in which the services required hereunder are being carried on and conducted. Inspection and monitoring of the work by these authorities shall in no manner be presumed to relieve in



any degree the responsibility or obligations of Organization, or to constitute Organization an agent of the Government.

9. Organization shall provide equal opportunity in employment for all qualified persons, shall prohibit discrimination in employment because of race, color, creed, national origin, sex, age, sexual orientation or gender identity, or handicap, shall promote equal employment through a positive, continuing program of equal employment, and shall cause each of its subcontracting agencies to do so. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

10. Organization shall adopt a written sexual harassment policy, which shall, at a minimum, contain a statement of current law; a list of prohibited behaviors; a complaint process; and a procedure which provides for a confidential investigation of all complaints. The policy shall be given to all employees and clients and shall be posted at all locations where Organization conducts business. The policy shall be submitted to the Department of Law for review within thirty (30) days of the execution of this Agreement.

11. The Organization agrees that all revenue and expenditures shall be audited at least annually by independent certified public accountants who shall express an opinion as to whether or not revenue and expenditures during the year audited have conformed with state and local law and regulation.

12. This instrument contains the entire agreement between the parties, and no statement, promises or inducements made by either party or agent of either party that is not contained in this written Agreement shall be valid and binding; and this Agreement may not be enlarged, modified or altered except in writing signed by the parties and endorsed hereon.



524-08

Mayor Jim Newberry

## LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

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

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

**DATE: SEPTEMBER 18, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT**  
**WITH AD-SUCCESS FOR MOBILITY OFFICE MARKETING**  
**CAMPAIGN—RFP 7-2008**

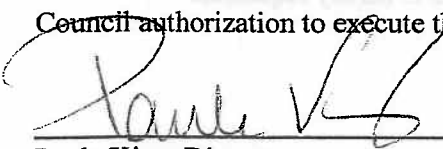
The Lexington-Fayette Urban County Government annually receives federal funds for operation of its mobility office (Ridesharing program), funded from the Surface Transportation Program-Lexington (SLX) and operated by the Division of Planning. Acceptance of these funds for Fiscal Year 2009 was approved by Council on May 22, 2008 (Ordinance # 108-2008).

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-#7-2008) was issued in March 2008 soliciting proposals from interested firms for the design and implementation of a marketing campaign in Fiscal Year 2009. Five firms submitted proposals. Ad-Success was selected for contract award based upon its experience with transit accounts, its role as a full service advertising agency, its submission of materials, and its understanding of the project. In addition to contract award in Fiscal Year 2009, the RFP provides for a one-year renewal in Fiscal Year 2010, pending agreement by both parties and availability of funding. The Agreement in the amount of \$40,400 with Ad-Success includes design, television and radio time, print materials, and documentation of Public Service Announcements.

Funds are budgeted as follows:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF
3160	160705	0001	71299	MOBILITY OFFICE	2009

Council authorization to execute the agreement is hereby requested.

  
Paula King, Director

Xc: Mike Webb, Acting Commissioner of the Department of Public Works and Development

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525-08

30

Mayor Jim Newberry

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Community Development

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

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

**DATE: SEPTEMBER 23, 2008**

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE ENGINEERING SERVICES AGREEMENT WITH STRAND ASSOCIATES, INC., FOR FEASIBILITY STUDY AND ENGINEERING DESIGN OF THE LEGACY TRAIL PROJECT—RFP 28-2008**

In response to RFP 28-2008, ten proposals were received for the feasibility study and engineering design of the Legacy Trail Project. Three firms were invited to make presentations to the selection committee made up of representatives from Urban County Council, University of Kentucky, citizens, Mayor's Office, and the Divisions of Planning and Engineering. Strand Associates, Inc. was selected as the firm that most nearly met the selection criteria.

The Legacy Trail is a shared-use greenway trail that will connect downtown Lexington with area neighborhoods, parks, and historic sites as it follows a northward course to the Kentucky Horse Park. The LFUCG has been awarded federal funds from the Kentucky Transportation Cabinet for two sections of this trail. The Maine Chance Trail is funded from the Congestion Mitigation Air Quality (CMAQ) program and the Coldstream Park Trail is funded from the Transportation Enhancement program. This agreement includes feasibility study and development of construction documents for these two sections. The feasibility study will also include planning documents for the remaining two sections: Lexmark Section and Downtown Section. Funds for the feasibility study will come from bond revenue funds generated for trail development.

