

**URBAN COUNTY COUNCIL  
SCHEDULE OF MEETINGS  
November 10, 2008 through November 17, 2008**

**Monday, November 10**

No Meetings Scheduled

**Tuesday, November 11**

Outside Agency Oversight Committee Meeting.....10:00 am  
Conference Room-5<sup>th</sup> Floor Government Center

Sanitary Sewers Oversight Committee Meeting.....11:30 am  
Conference Room-5<sup>th</sup> Floor Government Center

Intergovernmental Committee Meeting.....1:00 pm  
Council Chambers-2<sup>nd</sup> Floor Government Center

Urban Services District Public Hearing(before Work Session).....3:00 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  
Conference Room-5<sup>th</sup> Floor Government Center

**Wednesday, November 12**

Police & Fire Pension Fund Meeting.....9:00 am  
Council Chamber-2<sup>nd</sup> Floor Government Center

Tree Board Meeting.....10:30 am  
Conference Room- 5<sup>th</sup> Floor Government Center

Congestion Management Committee Meeting.....1:30 pm  
Conference Room-7<sup>th</sup> Floor Phoenix Bldg

Student Housing Task Force Meeting.....4:00 pm  
Conference Room-5<sup>th</sup> Floor Government Center

**Thursday, November 13**

No Meetings Scheduled

**Friday, November 14**

Economic Development Task Force Trip, Greenville, South Carolina

**Monday, November 17**

Mayor's Task Force Against Breast Cancer Meeting.....10:00 am  
Conference Room-5<sup>th</sup> Floor Government Center

Human Rights Commission Community Relations Meeting.....4:30 pm  
Conference Room- 5<sup>th</sup> Floor Government Center

LFUCG Parks Advisory Board Meeting.....4:30 pm  
Picadome Administrative Offices, 469 Parkway Dr

Human Rights Commission Monthly Meeting.....5:30 pm  
Conference Room-5<sup>th</sup> Floor Government Center

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**November 11, 2008**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval –None**
- III. Approval of Summary-Yes, October 28, 2008, pp.8-12**
- IV. Budget Amendments – None**
- V. New Business, pp.15-38**
- VI. Continuing Business / Presentations**
  - A. Budget & Finance Committee, pp.39-42**
  - B. ENERGY STAR® Recognition**  
Cheryl Taylor-Commissioner, Environmental Quality
  - C. LFUCG WEG Update**  
Penny Ebel, Special Events-Office of the Mayor
  - D. Lexington Center Corporation & University of Kentucky**  
Mr. Bill Owen, President & Executive Director Lexington Center Corp.  
Mr. Steve Kay, Roberts & Kay Inc.  
Representatives from HKS Architects, Dallas TX
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization to Accept Innovations in American Government Award and Innovation from Harvard University on Behalf of the Department of Public Safety, Division of Police, under the Advance Language Program – FY2009. (596-08) (P. King/Bennett)

This request will authorize the acceptance of an award of \$5,000 offered by Innovations in American Government Award from the Ash Institute for Democratic Governance and Innovation at Harvard University, John F. Kennedy School of Government, on behalf of the Division of Police for the Advance Language Program. The award is to publicize the program to other government jurisdictions and the public that this winning program can be adapted to fit the needs of other governments and organizations. Funds will be used for operating supplies and travel expenses. **p.15**

- B. Authorization to Renew Services Agreement with Siemens Building Technologies, Inc. on Behalf of the Department of Public Safety, Division of Community Corrections. (602-08) (Bishop/Bennett)

This request will authorize a renewal of a Services Agreement in the amount of \$23,371 with Siemens Building Technologies, Inc. for one (1) year on behalf of the Division of Community Corrections for continuation of the Fire Alarm Testing and Inspection Program. Funds are budgeted. **p.16**

- C. Authorization to Accept an Award from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, under the 2008 State Homeland Security Grant Program. (603-08) (King/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$600,000 from the Kentucky Office of Homeland Security on behalf of the Division of Fire and Emergency Services under the 2008 state Homeland Security Grant Program for the purchase of a Heavy Hazardous Materials Command and Response Vehicle replacing the current Hazardous Materials (HazMat) One vehicle. No matching funds are required. **p.17**

- D. Authorization to Accept Award from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police, under the 2008 State Homeland Security Grant Program. (605-08) (P. King/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$123,000 from the Kentucky Office of Homeland Security on behalf of the Division of Police, Operational Support Section,

Hazardous Devices Unit, under the 2008 State Homeland Security Grant Program for purchase of a bomb suit, a digital imaging X-ray system, a wireless radio system for upgrade of the Robot, minor equipment and operating supplies that will enable the Unit to meet FEMA Type I bomb Squad criteria and to safely and efficiently address potential threats. The source of federal funds is the US Department of Homeland Security, Homeland Security Grant Program. No matching funds are required.**p.18**

- E. Authorization to Submit Grant Application to the Commission on Fire Protection, Personnel, Standards, and Education on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, for Health and Wellness Equipment. (606-08) (P. King/Bennett)

This request will authorize the submission of a grant application for state funds in the amount of \$5,309 to the Commission on Fire Protection, Personnel, Standards, and Education on behalf of the Division of Fire and Emergency Services for purchase of a Nautilus Stepmill SM916. The source of funds is the Kentucky Fire Commission. No matching funds are required.**p.19**

- F. Authorization of Agreements with the Board of Education of Fayette County, Kentucky, and the University of Kentucky Research Foundation for Participation in the 21st Century Community Learning Center Program. (607-08) P. King/Helm)

This request will authorize an Agreement for federal funds in the amount of \$11,400 with the Board of Education of Fayette County, Kentucky, for a part-time teacher to provide children with afterschool tutoring, training, and copying costs at Tates Creek Elementary School and the Gainesway Empowerment Center, and authorize an Agreement with the University of Kentucky Research Foundation for federal funds in the amount of \$3,000 for evaluation services. The source of federal funds is the Department of Education, under the No Child Left Behind Act, Title IV, Part B.**p.20**

- G. Authorization to Accept an Award from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police, under the 2008 State Homeland Security Grant Program. (610-08) (P. King/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$435,000 from the Kentucky Office of Homeland Security on behalf of the Division of Police under the 2008 State Homeland Security Grant Program for Improvised Explosive Device (IED) Training for FBI Certified Bomb Squads in Lexington, Louisville Owensboro, Paducah and Kentucky State Police. Funds will be used for training in threat assessment, IED electronics, and bomb squad / special weapons and tactics (SWAT) Interoperability. The source of federal funds is the US Department of Homeland Security under the 2008 Homeland Security Grant Program. LFUCG will serve as the fiscal agent for this program. No matching funds are required.**p.21**



- H. Authorization to Accept an Award from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police, under the 2008 State Homeland Security Grant Program. (611-08) (P. King/Bennett)

This request will authorize the acceptance of an award of federal funds in the amount of \$250,000 from the Kentucky Office of Homeland Security on behalf of the Division of Police, Hazardous Devices Unit, under the 2008 State Homeland Security Grant Program for Hazardous Devices Unit Multi-Agency Total Containment Vessel (TCV) Project. Funds will be used for the purchase of a TCV which is designed to provide secure transportation for known or suspected explosive devices to areas that are suitable for proper disposal. The vessel is recommended by the National Bomb Squad Advisory Board for bomb squad response. No bomb squad in Kentucky has a TCV. The source of federal funds is the US Department of Homeland Security under the 2008 Homeland Security Grant Program. LFUCG will serve as the fiscal agent for this program. All participating agencies in the Kentucky Explosive Incident Response Task Force will use the TCV as needed and if available. No matching funds are required.**p.22**

- I. Authorization of an Agreement with the Board of Education of Fayette County, Kentucky, Regarding the Anti-Gang Juvenile Program under the 2007 Anti-Gang Initiative Program. (612-08) (P. King/Bennett)

This request will authorize an Agreement in the amount of \$17,000 with the Board of Education of Fayette County, Kentucky, to support new and expanded anti-gang prevention and enforcement efforts under the Project Safe Neighborhoods (PSN) Initiative. The Lexington P.O.S.S.E. (Peers Organized to Support Student Excellence) will be implemented at the Martin Luther King Jr. Academy for Excellence in an effort to reduce the occurrence of youth gang-related incidents and to increase positive outcomes for youth at high risk of gang involvement. The source of federal funds is the US Department of Justice. LFUCG serves as the fiscal agency for this program. No matching funds are required.**p.23**

- J. Authorization of an Amendment No. 1 to Grant Agreement with Belcan Engineering Group, Inc., the Cabinet for Economic Development, the State Property and Buildings Commission, and LFUCG. (595-08) (Wright/Kelly)

This request will authorize Amendment No. 1 to Grant Agreement dated February 9, 2006, with Belcan Engineering Group, Inc., the Cabinet for Economic Development, the State Property and Buildings Commission, and LFUCG to extend the evaluation period for job creation by one (1) year.**p.24**

- K. Authorization of a Rental Agreement for Rupp Arena with Lexington Center Corporation on Behalf of the Mayor's Office, Special Events, for the 2008 Kentucky Christmas Chorus. (601-08) (Ebel/Kelly)

This request will authorize a Rental Agreement for Rupp Arena in the amount of \$25,750 with Lexington Center Corporation on behalf of Special Events for the 21st anniversary of the Kentucky Christmas Chorus on Tuesday, December 16. Funds are budgeted.**p.25**

- L. Authorization of a Rental Agreement for the Heritage Hall with the Lexington Center Corporation on Behalf of the Mayor's Office. Special Events, for the 2009 Martin Luther King, Jr. Holiday Memorial Program. (604-08) (Ebel/Kelly)

This request will authorize a Rental Agreement for the Heritage Hall in the amount of \$9,980 with the Lexington Center Corporation on behalf of Special Events for the 2009 Martin Luther King, Jr. Holiday Memorial Program to be held Monday, January 19. Funds are budgeted.**p.26**

- M. Authorization of Enhancement No. 2 to Website Redesign Agreement with Vision Internet Providers, Inc. (597-08) (Dhuwaraha)

This request will authorize Enhancement No. 2 at a cost of \$6,695 to the Website Redesign Agreement with Vision Internet Providers, Inc. Funds are budgeted.**p.27**

- N. Authorization to Award Consulting Services to Gershman Brickner & Bratton, Inc. on Behalf of the Department of Environmental Quality, Division of Waste Management. (571-08) (Feese/Taylor)

This request will authorize the award of a Consulting Services Agreement in the amount of \$235,636 with Gershman Brickner & Bratton, Inc. on behalf of the Division of Waste Management to develop the Master Plan for Lexington's Recycling Facility. The agreement will allow a community-wide waste stream analysis for all sectors of our waste stream. A market and needs assessment will be prepared to identify the size and type of processing facility needed to facilitate zero waste strategy. Funds are budgeted.**p.28**

- O. Authorization of Change Order No. 2 to Contract with Arnold Dugan and Meyers on Behalf of the Department of Environmental Quality, Division of Water Quality, Regarding the West Hickman Wastewater Treatment Plant (WWTP) Screw Pump Replacement Project – Phase II. (598-08) (Martin/Taylor)

This request will authorize Change Order No. 2 to increase contract amount by \$25,930 with Arnold Dugan and Meyers on behalf of the Division of Water Quality regarding the WWTP Screw Pump Replacement Project – Phase II. Funds are budgeted.**pp.29-31**

- P. Authorization of a Wireline Crossing Agreement with RJ Corman Railroad / Central Kentucky Lines on Behalf of the Department of Environmental Quality, Division of Water Quality, Regarding Discharge of Wastewater from Mystery Spring into the Town Branch. (599-08) (Martin/Taylor)



This request will authorize a Wireline Crossing Agreement for an annual fee of \$300 with RJ Corman Railroad / Central Kentucky Lines on behalf of the Division of Water Quality. This agreement will allow access to RJ Corman's property located in the Lexington Rail Yard west of Cox Street between Manchester and West Main Streets for the installation and maintenance of equipment regarding an illicit discharge of wastewater from Mystery Spring into the Town Branch. The annual fee is subject to periodic review and adjustment. Funds are budgeted.**p.32**

- Q. Authorization of a Site Specific Agreement with Jessamine South-Elkhorn Water District (JSEWD) and White / Reach Brannon Roads, LLC (White / Reach LLC) on Behalf of the Division of Water Quality. (609-08) (Martin/Taylor)

This request will authorize a Site Specific Agreement with JSEWD and White / Reach on behalf of the Division of Water Quality to provide sanitary sewer service to the White / Reach Brannon Road development owned by White / Reach LLC and the Northern Jessamine County Sewer Agreement approved by Council by Resolution No. 690-2002 dated December 18, 2002. This agreement will provide the White / Reach Brannon Road development with a maximum average of 18,000 gallons per day of wastewater treatment capacity for sewer discharge to the West Hickman Wastewater Treatment Plant. In agreements associated with sanitary sewer service with Northern Jessamine County, sanitary sewer and stormwater facilities are to be constructed in accordance with LFUCG standards. White / Reach LLC will be responsible for all LFUCG sewer connection fees, sewer user fees and administrative fees under this agreement but not limited to plan review and general contract administration.**p.33**

- R. Authorization to Accept a Donation from Friends of McConnell Springs on Behalf of the Department of General Services, Division of Parks and Recreation for McConnell Springs. (600-08) (Hancock/Cole)

This request will authorize the acceptance of an A / V Sharp 65" LCD TV, DVD and supporting sound system from Friends of McConnell Springs on behalf of the Division of Parks and Recreation for The Kentucky American Water Company Education Room. This donation will allow more flexibility in programming and more varied and in-depth instructions to visitors of the nature center.**p.34**

- S. Authorization of Amendment to Resolution No. 511-2007 to Increase Amount for the Office of the Coroner. (616-08) (Koch)

This request will authorize an Amendment to Resolution No. 511-2007 to increase the amount authorized for a generator for the Coroner's Office from \$140,000 to an amount not to exceed \$155,000. The generator requires a larger gas service line to the building. The cost of the installation is approximately \$26,000 with \$11,000 was original appropriated. The \$15,000 increase will complete the installation. This

was a capital bond project funded in the 2007 – 2008 Budget. This project will be bonded with a term of five (5) years the additional debt service will be no more than \$4 per year.**pp.35-36**

- T. Authorization of a Rental Agreement for the Opera House with the Lexington Center Corporation on Behalf of the Department of General Services, Division of Parks and Recreation Regarding the Kiddie Kapers Program. (613-08) (Hancock/Cole)

This request will authorize a Rental Agreement for the Opera House in the amount of \$9,100 with the Lexington Center Corporation on behalf of the Division of Parks and Recreation for the Kiddie Kapers Recital to be held April 16 – 19, 2009. Funds are budgeted.**p.37**

- U. Authorization of a 2008 Standard Engagement Agreement under the Park Bench Sculpture Project on Behalf of General Services, Division of Parks and Recreation. (614-08) (P. King/Cole)

This request will authorize a 2008 Standard Engagement Agreement for \$7,500 with Gordon Gildersleeve on behalf of the Division of Parks and Recreation under the Park Bench Sculpture Project. Funds are budgeted.**p.38**



URBAN COUNTY COUNCIL  
WORK SESSION SUMMARY

October 28, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All Council Members were present, except Dick Decamp.