Funds for this Engineering Services Agreement in the amount of \$496,000 are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3160	303202	3225	90313	COLDSTREAM_TR	2008	DEFAULT	\$122,000
3160	303202	3225	90313	MAINE CHANCE	2008	DEFAULT	\$286,000
2517	707601	7211	90313	PARKPROJECTS	2008	BRIDGETRAILS	\$88,000

Council authorization to execute the Engineering Services Agreement is hereby requested.

Paula King, Director

Xc: Mike Webb, Acting Commissioner, Department of Public Works and Development

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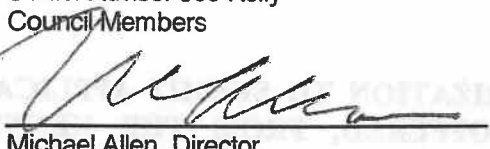
519-08

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Human Resources

## MEMORANDUM

**TO:** Mayor Jim Newberry  
Senior Advisor Joe Kelly  
Council Members

**FROM:**   
Michael Allen, Director  
Division of Human Resources

**DATE:** September 22, 2008

**RE:** Abolish/Create Positions—Division of Fire and Emergency Services

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Heavy Equipment Mechanic (111N) and creating one (1) position of Heavy Equipment Technician (Grade 113N), effective upon passage of Council.

The Division requests this action to better use the position within the Division. Due to the nature and complex electrical systems, controllers, electronic pneumatic systems and the use of emergency apparatus, a Certified Technician is the best use of the position for both efficiency and safety of the Firefighters and Citizens who rely on them.

The fiscal impact for FY2009 (17 pay periods) will be \$3,703.96 includes benefits and will be funded for the Divisions Operating Supplies and Expenses account.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Heavy Equipment Technician	\$0.00	\$36,578.36	\$36,578.36
Vacant	Heavy Equipment Mechanic	\$31,906.68	\$0.00	(\$31,906.68)
<b>Total Annual Impact/ Salary and Benefits \$5,664.88</b>				

If you have any questions, please feel free to contact Daniel H. Fischer at 258-3030.

DF/

09-0015



514-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Community Development

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

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

**DATE: SEPTEMBER 19, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION  
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY  
JUSTICE CABINET UNDER THE VIOLENCE AGAINST WOMEN ACT  
PROGRAM FOR THE CONTINUATION OF A S.A.N.E. PROGRAM IN  
FY 2009**

The Division of Police has prepared an application for submission to the Kentucky Justice Cabinet requesting federal funds in the amount of \$69,570 from the U.S. Department of Justice/Violence Against Women Act (VAWA) Program for the continuation of a Sexual Assault Nurse Examiner (S.A.N.E.) program in the Division of Police as a response to sexual assault for females fourteen and above. The Division of Police, the Commonwealth Attorney's Office, the Fayette County Attorney's Office, and the Bluegrass Rape Crisis Center have collaborated on the planning and implementation of this project and have agreed to provide a coordinated response to the victims of sexual assault.

This project was begun in 2000 with the creation and filling of a full-time position of S.A.N.E. Manager as a civilian employee in the Division of Police. Other S.A.N.E.s have been recruited to serve on-call on a contractual basis. S.A.N.E.s are registered nurses with specific credentials for the examination of rape and other sexual assault victims. The University of Kentucky Medical Center provides private examination and waiting space in its Emergency Room for this program. Dr. Lee Irwin, emergency room physician, serves as medical director for the project. The purpose of this project is to provide the victims of sexual assault with better examinations for evidence and to give greater care to the chain of evidence with the objective of more successful prosecutions for sexual assault. It is anticipated that more humane treatment of the victim at the time of the examination will increase reporting and increase willingness to testify in prosecutions.

Total project costs for a 12-month period will be \$116,910. Of this total, the request for federal funding is \$69,570, requiring a 25% local match in the amount of \$23,190 which is budgeted in the Division of Police's FY 2009 general fund budget. Funds will be used for contractual

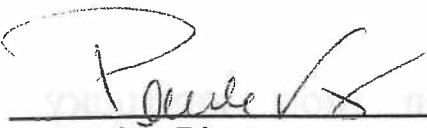
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services, emergency room space, medication costs, cell phone, pagers, professional training for additional Sexual Assault Nurse Examiners to serve "on-call," and supply and equipment costs. Funds are requested for purchase of a new colposcope in the amount of \$29,000. It is projected that during a full project year, as many as 130 sexual assault examinations will be conducted. It is estimated that the S.A.N.E. Manager will perform approximately 25 of these exams in the course of her work. The remaining 105 exams will be performed by S.A.N.E.s working under contract. It is anticipated that the state's Crime Victims Compensation Fund will pay \$200 for each of these exams, for a total estimated state revenue of \$21,000. The LFUCG pays the nurses at a rate of \$230. The remaining \$30 per exam (\$3,150 total) is also budgeted as grant match in the Division of Police 2009 general fund budget.

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

  
\_\_\_\_\_  
Paula King, Director

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





522-08

Mayor Jim Newberry

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
**Division of Community Development**

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

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

**DATE: SEPTEMBER 23, 2008**

**SUBJECT: AUTHORIZATION TO ACCEPT AWARD FROM KENTUCKY**  
**DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF EMERGENCY**  
**MANAGEMENT FOR FY 2009 EMERGENCY MANAGEMENT**  
**ASSISTANCE PROJECT**

The Kentucky Department of Military Affairs/Division of Emergency Management has offered the Lexington-Fayette Urban County Government federal funds in the amount of \$55,133 for the support of emergency preparedness activities in Fayette County. Funds are used to offset personnel and operating costs in the Division of Environmental and Emergency Management. The source of federal funds is the Department of Homeland Security/Federal Emergency Management Agency.

A local match of \$55,133 (50%) is required. This match is budgeted in the FY 2009 general fund budget for Division of Emergency Management/911.

Council authorization to accept the award is hereby requested.

Paula King  
 Director

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

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526-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Community Development

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

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

**DATE: SEPTEMBER 23, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD  
OF STATE FUNDS FROM THE KENTUCKY OFFICE OF THE 911  
COORDINATOR/COMMERCIAL MOBILE RADIO SERVICE  
BOARD FOR IMPROVEMENTS TO THE REGIONAL 911  
SYSTEM**

On June 26, 2008 (Resolution No. 365-2008), Council approved the submission of an application to the Kentucky Office of Homeland Security for the expansion of the Central Kentucky 9-1-1 network to include additional jurisdictions. The goal is to create a redundant infrastructure allowing simplified network connectivity, lower cost and more efficient operations for all parties involved. The regional system will accept landline, wireless and VoIP emergency calls and fully transfer all voice and data associated with each call; capabilities not currently available between individual communication centers.

The Kentucky Office of 911 Coordinator/Commercial Mobile Radio Service Board has offered the Lexington Fayette Urban County Government \$177,015 in state funds for purchase of equipment and services necessary for the acquisition, installation and implementation of Next Generation 911 infrastructure to Public Service Answering Points in Boyd, Casey, Garrard, Lincoln, Rockcastle and Taylor Counties. No local match is required.

Council authorization to accept the award is hereby requested.

  
Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

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## LEXINGTON DIVISION OF POLICE

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

36

515-08

**TO:** Mayor Jim Newberry  
Urban County Council

**FROM:** Chief Ronnie Bastin  
Division of Police

**DATE:** September 18, 2008

**RE:** Friends of the Lexington Mounted Police, Inc. Donation

Please find attached a blue sheet requesting approval for the Lexington Division of Police to accept listed donation from the Friends of the Lexington Mounted Police, Inc. Total value of donation: \$2,790.00.

1. Conference Registration and Lodging for the Mounted Police to travel to Kinston, Ontario Canada for the 2008 North American Police Equestrian Championship.