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

Motion by Gorton to approve the October 21, 2008 work session summary, seconded by Beard motion passed without dissent.

**IV. Budget Amendments – Yes**

Discussion:

Stevens asked for an explanation of 13 budget amendments covering purchase orders rolled over to FY09 saying the total was approx. \$2 million.

Mayor Newberry asked that approval of budget amendments be tabled until Comm. Koch was present to comment.

Comm. Koch said this relates to purchase orders that are open for 2008 and continue to require spending in 2009. It is money that is reserved for encumbrances, involving contracts that start in one year and end in another. Stevens said he would like to see the list of purchase orders, to which Koch replied the Division of Purchasing can provide.

Motion by Gorton to approve budget amendments, seconded by Henson, passed without dissent.

**V. New Business**

Discussion:

Stinnett asked about new business items B & C regarding Cadentown, Versailles Rd. sanitary sewer project and item E Services Agreement with Wilbur Smith Assoc. He wanted to know if this was the number one project being recommended and if UK was putting any money towards it.

Max Conyers explained this was a matching fund for study and recommendations.

Motion by Henson to amend new business item E by changing Vine to Maxwell, seconded by Ellinger, motion passed without dissent.

Stevens questioned new business item D regarding Citation Blvd. asking if this will complete work from Georgetown Rd. to Leestown. He also wanted to know who is financing Citation Blvd. project and what the timeline is.

Ellinger also asked about the timeline and if this action would enable completion of the design phase. He also asked Comm. Bennett for an overview of new business item P involving an agreement with KSP for implementation of anti-gang law enforcement.

Motion by Beard to approve new business as amended, seconded by Gorton, motion passed without dissent.

## **VI. Continuing Business/Presentations**

**Corridors Committee Update** - by Stevens with no motions coming forward. He gave an update on sidewalks on Tates Creek Pike saying there are plans to write letters to citizens who live in that area and eventually hold a meeting for the public. He mentioned Versailles Rd. transportation enhancement grant. He told the council there was an issue about what the government can do regarding property, in reference to the Newtown Pike project, saying there is a meeting Nov. 22, 08 to further address the matter.

**Planning Committee Update** – by Gorton with the following discussion and motions coming forward:

Gorton explained contents of the tenant relocation draft ordinance which resulted from the committee's work on mobile home quality of life issue. The ordinance is designed to create relocation assistance to those displaced by rezoning, redevelopment or changes in use of property. She said the committee wanted to provide "seed" money for the program and discussed ways to finance the program.

Lane had a question about federal laws on relocation, stating there was no reference in the draft ordinance about limited scope.

James referred to section 5-105 to answer Lane's concern.

Paula King, Comm. Development told the council this program is similar but separate from the emergency housing program already in place and implementation would not be "reinventing the wheel".

Lane stated he was concerned the wording of the draft was too vague.

Myers pointed out a statement in section 5-107 referring to \$200K, saying he was not comfortable with allowing money to sit in this fund year after year.

Motion by Myers to strike the third sentence in section 5-107 starting with "any amount of funding available to the program in excess of \$200K that has been appropriated to the program by LFUCG may be re-appropriated to other programs or services provided by LFUCG", seconded by Ellinger, motion passes, with Beard and Lane dissenting.

Motion by Gorton to recommend the full council appropriate funding starting at \$50K for the remaining fiscal year be appropriated funds permitting for this program, seconded by James, passed without dissent.

Other planning committee issues covered were to set up a workshop for a report and update on Newtown Pike status (Council Administrator and Andrew Grunwald, Project Manager) and initiation of a work group with council members Beard, Crosbie and Gray to further address the management audit.

### **Man O' War Boulevard Presentation Update**

Steve Cummins Max Conyers & Ron Harrington covered current conditions and "things to remember", saying safety was paramount. Several conditions such as weather, poor signal timing, and work zones were contributing factors to congestion. They gave statistics on crashes over the last 5 years, traffic volume, peak volume increases and listed several traffic operation strategies, such as dual red signals, flashing yellow arrows, expanded fiber optic communications and traffic monitoring cameras as ways to enhance improvements.

Bob Bayert went over construction projects highlighting Liberty Rd, Osbourne Way, Helmsdale Todds Rd. and Star Shoot Bridge. There was also an overview of planned projects in 2030 long range transportation plan and current unscheduled project list.

Stinnett asked why there were so many projects taking priority over Man O' War, stating it was such an over used road with so many stop lights.

Mayor Newberry asked Max Conyers to review the process and how projects are selected.

Stevens referred to excessive semi truck traffic and asked if the police were enforcing thru truck traffic.

McChord talked about MPO and its responsibility to both Fayette and Jessamine counties. He said Man O' War was originally designed to be a neighborhood connector road and there were certain other projects supposed to happen and did not. This has caused huge demands on Man O' War that was never intended.

Crosbie also mentioned the strain on neighborhoods and police as drivers use neighborhood streets as cut- thru to avoid Man O' War. She also asked Max Conyers about how to coordinate responses from the state department of transportation. He said there are regular meetings with the state (district 7) office and told council members they were welcome to attend.

Myers asked about a list in the presentation and how it was prioritized. Mike Webb told council his team was not prepared to discuss priorities today, but would advise at a later date. He mentioned a guard rail on Appian Way in need of repair by the state.

Lane also expressed concern about Man O' War and making it a priority. He asked about a study regarding a by-pass. Max Conyers replied those results should be forthcoming soon.

Mayor Newberry asked Chris King about plans to complete sections of Polo Club. He observed the issues with Man O'War require a far better job of planning in advance and to be mindful that state and federal highway funds are currently in short abundance.

### **Council Report**

Gorton asked Code Enforcement about campaign signs obstructing view of drivers. Cal Powell advised citizens to contact LexCall and report locations of signs. She announced the council office Bake Sale, Thursday, Oct. 30, 08 to support United Way and asked everyone to support Debbie Wagner, LFUCG Police in a Halloween contest for best decorated house. She unveiled the Div. of Fire's Susan B. Komen t-shirts in support of breast cancer awareness. She also announced the Fayette Co. 4-H Livestock Club start- up and asked Comm. Helm, Social Services for a report on aging in place effort, saying she would like to see a brief update at a future work session.

Stinnett thanked the Mayor for hosting the Neighborhood Summit. He asked about the possibility of installing a World Equestrian count-down clock in chambers, adding that many business owners are asking how they can get involved and be a part of WEG. The Mayor asked Comm. Koch to look into the request.

Motion by Blevins to refer the issue of back yard set backs to the Planning Committee, seconded by Blues, motion passed without dissent.



Blues also commended the Mayor's office on the Neighborhood Summit, saying feedback was good. He mentioned the public meeting held to discuss plans for the public safety operations center and announced two neighborhood association meetings next Monday at 7:00 pm.

Motion by McChord to refer the issue of SLX funding to the Budget & Finance Committee, seconded by Myers, motion passed without dissent.

Motion by Beard to refer the issue of dog tethering/chaining to the Services Committee, seconded by Gorton, motion passed without dissent.

There were no Neighborhood Development Funds submitted for approval at this work session.

#### **Mayors Report - None**

#### **Public Comment – Issues Not on Agenda**

Motion by Stinnett to go into closed session pursuant to KRS 61.810(1) (b) and (g) in order to discuss an economic development matter involving real property. An open discussion would likely affect the value of a specific piece of property to be acquired for public use and would jeopardize the siting, retention, expansion or upgrading of a business. , seconded by Gorton, passed without dissent.

Open session adjourned at 5:12 pm

# NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

November 11, 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	
596-08	BA 1820	Community Development	To establish 2009 Excellence in Government grant budget for Division of Police.	
A			3300	5,000
			3300	5,000CR
				0*
603-08	BA 1825	Community Development	To establish grant budget for the State Homeland Security Project -Division of Fire and Emergency Services- purchase of HAZ MAT One vehicle.	
C			3200	600,000
			3200	600,000CR
				0*
605-08	BA 1826	Community Development	To establish grant budget for the Hazardous Devices Unit IED Project under the State Homeland Security Program.	
D			3200	123,000
			3200	123,000CR
				0*
610-08	BA 1836	Community Development	To establish grant budget for the Kentucky FBI Certified Agencies IED Training for Division of Police.	
G			3200	435,000
			3200	435,000CR
				0*
611-08	BA 1835	Community Development	To establish grant budget for the Hazardous Devices Unit Multi-Agency Total Containment Vessel for Division of Police.	
H			3200	250,000
			3200	250,000CR
				0*

## EFFECT ON FUND BALANCES

FUND 3200	0*	NO EFFECT ON:	US DEPARTMENT OF HOMELAND SECURITY
FUND 3300	0*	NO EFFECT ON:	GRANTS - OTHER

**Budget Information For New Business Items**  
**November 11, 2008 Work Session**

Item	Number	Amount	Fund	Name / Description
A	596-08	5,000	3300	Grants – Other Budget Journal
B	602-08	23,371	1101	General Service District – General Fund
C	603-08	600,000	3200	US Department of Homeland Security Budget Journal
D	605-08	123,000	3200	US Department of Homeland Security Budget Journal
E	606-08	NA		
F	607-08	14, 400	3180	US Department of Education
G	610-08	435,000	3200	US Department of Homeland Security Budget Journal
H	611-08	250,000	3200	US Department of Homeland Security Budget Journal
I	612-08	17,000	3140	US Department of Justice
J	595-08	NA		
K	601-08	25,750	1101	General Service District – General Fund
L	604-08	9,980	1101	General Service District – General Fund
M	597-08	6,695	1101	General Service District – General Fund
N	571-08	235,636	1115	Urban Service District Fund
O	598-08	25,930	4003	Sanitary Sewer Construction Fund
P	599-08	300	4002	Sanitary Sewer Revenue and Operating Fund
Q	609-08	NA		
R	600-08	NA		
S	616-08	26,000	2517	2008 Bond Projects Fund
T	613-08	9,100	1101	General Service District – General Fund
U	614-08	7,500	3400	Grants - State



596-08

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

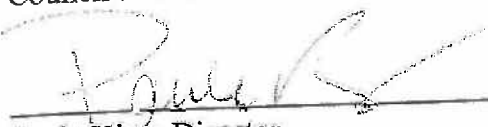
DATE: OCTOBER 22, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT  
INNOVATIONS IN AMERICAN GOVERNMENT AWARD FROM  
THE ASH INSTITUTE FOR DEMOCRATIC GOVERNANCE AND  
INNOVATION AT HARVARD UNIVERSITY FOR THE DIVISION  
OF POLICE'S ADVANCED LANGUAGE PROGRAM—FY 2009

The Ash Institute for Democratic Governance and Innovation at Harvard University's John F. Kennedy School of Government has offered the Lexington-Fayette Urban County Government's Division of Police an award of \$5,000 for its Advanced Language Program. This program was a finalist in the Innovations in American Government Award competition. The purpose of the award is to publicize the program to other government jurisdictions and to the public so that this winning program can be adapted to fit the needs of other governments and organizations. The Division of Police will use these funds for operating supplies and for travel expenses.

The source of funds is the Ash Institute for Democratic Governance and Innovation at the Harvard University's John F. Kennedy School of Government.

Council authorization to accept the award is hereby requested.

  
Paula King, Director

XC: Tim Bennett, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD

200 East Main Street 6<sup>th</sup> Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com





602-08

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

Ronald L. Bishop  
Director

## Memo

To: Mayor Jim Newberry  
Council Members

From: Ronald L. Bishop, Director *RLB*  
Division of Community Corrections

Subject: SERVICE AGREEMENT

Date: October 14, 2008

Two copies of a one-year renewal of a fire alarm testing and inspection program service agreement between the LFUCG Division of Community Corrections and Siemens Building Technologies, Inc. are enclosed for your approval and signature.

This service agreement renewal provides a program of planned service tasks as outlined in the service agreement with a total cost of \$23,371 included in our budget.

The required Blue Sheet is enclosed for your approval. Should you have any questions or need additional information, please contact me.

Enclosure

cc: Commissioner Public Safety

HORSE CAPITAL OF THE WORLD



603-08

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: OCTOBER 27, 2008**

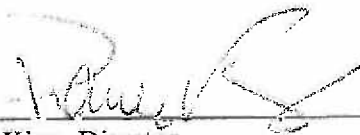
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF  
FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF HOMELAND  
SECURITY UNDER THE 2008 STATE HOMELAND SECURITY GRANT  
PROGRAM FOR PURCHASE OF HAZ MAT ONE VEHICLE FOR  
DIVISION OF FIRE AND EMERGENCY SERVICES**

On June 12, 2008 (Resolution # 311-2008), Council approved the submission of a grant application to the Kentucky Office of Homeland Security, under the Fiscal Year 2008 Homeland Security Grant Program, for the purchase of a Haz Mat One vehicle for the Division of Fire and Emergency Services. The state agency has approved an award of federal funds in the amount of \$600,000 for the following project:

**Heavy Hazardous Materials Command and Response Vehicle** to replace the current Hazardous Materials One (Haz Mat One) vehicle, for the purposes of responding annually to approximately 1,125 hazardous materials spills or releases in Fayette County. The Division of Fire and Emergency Services Hazardous Materials Response Team is charged with mitigating any uncontrolled hazardous material release within Fayette County in order to minimize those threats. The new vehicle will have a larger crew cab, a defined research area, and enough storage capacity to haul necessary high tech detection, mitigation, and decontamination equipment. Its presence assures high risk emergency scenes have a higher potential for safer and more effective outcomes in saving lives, minimizing property loss, and reducing environmental impact.

The source of funds is the federal Homeland Security Grant Program from the U.S. Department of Homeland Security. No matching funds are required.

Council authorization to accept the award is hereby requested.

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

Xc: Tim Bennett, Commissioner, Department of Public Safety

HORSE CAPITAL OF THE WORLD

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605-08

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: OCTOBER 28, 2008**

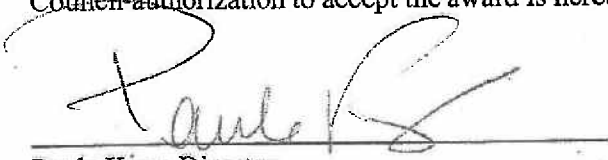
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF  
FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF HOMELAND  
SECURITY UNDER THE 2008 STATE HOMELAND SECURITY GRANT  
PROGRAM FOR HAZARDOUS DEVICES UNIT IED PROJECT FOR  
DIVISION OF POLICE**

On June 12, 2008 (Resolution # 311-2008), Council approved the submission of a grant application to the Kentucky Office of Homeland Security, under the Fiscal Year 2008 Homeland Security Grant Program, for the purchase of equipment for the Division of Police's Hazardous Devices Unit.. The state agency has approved an award of federal funds in the amount of \$123,000 for this project.