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

Ronnie Bastin  
Chief of Police

RB/rmh

cc: Tim Bennett, Commissioner of Public Safety



521-08

Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Department of Public Safety  
Division of Emergency Management/911

## MEMORANDUM

**TO:** Jim Newberry, Mayor  
Joe Kelly, Senior Advisor for Management  
Urban County Council

**FROM:** Patricia L. Dugger, Director, RS, MPA

**RE:** Donation from Windstream for Emergency Alert Radios

**DATE:** September 22, 2008

This is a request to accept a donation from Windstream Communications for a 100 First Alert WX-17 portable emergency alert radios. The donation will coincide with National Preparedness Month and the alert radios will be given out to the general public during various educational events, talks, presentations, booths and preparedness campaigns held without the year. The approximate value of the donation is \$2,000

Please contact me should you have any questions regarding this donation.

### Attachments

xc: Commissioner of Public Safety File  
Windstream Communication File  
National Preparedness Month File  
Donation File

HORSE CAPITAL OF THE WORLD



517-08

Jim Newberry, Mayor  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Parks & Recreation  
Jerry Hancock, Director

**MEMORANDUM**

To: Jim Newberry, Mayor  
Urban County Council Members  
Joe Kelly, Senior Advisor to the Mayor

RECEIVED

SEP 22 2008

GENERAL SERVICES  
COMMISSIONER'S OFFICE

FROM:

  
Jerry Hancock

RE: Facility Usage Contract

DATE: September 18, 2008

This is a request for Council approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program.

This Facility Usage Contract is for the purpose of using FCPS facilities for our ESP and REAL program. This contract covers the 2008-2009 school year and will expire July 31, 2009.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



# **EXHIBIT A (ESP)**

## **DESIGNATION OF FACILITY/GROUNDS, PERSONNEL AND EQUIPMENT**

**APPLICANT:** LFUCG Parks and Recreation,  
Extended School Program (ESP)

**USAGE FEE:** See Comments

**FACILITY:** See Attachments 1 and 3

**DATE(S):** See Attachments 1 and 3

**TIME(S):** See Attachments 1 and 3

AREA(S) TO BE USED	NO. AREAS	NO. HOURS PER AREA	TOTAL NO. HOURS	HOURLY UTILITY / MAINTENANCE FEE	TOTAL UTILITY / MAINTENANCE COST
Classroom / Library				\$7.25	
Auditorium					
Cafeteria				\$14.50	
Kitchen				\$7.25	
Gymnasium				\$11.50	
Football Field					
Running Track					
Baseball Field					
Softball Field					
Other					
<b>Subtotal</b>					
DISTRICT EMPLOYEES (If Applicable)	NO. EMPLOYEES	NO. HOURS PER EMPLOYEE	TOTAL NO. HOURS	HOURLY PERSONNEL FEE	TOTAL PERSONNEL COST
Custodian(s)				\$34.00	
Food Service Manager(s) II				\$35.25	
Technical Support Staff				\$38.00	
Law Enforcement Officer(s)				\$44.50	
Other					
<b>Subtotal</b>					
<b>Total</b>					
<b>ADDITIONAL RENTAL FEES (If Applicable)</b>					
<b>Grand Total</b>					

**COMMENTS:**

Area(s) to be Used (and any Equipment to be used) to be determined by each elementary school Principal; ESP to pay honoraria in lieu of fees; contract to expire May 30, 2009.



517-08

**EXHIBIT A (REAL)****DESIGNATION OF FACILITY/GROUNDS, PERSONNEL AND EQUIPMENT**

**APPLICANT:** LFUCG Parks and Recreation,  
Recreational Enrichment And Learning Program

**FACILITY:** See Attachments 2 and 3

**DATE(S):** See Attachments 2 and 3

**TIME(S):** See Attachments 2 and 3

**USAGE FEE:** See Comments

AREA(S) TO BE USED	NO. AREAS	NO. HOURS PER AREA	TOTAL NO. HOURS	HOURLY UTILITY / MAINTENANCE FEE	TOTAL UTILITY / MAINTENANCE COST
Classroom / Library				\$13.00	
Auditorium					
Cafeteria				\$21.75	
Kitchen				\$14.50	
Gymnasium				\$14.50	
Football Field					
Running Track					
Baseball Field					
Softball Field					
Other				\$14.50	
<b>Subtotal</b>					
DISTRICT EMPLOYEES (If Applicable)	NO. EMPLOYEES	NO. HOURS PER EMPLOYEE	TOTAL NO. HOURS	HOURLY PERSONNEL FEE	TOTAL PERSONNEL COST
Custodian(s)				\$34.00	
Food Service Manager(s) II				\$35.25	
Technical Support Staff				\$38.00	
Law Enforcement Officer(s)				\$42.50	
Other				\$44.50	
<b>Subtotal</b>					
<b>Total</b>					
<b>ADDITIONAL RENTAL FEES (If Applicable)</b>					
<b>Grand Total</b>					

**COMMENTS:**

Area(s) to be Used (and any Equipment to be used) to be determined by each middle school Principal; REAL to pay honoraria in lieu of fees; contract to expire May 30, 2009.

517-08

**EXHIBIT A, ATTACHMENT 1****EXTENDED SCHOOL PROGRAMS (ESP)****1ST AND 2ND SEMESTERS****2008-2009 SCHOOL YEAR**

FCPS FACILITY	PROGRAM LICENSE NO.	LFJCG PROGRAM FEES	DATE(S) FACILITY TO BE USED	TIME(S) FACILITY TO BE USED
Athens-Chilesburg Elementary	358333	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Breckonridge Elementary	357808	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
B. T. Washington Primary Center	358044	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Deep Springs Elementary	356200	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Dixie Elementary	356265	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Liberty Elementary	356206	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
			Winter Break	Winter Break: 7:00am-6:00pm
			Spring Break	Spring Break: 7:00am-6:00pm
Maxwell Elementary	358281	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Meadowthorpe Elementary	356207	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Northern Elementary	356275	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
Stonewall Elementary	356179	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
			- Winter break	- Winter break: 7:00 a.m. - 6:00 p.m.
			- Spring break	- Spring break: 7:00 a.m. - 6:00 p.m.
Wm. Wells Brown Elementary	356400	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.
			Winter Break	Winter Break: 7:00am-6:00pm
			Spring Break	Spring Break: 7:00am-6:00pm
Yates Elementary	356208	YES	- First day of school thru last day of school	- School days: dismissal of school until 6:00 p.m.

1 List of FCPS facilities to be used for ESP summer camps is subject to later determination, based on requests from individual schools. Once determined, dates and times for summer camps shall be indicated on Attachment 3.

2 Upon requests from individual schools, facilities may be used by ESP on "no school" days such as conference days and snow days.

Initials and Dates



## EXHIBIT A, ATTACHMENT 2

### RECREATIONAL ENRICHMENT AND LEARNING PROGRAMS (REAL)

#### 1ST AND 2ND SEMESTERS

#### 2008-2009 SCHOOL YEAR

FCPS FACILITY	PROGRAM LICENSE NO.	LFUCG PROGRAM FEES	DATE(S) FACILITY TO BE USED	TIME(S) FACILITY TO BE USED
Bryan Station Middle	----	YES	- First day of school thru last day of school	- School days: 7:00 am until first bell & dismissal of school until 6:00pm
Edythe J. Hayes Middle	----	YES	- First day of school thru last day of school	- School days: 7:00 am until first bell & dismissal of school until 6:00pm
Jessie Clark Middle	----	YES	- First day of school thru last day of school	- School days: 7:00 am until first bell & dismissal of school until 6:00pm

- 1 List of FCPS facilities to be used for ESP summer camps is subject to later determination, based on requests from individual schools. Once determined, dates and times for summer camps shall be indicated on Attachment 3.
- 2 Upon requests from individual schools, facilities may be used by ESP on "no school" days such as conference days and snow days.

Initials and Dates



517-08

# EXHIBIT A, ATTACHMENT 3

## EXTENDED SCHOOL PROGRAMS (ESP) AND RECREATIONAL ENRICHMENT AND LEARNING PROGRAMS (REAL) SUMMER CAMPS 2009

FCPS FACILITY	PROGRAM LICENSE NO.	LFUCG PROGRAM FEES	DATE(S) FACILITY TO BE USED	TIME(S) FACILITY TO BE USED
Booker T. Washington Primary Center	358044	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.
Liberty Elementary	356206	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.
Maxwell Elementary	358281	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.
Northern Elementary	356275	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.
Stonewall Elementary	356179	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.
Wm. Wells Brown Elementary	356400	YES	6/1/09 - 7/31/09	- Week Days: 7:00 am - 6:00 pm
Southern Middle	-----	YES	6/1/09 - 7/31/09	- Week Days: 7:00 a.m. - 6:00 p.m.