Federal funds will be used for purchase of a bomb suit, a digital imaging X-ray system, a wireless radio system for upgrade of the Robot, minor equipment and operating supplies that will enable the Hazardous Devices Unit to meet FEMA Type I Bomb Squad criteria and to safely and efficiently address potential threats.

The source of funds is the federal Homeland Security Grant Program from the U.S. Department of Homeland Security. No matching funds are 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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606-08

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**

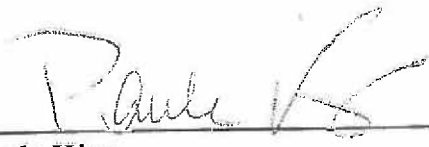
**DATE: OCTOBER 29, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT  
APPLICATION TO THE COMMISSION ON FIRE PROTECTION,  
PERSONNEL, STANDARDS, AND EDUCATION REQUESTING  
FUNDS FOR THE PURCHASE OF HEALTH AND WELLNESS  
EQUIPMENT**

The Division of Fire and Emergency Services has prepared a Health and Wellness Equipment Grant Application for submission to the Commission on Fire Protection, Personnel, Standards, and Education requesting funds to purchase a Nautilus Stepmill SM916 to be placed at one of the fire stations. The value of the requested equipment is \$5,309. No matching funds are required.

The source of funds is the Commission on Fire Protection, Personnel, Standards, and Education (Kentucky Fire Commission).

Council authorization to submit the application is hereby requested.

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

Xc: Tim Bennett, Commissioner of Public Safety

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607-08

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: OCTOBER 28, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE  
AGREEMENTS WITH VARIOUS AGENCIES FOR PARTICIPATION IN  
THE 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTER PROGRAM  
AT THE GAINESWAY EMPOWERMENT CENTER AND TATES  
CREEK ELEMENTARY SCHOOL—FY 2009**

On June 26, 2008, (Ordinance No. 153-2008), Council approved the acceptance of an award of federal funds from the Kentucky Department of Education for continuation of the afterschool programs at Gainesway Community Empowerment Center and Tates Creek Elementary School. The source of federal funds is the Department of Education, as authorized under the No Child Left Behind Act, Title IV, Part B.

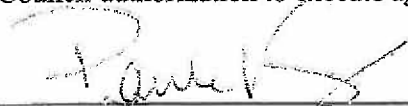
The approved grant agreement provides for contractual services to be provided by the following community partners: who have agreed to cooperate and participate in various components of the approved program. These agreements are:

- Fayette County Public Schools in the amount of \$11,400 for the support of part-time teacher to provide children with afterschool tutoring, training, and copying costs.
- University of Kentucky Research Foundation in the amount of \$3,000 for evaluation services.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	BUD REF	ACTIVITY	PROJECT
3180	606401	6401	71299	2009	DEFAULT	21 <sup>ST</sup> CENTURY

Council authorization to execute agreements is hereby requested.

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

Cc: Marlene Helm, Commissioner, Department of Social Services

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610-08

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: OCTOBER 31, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD  
OF FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF  
HOMELAND SECURITY UNDER THE 2008 STATE HOMELAND  
SECURITY GRANT PROGRAM FOR IED TRAINING FOR FBI  
CERTIFIED BOMB SQUADS IN KENTUCKY FOR DIVISION OF  
POLICE**

The Kentucky Office of Homeland Security has approved an award of federal funds in the amount of \$435,000 for IED Training for FBI Certified Bomb Squads in Lexington, Louisville, Owensboro, Paducah and Kentucky State Police. The LFUCG serves as the fiscal agent for this project.

Federal funds will be used for training in threat assessment, IED electronics, and bomb squad/SWAT (Special Weapons and Tactics) Interoperability.

The source of funds is the federal Homeland Security Grant Program from the U.S. Department of Homeland Security. No matching funds are 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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611-08

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: OCTOBER 31, 2008**

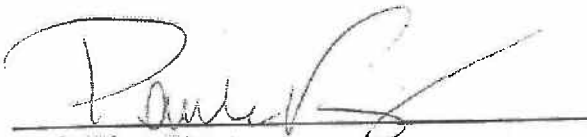
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF  
FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF HOMELAND  
SECURITY UNDER THE 2008 STATE HOMELAND SECURITY GRANT  
PROGRAM FOR HAZARDOUS DEVICES UNIT MULTI-AGENCY  
TOTAL CONTAINMENT VESSEL PROJECT FOR DIVISION OF  
POLICE**

On June 12, 2008 (Resolution # 311-2008), Council approved the submission of a grant application to the Kentucky Office of Homeland Security, under the Fiscal Year 2008 Homeland Security Grant Program, for the purchase of a Total Containment Vessel for the Division of Police's Hazardous Devices Unit. The state agency has approved an award of federal funds in the amount of \$250,000 for this project. The LFUCG serves as the fiscal agent for this project; however, all participating agencies in the Kentucky Explosive Incident Response Task Force (KEIRTF) will use the equipment as it is needed and as it is available.

Federal funds will be used for purchase of a Total Containment Vessel, equipment which is designed to provide secure transportation for known or suspected explosive devices to areas that are suitable for property disposal. A Total Containment Vessel is recommended equipment for bomb squad response (National Bomb Squad Advisory Board criteria). Currently, no bomb squads in Kentucky have this equipment.

The source of funds is the federal Homeland Security Grant Program from the U.S. Department of Homeland Security. No matching funds are 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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612-08

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: OCTOBER 29, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH BOARD OF EDUCATION OF FAYETTE COUNTY, KENTUCKY FOR IMPLEMENTATION OF ANTI-GANG JUVENILE PROGRAM AT MARTIN LUTHER KING JR ACADEMY FOR EXCELLENCE UNDER THE ANTI-GANG INITIATIVE PROGRAM—RFP 35-2008

On June 7, 2007 (Ordinance No. 116-2007), the Urban County Council approved the submission of a grant application, and acceptance of award, on behalf of the Eastern District of Kentucky, of federal funds from the U.S. Department of Justice under the 2007 Anti-Gang Initiative Program. The purpose of this project is to support new and expanded anti-gang prevention and enforcement efforts under the Project Safe Neighborhoods (PSN) initiative. This program brings together federal, state and local law enforcement and communities in a unified effort to reduce gang across America. The LFUCG serves in the capacity of fiscal agent for this grant.

In an effort to solicit applications for juvenile outreach programs, RFP 35-2008 was issued. One of the responses was the Board of Education of Fayette County, Kentucky on behalf of Martin Luther King Jr. Academy for Excellence for implementation of Lexington P.O.S.S.E. (Peers Organized to Support Student Excellence) project. The goals of the project are to reduce the occurrence of youth gang-related incidents and to increase positive outcomes for youth at high risk of gang involvement.

The Project Safe Neighborhoods Task Force has recommended that this project be funded in the amount of \$17,000.

Funds for this project will come from the following:

FUND	DEPT ID	SECT	ACCT	AMOUNT	PROJECT	BUD REF	ACTIVITY
3140	505001	5011	71299	\$9,000	ANTI GANG INITI	2007	DEFAULT
3140	505001	5011	71299	\$8,000	ANTI GANG INITI	2008	DEFAULT

Council authorization to execute the agreement is hereby requested.

Paula King, Director

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

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5 95 -08

24

# 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: October 23, 2008

RE: Authorization to amend Grant Agreement

This is to request a resolution authorizing the Mayor to execute the "First Amendment to Grant Agreement" originally executed on February 9, 2006 between the Cabinet for Economic Development, State Property and Buildings Commission, Lexington-Fayette Urban County Government, and Belcan Engineering Group. The purpose of the amendment is to extend Belcan Engineering's evaluation period for job creation by one year.