Initials and Dates



520-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Adult & Tenant Services

**TO:** MAYOR JIM NEWBERRY  
LEXINGTON FAYETTE URBAN COUNTY COUNCIL

**FROM:** CHERYL L. TALBERT, DIRECTOR ☒  
ADULT & TENANT SERVICES

**THROUGH:** MARLENE HELM *mh*  
COMMISSIONER OF SOCIAL SERVICES

**DATE:** SEPTEMBER 16, 2008

**SUBJECT:** LEASE AGREEMENTS FOR OCCUPANTS OF THE BLACK AND  
WILLIAMS NEIGHBORHOOD CENTER

This action authorizes the Mayor to enter into a lease agreement on behalf of the Lexington Fayette Urban County Government with the following agencies:

- National Alliance for the Mentally Ill (NAMI)
- Bluegrass Community Action Agency
- National Association for the Advancement of Colored People (NAACP)
- Eldercrafters
- Community Reinvestment Alliance (CRAL)
- Legal Aide of the Bluegrass
- Lexington Fayette County Urban League
- LexCare
- Area Health Education Center (AHEC)
- West End Community Empowerment Project (WECEP)

The agreements with each agency are in effect until June 30, 2009, can be cancelled by either party with 90 days written notice, and are renewable annually.

Agencies receive rent free space, utilities and janitorial services in exchange for providing services to residents of the neighborhood.

HORSE CAPITAL OF THE WORLD

130 North Broadway Lexington, KY 40507 (859) 258-3810 www.lfucg.com



523-08 45

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Department of Law

September 23, 2008

MEMORANDUM

TO: Jim Newberry, Mayor  
LFUCG Councilmembers

FROM: Leslye M. Bowman  
Leslye M. Bowman, Director

RE: Aircraft Liability Insurance Renewal  
October 21, 2008 – October 21, 2009

Attached is an Administrative Review Form, Purchase Requisition, original and two copies of the ACE USA Aircraft Insurance Binder.

Aircraft Liability provided by ACE USA - \$ 19,000.80

This policy provides \$20,000,000 coverage limit for liability claims associated with the use of two LFUCG Police helicopters. The policy period is October 21, 2008 through October 21, 2009. There is no change in premium from last year.

I am respectfully requesting Mayor and Council approval to authorize payment to Kentucky League of Cities Insurance Agency on behalf of ACE USA. The premium is fully funded in account 1101 – 160902 – 73101 – General Insurance.

cc: Thomas Sweeney, Claims Manager  
Department of Law

*attachments*

X:\Cases\LAW\08-LE0032\LEG\00180888.DOC

HORSE CAPITAL OF THE WORLD

\*\*P.O. Box 34028

Lexington, KY 40588

(859) 258-3500

Fax: (859) 258-3538

www.lfucg.com

**\*\*Please note new mailing address**





1100 POYDRAS STREET, SUITE 2150, NEW ORLEANS, LA. 70163  
TEL: (504) 310 - 3600 FAX: (504) 310 - 3610

**ace usa**

**TO:** Michael Goff  
Kentucky League of Cities Insurance Agency  
Lexington, KY  
**FAX:** 859-977-3703

**DATE:** September 17, 2008

**FROM:** Roddy McMullen  
**RISK ID:** 19903

**AIRCRAFT INSURANCE BINDER**  
With  
**WESTCHESTER FIRE INSURANCE COMPANY**  
(A+ S&P, A+ XI Best)

In accordance with your instructions we have bound the insurance described below. This binder will be replaced by the policy when issued.

**Policy No.** AAC N00988960 004

**This Binder is the only document that binds us, except for the policy itself. Any other document purporting to be a binder, whether issued by an insurance agent, broker, or producer or any other person or entity, is not effective as such and does not bind us.**

We are pleased to advise that we have adopted electronic policy issuing. This will ensure that you receive your policy at the very earliest opportunity. Policy documents will be forwarded to you via your agent in Adobe Acrobat format. In the event that you require a paper copy of the policy, please advise your agent accordingly when binding coverage, and a paper copy will be forwarded via your agent.

**NAMED INSURED:** Lexington-Fayette Urban County Government and its Board of Commission and all elected and appointed officials, volunteers and employees individually, while acting within the scope of their duties as such

**NAMED INSURED'S**

**ADDRESS:** 200 E. Main Street, Suite 925, Lexington, Kentucky 40507

**BUSINESS OF**

**NAMED INSURED:** Law Enforcement

**PERIOD:**

**From:** October 21, 2008 **To:** October 21, 2009  
both days at 12.01a.m. Local Time at the address of the Named Insured.

**LIABILITY  
COVERAGES:**

The Liability Coverages, Limits of Liability and Liability Premiums applicable to each insured aircraft are as shown under the Aircraft Liability Section of the Schedule of Insured Aircraft.

The liability coverage codes have the following meanings:

- A Bodily Injury Excluding Passengers
- B Property Damage
- C Passenger Bodily Injury
- D Single Limit Bodily Injury (including Passengers) and Property Damage

The applicable Medical Payments limit is shown under "Med. Pay. Limit Per Person".

**HULL COVERAGES:** The hull coverage, Amount of Insurance, deductibles, premium and financial interest applicable to each insured aircraft are shown under the Aircraft Hull Section of the Schedule of Insured Aircraft.

The aircraft hull coverage codes have the following meanings:

- F In Motion and not In Motion coverage.
- G Not In Motion coverage only.
- H Not In Flight coverage only.

**PURPOSE OF USE:** All uses required by the "Named Insured", but excluding any use for which the "Named Insured" or "Anyone" "We" insure expects to, or does, receive "Compensation"

**PILOTS:** The pilots who may fly the Aircraft are as listed below, provided that those pilots have all of the qualifications as shown and provided also that all pilots are properly certificated, rated and qualified under the current F.A.A. regulations which apply to the operation of the Aircraft.

Any pilot approved by the Named Insured's Chief Pilot or by his or her designee.

**LOCATION OF THE AIRCRAFT:** The aircraft are based within the coverage "territory"

**TERRITORY:** While the Aircraft is in the United States of America (excluding Alaska), Canada or Mexico, or while the Aircraft is being transported between ports in the territory.

**SCHEDULE OF**

**INSURED  
AIRCRAFT:**

F.A.A. Number	Year	Make and Model	Aircraft Type	Engine and HP	Total Seats Incl. Crew
N911LP	1968	Bell OH-58C	R		4
N912LP	1970	Bell OH-58C	R		4

**APPLICABLE LIABILITY COVERAGES, LIMITS OF LIABILITY AND PREMIUMS.**

F.A.A. Number	Coverage	Each Occurrence Limit	Each Passenger sub-Limit	Med. Pay Limit Per Person	Liability Premium
N911LP	D	\$20,000,000	Not Applicable	\$10,000	\$9,360
N912LP	D	\$20,000,000	Not Applicable	\$10,000	\$9,360

**DESCRIPTION OF AIRCRAFT, HULL COVERAGES AND HULL DEDUCTIBLES**

DEDUCTIBLES						
F.A.A. Number	Coverage	Amount of Insurance	Not In Motion	In Motion	Ingestion	Hull Premium
N911LP	No	Aircraft	Physical	Damage	Coverage	Hereunder
N912LP	No	Aircraft	Physical	Damage	Coverage	Hereunder

**PREMIUM:**

	<u>HULLS</u>	<u>LIABILITIES</u>
Basic Premium:	Not Purchased	\$18,720
Additional Coverages:	None Purchased	
War Premium:	Not Purchased	Not Purchased
TRIA Premium:	Not Purchased	Not Purchased

Total Premium:	\$18,720	
Plus State Tax	\$280.80	Kentucky Premium Surcharge
		1.50%

CONDITIONS: Policy form: AC 101 (07-07) and AC 102 (11-98) which includes, inter alia, the following exclusion clauses:

War and Other Perils Exclusion Clause;  
Noise, Pollution and Other Perils Exclusion Clause;

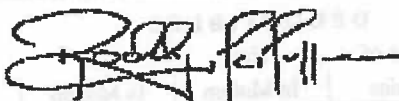
The policy is also subject to the following:

90 days notice of cancellation or non-renewal, but 10 days notice for non-payment of premium.  
This provision does not override the Automatic Termination, review or cancellation provisions of endorsements AC111 or AC112.