Belcan has requested an additional year to meet the jobs requirement set forth in the original agreement due to the difficult economy and loss of a defense contract. Department of Law has reviewed the "First Amendment to Grant Agreement."



601-08

# Lexington-Fayette Urban County Government

Jim Newberry, Mayor

To: Mayor Jim Newberry  
Joseph Kelly, Sr. Advisor for Management  
Urban County Councilmembers

From: Penny Ebel, Special Events Director *PE*

Date: October 23, 2008

Re: Authorization of Lease Agreement for 2008 Kentucky Christmas Chorus

This is to request authorization of a rental agreement with Lexington Center Corporation for the 2008 Kentucky Christmas Chorus. The Kentucky Christmas Chorus will be held on Tuesday, December 16, 6-9PM in Rupp Arena. The expense is \$25,750 for rental of the facilities. This includes a rehearsal on Monday, December 15. This expense is fully budgeted in the Special Events budget.

The Kentucky Christmas Chorus, celebrating its 21<sup>st</sup> anniversary, is a favorite holiday tradition for many across the state of Kentucky. The Lexington Philharmonic and the Lexington Singers will perform many favorite Christmas songs.

I appreciate your consideration of this item and request your approval.



604-08

# Lexington-Fayette Urban County Government

Jim Newberry, Mayor

To: Mayor Jim Newberry  
Joseph Kelly, Sr. Advisor for Management  
Urban County Councilmembers

From: Penny Ebel, Special Events Director *PE*

Date: October 27, 2008

Re: Authorization of Lease Agreement for 2009 Martin Luther King Day Celebration

This is to request authorization of a rental agreement with Lexington Center Corporation for the 2009 MLK Day Celebration. This celebration will be held on Monday, January 19th. The estimated expense is \$9,980 for services provided by Lexington Center. This expense is fully budgeted in the Special Projects budget.

The MLK Day Celebration will begin with a breakfast held in the Civic Center, followed by the Freedom March at 10:00am. Marchers will return to the Civic Center for the Commemorative Program.

I appreciate your consideration of this item and request your approval.



597-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Computer Services

October 27, 2008

To: Mayor Jim Newberry and urban County Council

From: Rama Dhuwaraha, Chief Information Officer

RE: Web Redesign, Content Migration

This serves as the 2<sup>nd</sup> Enhancement to the website redesign dated April 8<sup>th</sup>, 2008 with Vision Internet Providers, Inc. In this 2<sup>nd</sup> Enhancement Vision will migrate an additional 400 pages and implement a Weather Update Feature to the new website at an additional cost of \$6,695.00. The additional 400 pages migrates current divisional content which is accessible helpful information for the public. The Weather Update Feature will continuously update the weather as it changes so that citizens and visitors have an added interest in setting the Lexington Fayette Urban County Government's webpage as their home site.

This 2<sup>nd</sup> Enhancement is not budgeted. It will be paid under once purchase order totaling \$6,695.00 and will be funded out of account 1101 210101 0001 71200.

Rama Dhuwaraha

10/27/08





Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Waste Management      Department of Environmental Quality

TO: Mayor Jim Newberry  
Urban County Council

FROM: Steve B. Feese  
Steve B. Feese, Director  
Division of Waste Management

DATE: October 13, 2008

RE: Award for Consulting Services for the Recycling Center Plan Study.

The purpose of this memorandum is to request a resolution authorizing the award of a consulting services agreement with Gershman, Brickner, and Bratton, Inc. develop the master plan Lexington's Recycling Facility need. The total recommended value of the consulting services agreement is \$236,000. <sup>\$235,636</sup> CAT

Funds for this project will be taken from existing professional services budgeted in the Division of Waste Management.

The purpose of this consulting services agreement is to conduct a community-wide waste stream analysis for all sectors of our waste stream. Predicated on that analysis a market and needs assessment will be prepared to identify the size and type of processing facility that is needed to facilitate Lexington's zero waste strategy. This report is due six months for the effective date.

Question regarding the agreement should be directed to Susan Bush at 425-2888

Cc: Cheryl Taylor, Commissioner, Environmental Quality  
Brian Marcum, Director, Division of Central Purchasing  
Susan Bush, Department of Environmental Quality



598-08

Mayor Jim Newberry  
Division of Water Quality

TO: Mayor Jim Newberry  
Urban County Council

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

DATE: October 14, 2008

SUBJECT: Change Order for Arnold, Dugan and Meyers for miscellaneous changes  
needed to the West Hickman WWTP Screw Pump Replacement Project –  
Phase 2.

The Division of Water Quality requests approval of change order #2 for Arnold, Dugan and Meyers for miscellaneous changes to the West Hickman WWTP Screw Pump Replacement Project Phase 2. The original contract amount was \$1,250,000.00. Change Order #1 was \$12,117.00 for a revised total contract amount of \$1,262,117.00, resulting in a net increase of 1% from the original contract amount. Change Order #2 is for an amount of \$25,930.00 for a revised contract amount of \$1,288,047.00, resulting in a net increase of 3% from the original contract amount.

This contract required Arnold, Dugan and Meyers to purchase and install replacement pumps for Screw Pump #2 including other components necessary to control and operate the pumps. This change order is for additional structural supports and stilling wells for low level float modifications due to turbulence encountered in the wet well. Costs reflect labor and materials only; no design charges will be requested for the changes.

The funds are fully budgeted in 4003-303401-3421-92711.

cc: Cheryl A. Taylor, Commissioner, Department of Environmental Quality  
Tiffany Rank, P.E., Municipal Engineer Senior, Division of Water Quality

**CONTRACT HISTORY FORM**

Contractor: Arnold, Dugan & Meyers

Project Name: West Hickman Wastewater Treatment Plant  
Screw Pump Replacement - Phase 2

Contract Number and Date: 900 10/14/2008

Responsible LFUCG Division: Water Quality

**CHANGE ORDER DETAILS**

<b>Summary of Previous Change Orders to Date:</b>	<b><u>Dollar Amount</u></b>	<b><u>Percent Change to Original Contract</u></b>
A. Original Contract Amount	<u>\$1,250,000.00</u>	
B. Previous Change Order Total:	<u>\$12,117.00</u>	<u>1%</u> <i>Line B/Line A</i>
C. Current Contract Amount:	<u>\$1,262,117.00</u>	
D. Amount of this Chage Order :	<u>\$25,930.00</u>	<u>2%</u> <i>Line D/Line A</i>
E. New Contract Amount:	<u>\$1,288,047.00</u>	<u>103%</u> <i>Line E/Line A</i>

**SIGNATURE LINES**

REVIEWED BY: *T. H. Rank* DATE: 10/20/08

DIVISION DIRECTOR: *[Signature]* DATE: 10/23/08

Change Order No. 2  
Resolution # 235-2007  
West Hickman Wastewater Treatment Plant  
Screw Pump Replacement - Phase 2

Lexington-Fayette Urban County Government  
Lexington, Kentucky

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

**CONTRACTOR:** Arnold, Dugan & Meyers  
 2712 River Green Circle  
 Louisville, KY 40206

**SUMMARY OF INFORMATION**

Date of Change Order:	October 14, 2008
Date of Contract:	June 29, 2007
Date of Notice to Proceed:	August 3, 2007
Official Start Date:	August 13, 2007
Length of Contract (calendar days):	365
Date of Contract Completion: (Final Completion Date)	August 12, 2008
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	August 12, 2008
Change in Contract Time in CO#1 (calendar days)	0
Revised Contract Date: (Final Completion Date)	
Original Contract Amount	\$1,250,000.00
Previous Change Order Total:	\$12,117.00
Current Contract Amount:	\$1,262,117.00
Change Order (2) Amount:	\$25,930.00
Revised Contract Amount:	\$1,288,047.00
Percent Change from Original:	3%

Review attached information for **General Description**






599-08

Mayor Jim Newberry  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Water Quality

To: Mayor Jim Newberry  
Urban County Council

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

Thru:   
Cheryl Taylor, Commissioner  
Department of Environmental Quality

Date: October 21, 2008

Re: WIRELINE CROSSING AGREEMENT (RJCC2008005)

The purpose of this memorandum is to request a resolution authorizing a WIRELINE CROSSING AGREEMENT with RJ Corman. This agreement will allow LFUCG access to RJ Corman property known as the Lexington Yard, located west of Cox Street between Manchester and West Main Streets for the purpose of installing and maintaining equipment associated with an illicit discharge of wastewater from Mystery Spring into the Town Branch.

Lexington-Fayette Urban County Government (LFUCG) will be responsible for an annual fee, the amount of which shall be \$300.00 subject to periodic review and adjustment, payable each year in October.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.

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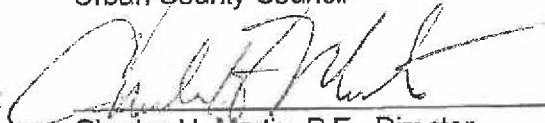


609-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Water QualityTo: Mayor Jim Newberry  
Urban County Council

From:

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

Date: October 28, 2008

Re: Site Specific Agreement to Provide Sanitary Sewer Service to White/Reach Brannon Road, LLC property in Jessamine County.

The purpose of this memorandum is to request a resolution authorizing a site specific agreement between the Lexington-Fayette Urban County Government (LFUCG), the Jessamine South Elkhorn Water District (JSEWD) and White/Reach Brannon Road, LLC. The site specific agreement will allow LFUCG to provide sanitary sewer service to the White/Reach Brannon Road development owned by White/Reach Brannon Road, LLC in accordance with the enclosed site specific agreement and the Northern Jessamine County Sewer Agreement (Resolution 690-2002)

The approval of this site specific agreement will provide the White/Reach Brannon Road development with a maximum average of 18,000 gallons per day (gpd) of wastewater treatment capacity for sewage discharged to the West Hickman Wastewater Treatment Plant. In accordance with all agreements associated with sanitary sewer service to Northern Jessamine County, sanitary sewer and stormwater facilities are to be constructed in accordance with LFUCG standards. White/Reach Brannon Road, LLC will be responsible for all LFUCG sewer connection fees and sewer user fees as described in the Code of Ordinances. White/Reach Brannon Road, LLC will also be responsible for administrative fees associated with LFUCG's approval of this site specific agreement including but not limited to plan review and general contract administration.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.

HORSE CAPITAL OF THE WORLD



P.O. Box 12196  
Lexington, Kentucky 40581-2196  
859.225.4073  
www.mcconnellsprings.org

October 21, 2009

Jerry Hancock, Director  
Division of Parks and Recreation  
Lexington-Fayette Urban County Government  
200 E. Main St.  
Lexington, KY 40507

Dear Mr. Hancock,

The Board of Directors of the Friends of McConnell Springs is delighted to present to the McConnell Springs Park of the Lexington-Fayette Urban County Government an A/V Sharp 65" LCD TV and supporting DVD player and stereo microphone sound system to complement the wonderful facility at McConnell Springs.

We recognize all the hard work and wonderful programs that the parks and recreation staff have contributed to making the site a working environmental classroom and hope that this equipment will be beneficial to future programs and events.

For insurance purposes the total package came to \$11,011.00. Please see the attachment for individual prices.

Sincerely,

A handwritten signature in dark ink, appearing to read "James R. Rebmann".

James R. Rebmann  
Vice Chair Friends of McConnell Springs



616-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Department of Finance and Administration

**MEMORANDUM**

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

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

**DATE:** November 4, 2008

**SUBJECT:** Resolution 511-2007

Among the projects funded in the 2007-08 Budget was a capital bond project for a generator for the Coroner funded at \$140,000. The generator has been purchased but the installation requires a larger gas service line to the building than is already there. The cost of the installation is approximately \$26,000 with \$11,000 of the total funded in the original appropriation. The purpose of the attached request is to add \$15,000 to the project cost to complete the installation. Since the project will be bonded with a term of five (5) years the additional debt service will be no more than \$4 per year.

HORSE CAPITAL OF THE WORLD



616-08

Description	Amount
<b>Purchase of Development Rights</b>	2,000,000
<b>Replacement Vehicles and Equipment</b>	4,913,100
<b>Public Safety</b>	
Community Corrections - Computer Equipment	19,500
DEEM - Radio and Siren Equipment	122,000
Police - Building Repairs	355,000
Police - Mobile Data Communications	358,000
Police - Cars and Equipment for New Officers (50)	2,137,500
Fire - New Fire Station Land	750,000
Fire - ATV with Medical Bed	15,000
Fire - Building and Grounds Maintenance	558,000
Fire - Communications Equipment	124,000
Fire - Computer Equipment	260,100
Fire - EMS Unit	240,000
Fire - Ladder Truck	900,000
Fire - Protective Clothing	117,500
Fire - Rescue Equipment	125,000
Copier - Fire	7,000
Code Enforcement - Portable Computers	25,000
<b>Coroner</b>	
Coroner - Equipment	12,500
Coroner - Generator	140,000
<b>Public Works</b>	
Engineering - Mapping and Survey Equipment	36,050
Wayfinding Signs	375,000
Streets, Roads, Forestry - Small Projects	450,000
Resurfacing	3,000,000
Salt Barn	2,000,000
Snow Removal Equipment	30,000
Traffic Engineering - Signals	230,000
Infill and Development	2,000,000
Building Inspection - Portable Computers	90,000
Copier - Building Inspection	11,000
<b>Social Services</b>	
Family Services - HVAC	30,000
Senior Citizens' Center - Architectural Design	400,000
<b>General Services</b>	
Energy Saving Equipment	45,000
Building Maintenance - Maintenance	75,000
Versailles Road Building	125,000
Annex - Building and Garage Repairs	140,000
HVAC Filters	18,000
Fleet Services - Equipment	11,800
Masterson Station Indoor Arena	60,000
Park Trails	2,000,000
Parks - Golf Carts	365,000
Parks - HVAC	30,000
Parks - Other Projects	330,000
Parks - Paint Sprayer	5,000
Parks - Safety Projects	1,200,000
Parks - Tractors and Mowers	205,970
Raven Run	750,000
<b>Environmental Quality</b>	
McConnell Springs Wetland Pond	250,000
Gainesway Pond and Trail	300,000
Stormwater - Design and Construction	2,177,000
Stormwater - Software	7,000
Water and Air Quality - Dogwood Trace Project	90,000
Water and Air Quality - Small Projects	25,000
<b>CIO</b>	
Computer Replacements	400,000
Servers	100,000
<b>Other</b>	
Opera House Renovations	425,000
Telephone Systems	70,000
Security Equipment	32,500
Fiber Optic Cable	550,000
<b>Total Capital Projects</b>	<b>31,618,520</b>

613-08



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

FROM:

  
Jerry Hancock

RE: Facility Usage Contract

DATE: October 30, 2008

This is a request for Council approval of a Rental Agreement between the Lexington Center Corporation and the Lexington Fayette Urban County Government.