- AC 103 (11-98) Pilots Who May Fly The Aircraft  
*Any pilot approved by the Named Insured's Chief Pilot or by his or her designee.*
- AC 109 (11-98) Non-Owned Aircraft Liability Endorsement  
*Max Seats: Eight (8)*
- AC 110 (11-98) War, Hi-jacking and Other Perils Exclusion Clause (Aviation)
- AC 159 (11-98) Nuclear Risk Exclusion Clause
- AC 161 (11-98) Date Recognition Exclusion Endorsement
- AC 162 (11-98) Date Recognition Limited Coverage Endorsement
- AC 168 (11-03) Pollution Endorsement
- AC 170 (02-08) Limited Terrorism Coverage Endorsement
- AC 178 (02-05) Volunteers Endorsement
- AC 195 (02-05) Cancellation Notification Change Endorsement
- AC 1200 (02-05) Governmental Entity Limited Enhanced Coverage Endorsement  
*Temporary Component Part Expense Limit: \$150,000*  
*Extra Expense Daily Limit: \$1,500*  
*Extra Expense Aircraft Limit: \$100,000*  
*Spares Any One Location/Sending Limit: \$50,000*  
*Spares Deductible: \$1,500*  
*PI Aggregate Limit: \$10,000,000*
- ALL-21101 (11-06) Trade or Economic Sanctions Endorsement
- AC KY (11-98) Kentucky Changes - Cancellation and Nonrenewal

Please read this document carefully and advise us of any discrepancies immediately.

On behalf of ACE USA



By \_\_\_\_\_  
Roddy McMullen, Executive Underwriter  
(Authorized Representative)

**ace usa****POLICYHOLDER DISCLOSURE****NOTICE OF TERRORISM INSURANCE COVERAGE**

You were notified that under the Terrorism Risk Insurance Act, as amended, that you have the right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(1) of the Act: The term "act of terrorism" means any act that is certified by the Secretary of the Treasury---in concurrence with the Secretary of State, and the Attorney General of the United States---to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

**YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, SUCH POLICIES MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.**

**YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, COVERAGE MAY BE REDUCED.**

You elected NOT to purchase terrorism coverage under the Act at the price indicated. ACCORDINGLY, WE WILL NOT PROVIDE THIS COVERAGE AND YOU DO NOT OWE THE ADDITIONAL PREMIUM FOR THAT COVERAGE INDICATED BELOW.

Terrorism coverage described by the Act under your policy was made available to you for additional premium in the amount of (As Quoted) , however you elected to decline such coverage.

---

<i>Insurance Company</i>	<b>WESTCHESTER FIRE INSURANCE COMPANY</b>
<i>Policyholder</i>	<b>Lexington-Fayette Urban County Government</b>
<i>Policy Number</i>	<b>AAC N00988960 004</b>
<i>Broker/Producer</i>	<b>Kentucky League of Cities Insurance Agency</b>

TRIA15c (01/08)



527-08

# Lexington-Fayette Urban County Government

Jim Newberry, Mayor

TO: Mayor Jim Newberry  
Members, Urban County Council

FROM: Anthony Wright, Director *AW*  
Mayor's Office of Economic Development

DATE: September 24, 2008

RE: Catholic Health Initiatives, Inc. Bonds

This is to request adoption of a resolution requesting that the Kentucky Economic Development Finance Authority issue Bonds in an amount not to exceed \$438,920,000, for Catholic Health Initiatives, Inc. in order to loan the proceeds thereof to the Corporation to pay the costs of acquisition, construction, renovation and installation of certain additions and improvements, including equipment, at the Hospitals.

Lexington-Fayette Urban County Government (LFUCG) shall have no expense in connection with the Project or the issuance of the Bonds, therefore the adoption of this resolution shall not impose any financial liability or responsibility on LFUCG. The Department of Law has a draft resolution in its possession.