This Rental Agreement is for the purpose of using the Lexington Center Corporation for our Kiddie Kapers program for rental of the Opera House for April 16-19, 2009.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



614-08

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: OCTOBER 31, 2008**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT  
WITH GORDON GILDERSLEEVE FOR DESIGN AND CREATION OF  
PARK BENCH SCULPTURE UNDER THE ARTS BUILD  
COMMUNITIES PROJECT**

Council is in process of approving acceptance of award from the Kentucky Arts Council for an Arts Build Communities project, Park Bench Sculpture Project. The purpose of the project is to create a sculpture that also serves as a park bench in Woodland Park. The approved application provides for Gordon Gildersleeve to serve as the sculpture for the project for amount of \$7,500. The artist will acquire all materials and be responsible for creating the sculpture in conjunction with the Division of Parks and Recreation and the community.

Funds will be expended from the following account:

FUND	DID	SECT	ACCT	SITE	PROJECT	ACTIVITY	BUD REF
3400	707604	7321	71299	729	ARTS_BUILD	DEFAULT	2009

Council authorization to execute the agreement is hereby requested.

Paula King  
Director

Xc: Kimra Cole, Commissioner of General Services

HORSE CAPITAL OF THE WORLD

200 East Main Street 6<sup>th</sup> Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com



URBAN COUNTY COUNCIL  
BUDGET & FINANCE COMMITTEE SUMMARY

OCTOBER 28, 2008

Dr. Stevens chaired the committee meeting, calling it to order at 1:00 pm. All committee members were present.

**I. General Fund Summary Report of Revenues & Expenditures Sept. 2008**

Commissioner Koch gave an overview of the September 2008 General Fund Summary Report. She stated they now have three different reports 1) month to month, 2) month to budget, and 3) year to date. She stated the month to month report has a lot to do with timing. Commissioner Koch stated the month to budget report is a new report based on CM Lane's request. She stated the year to date report is the most helpful today. She stated total revenue is ahead of last year only by 1.9% and this is not where they want to end up. She stated LFUCG is down in the personnel expenditure side because of being down in head count. She stated the dashboard report they are working on will include a head count in it. She stated they have examined the operating expenses line by line and did not see anything alarming. It seems we are on track right now. Commissioner Koch stated all the economic indicators are there are some things out there we need to be concerned about. She stated there is a chance that the brakes will come on the revenue side. Commissioner Koch stated she will start sending email messages to keep Council up to date with what they are hearing on the revenue and expenditure side.

CM Ellinger asked how are we on the retirees and attrition.

Commissioner Koch stated built into the budget are 170 retirements and 50 normal attrition then hiring back 45 to 50 of the 220 that were budgeted to leave. She stated they believe they will get half the retirements that were budgeted. They had budgeted some of the payouts to come out of the Economic Contingency Fund; however, it does not look like they are going to have to do that because there will not be the number retiring they thought would be. She state the downside to that will be 2010 because they were going to try and right size government by the fact that people hired back would be making less than those that retired. So, this sets LFUCG up to have a higher payroll than was expected. She stated right now they think we are \$1 million to \$2 million off in personnel and that is something they can manage their way through.

CM Ellinger asked if we will have to make adjustments to the budget come spring.

Commissioner Koch stated there may still have to be adjustments.



CM Ellinger asked when will they come with that information.

Commissioner Koch stated she was hoping to be in a position to know that right now. She stated if things do not get any worse then it is manageable.

Dr. Stevens asked when the audit will be completed.

Commissioner Koch stated they will have it at the November meeting.

Dr. Stevens asked what is the projected fund balance.

Commissioner Koch stated she thinks it was \$4.1 million before needing some to take care of health insurance and risk management. She believes it came down to \$3.3 million range. She stated she will email that information to the Council.

Dr. Stevens stated we are expecting \$2 million more.

Commissioner Koch stated they hope so and have not been made aware of audit adjustments that would change that as of yet.

Dr. Stevens asked if the Administration has thought of ways to spend that.

Commissioner Koch stated they will not be recommending ways to spend that money. She stated they will need every penny of it.

Commissioner Koch stated there is a new Governmental Accounting Standards Board requirement for this year that requires municipalities to book their unfunded liability in the health insurance for retirement funds. She stated for LFUCG this means the health insurance for the Police and Fire retirement fund. Commissioner Koch stated they got a draft actuarial report and the number is \$181 million in unfunded liability which is a general fund commitment. She stated that is about three times what they expected it to be. She stated they are paying the bills right now and this does not have to be paid off right now. She stated it is something that we need to have a plan of how to address it. She stated that will be brought to the committee once they have it. She stated it is something the rating agencies will look at when they rate the bonds in the market. They will be looking to make sure there is a plan. She stated the bill will come due eventually.

Dr. Stevens asked if the actuary looked at what it would be that liability if we used Medicare as primary.

Commissioner Koch stated LFUCG did that will the Police and Fire retirees this year. She stated that is one of the assumptions they are not positive of how the actuary handled that. She stated they are going to make sure that what he assumed is in fact what is correct about our Police and Fire retirement fund.

Dr. Stevens asked if they will calculate that option.

Commissioner Koch stated yes. She stated they will bring a final report with options at the next meeting.

CM Blevins asked about a balance sheet for the committee.

Commissioner Koch asked if they preferred to have a less formal meeting to talk about the balance sheet.

CM Blevins stated that is good advice.

CM Lane asked if they are going to recommend putting the \$2 million additional surplus from the end of last fiscal year into the Economic Contingency Fund.

Commissioner Koch stated they will be making a deposit based on the ordinance into the Economic Contingency Fund. She stated she has not spoken to the Mayor about the rest of that balance.

CM Lane asked about monthly financial statements.

Commissioner Koch stated they will have them this year.

CM Blevins asked what the current fiscal years' amended fund balance is.

Commissioner Koch stated she does not have it with her but will email it to the committee.

## **II. FY2008 Budget Process Recommendations**

The committee reviewed and discussed the recommendations.

## **III. Sale & Disposal of Obsolete Property**

CM James stated she asked if something is purchased with Urban Services Fund and then is sold then where does the money go. She stated she was informed that it went into the General Fund. She asked if it makes sense to buy something with one fund and then put the money in another fund when it is sold.

Commissioner Koch stated it is all LFUCG here. She stated there are specific things that are paid for out of the Urban Services Fund but it is still tax money from residents. She stated this is not how she has seen it before. She stated right now it is a blessing because the Urban Services Fund is flush with money and the General Fund is not. She stated she understands the concern.

CM James stated she is worried that once the Urban Services Fund starts to go away is there going to be money there to take care of the needs of waste management.

CM Gorton stated she is concerned with this as well. She stated citizens pay their fees with the knowledge the fees are going to one specific service. She stated if the funds have an excess then in the past the rates have been lowered for citizens. CM Gorton stated she thinks it is a corruption of law in a way to send the money to General Fund. She stated she would like to see a different way of doing this.

CM McChord stated the majority of the people have the same approach that it is their tax money. He stated there is room to look at this.

CM Lane stated if the money comes in from a certain fund then Council can reallocate it to that fund or another area of higher priority.

CM Beard stated the money needs to go back to the fund it came from.

A motion by CM James that the issue of Chapter 7 Article 1 Section 7-15 of the Code of Ordinances be referred to the Dept. of Law for review, seconded by CM Gorton, passed without dissent.

#### **IV. Preliminary Report of Finance Task Force Progress**

Dr. Stevens gave an overview of the Finance Task Force. He stated there should be a final report before the end of the year.

Meeting adjourned 2:20 pm