

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
April 13-April 20, 2009**

Monday, April 13

No Meetings

Tuesday, April 14

Corridors Committee Working Group Meeting.....10:00 am
Caucus Room-2nd Floor Government Center

Corridors Committee Meeting.....11:30 am
Conference Room-3rd Floor Phoenix Building

Inter Governmental Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Council Meeting-Mayor's Budget Address.....3:00 pm
Council Chambers-2nd Floor Government Center

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

Wednesday, April 15

Town & Gown Commission Meeting.....4:00 pm
Maxwell St Presbyterian Church, 180 E Maxwell St

Thursday, April 16

Presentation on Mayor's Proposed Budget by Sr Policy & Budgeting Advisor....4:00 pm
Council Chambers-2nd Floor Government Center

Friday, April 17

No Meetings

Monday, April 20

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

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

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

April 14, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, April 4, 2009, pp.6-9**
- IV. Budget Amendments – None**
- V. New Business, pp.12-25**
- VI. Continuing Business / Presentations**
 - A. Services Committee (separate, not in packet)**
 - B. Storm Water Fee Task Force Report**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept a Donation from Kentucky American Water Company (KAWC) for the 2009 Reforest the Bluegrass Program. (238-09) (Williams/Webb)

This request will authorize the acceptance of a donation in the amount of \$5,000 from KAWC for the 2009 Reforest the Bluegrass Program. Funds will help offset cost of t-shirts, hats, rental charges, and lunches for volunteers.**p.12**

- B. Authorization to Accept a Donation from the School of Creative and Performing Arts for the 2009 Reforest the Bluegrass Program. (239-09) (Williams/Webb)

This request will authorize the acceptance of a donation in the amount of \$350 from the School of Creative and Performing Arts for the 2009 Reforest the Bluegrass Program. Funds will help offset cost of t-shirts, hats, rental charges, and lunch for volunteers.**p.13**

- C. Authorization to Accept Awards (if offered) for the FY2010 Transportation Planning Activities on behalf of the Department of Public Works and Development, Division of Planning, for the Unified Work Program. (246-09) (P. King/Webb)

This request will authorize the acceptance of awards (if offered) for funding of the FY2010 Transportation Planning Activities for the Division of Planning regarding the Unified Work Program. This includes:

Federal Program	Federal Amount	State Match	Local Match	TOTAL
FHWA Planning	\$301,654	(5%) \$18,854	(15%) \$56,562	\$377,080
Federal Transit Administration Section 5303	\$40,000		(10%) \$10,000	\$50,000

These combined funding sources support the costs of seven (7) transportation planning positions in the Division of Planning and office supplies, printing, maintenance, equipment and professional development. Acceptance of awards is subject to the availability of funds in FY2010.**p.14**

- D. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at Property Located at 458 Georgetown Street under the Georgetown Street Sidewalk Improvements Project. (247-09) (Rayan/Webb)

This request will authorize a deed of acceptance at a cost of \$100 for a permanent sidewalk easement of 3.26 square feet and a temporary construction easement of 36.03 square feet at property located at 458 Georgetown Street under the Georgetown Street Sidewalk Improvements Project. Funds are budgeted.**p.15**

- E. Authorization of an Agreement with the University of Kentucky on Behalf of the Department of Public Safety, Division of Police, for use of the Albert B. Chandler Medical Center Regarding the Sexual Assault Nurse Examiner (SANE) Program. (237-09) (P. King/Bennett)

This request will authorize an agreement at a rate of \$250 per month for calendar year 2009, with the University of Kentucky on behalf of the Division of Police for the use of an area in the emergency room at the Albert B. Chandler Medical Center for the SANE Program. LFUCG was awarded federal funds under the Violence Against Women Act by the Kentucky Justice Cabinet to continue this program. Funds are budgeted.**p.16**

- F. Authorization to Submit an Application to the Kentucky Division of Emergency Management on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, under the Hazard Mitigation Grant Program (HMGP) of the Federal Emergency Management Agency. (244-09) (P. King/Bennett)

This request will authorize the submission of an application for federal funds in the amount of \$133,720 on behalf of the Division of Fire and Emergency Services to replace the generator at Fire Station No. 1 with one of greater capacity and to update the electrical services. The generator at Fire Station No. 1 will be installed in the Fire Training Academy. The source of federal funds is the HMGP authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. A local match of 13% (\$20,280) is required and has been requested in the FY2010 General Fund budget. Total project cost is \$156,000.**p.17**

- G. Authorization to Submit Application to the US Department of Justice under the 2009 State Criminal Alien Assistance Program (SCAAP). (245-09) (P. King/ Bennett)

This request will authorize the submission of an application to the US Department of Justice requesting federal funds under the 2009 SCAAP. SCAAP provides reimbursement funds for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for foreign born inmates (with no legal right or documentation to be in the US) who are incarcerated for at least four (4) consecutive days during the reporting period, and incarcerated on conviction of at least one (1) felony or two (2) misdemeanors. Immigration and Customs Enforcement (ICE) ensures aliens are properly identified and their status verified before reimbursements are made. The 2009 SCAAP reimbursable revenue received was \$119,587. All funds received from the 2009 SCAAP must be used for corrections purpose.**p.18**

- H. Authorization of a Deed of Easement to the Kentucky American Water Company (KAWC) for Property Located at 2500 Flying Ebony Drive (f/k/a 810 Star Shoot Parkway). (240-09) (Cole)
 This request will authorize a deed of easement granted by LFUCG to KAWC in the amount of \$19,778 for the permanent easement and \$250 per calendar month for the temporary easement to be paid at the completion of the project on property located at 2500 Flying Ebony Drive. The permanent easement will allow KAWC to construct, reconstruct, install, operate, maintain, improve, expand, remove, rebuild, replace, and repair a water transmission and distribution line or lines.**p.19**
- I. Authorization to Submit an Application to the Kentucky Department of Education and Accept the Award if Offered, on Behalf of the Department of General Services for the Summer Food Service Program – FY2009. (241-09) (P. King/Cole)
 This request will authorize the submission of an application for federal funds of \$147,210 to the Kentucky Department of Education, Division of School and Community Nutrition on behalf of the Department of General Services for operation of the Summer Food Services Program at approximately 40 sites. This program provides a minimum level of nutritional support to low income neighborhoods for children from birth through the age of 18. The rate of reimbursement is \$3.13 per lunch based on approximately 40,000 lunches; reimbursement of \$.7350 per supplement based on approximately 6,000 reimbursable snacks, and reimbursement of \$1.78 per breakfast based on 10,000 breakfasts. This program will be provided at eligible summer school sites, Extended School Program sites, open park sites operated by the Division of Parks and Recreation, and at public and private nonprofit groups. While no matching funds are required, \$65,600 has been budgeted in the FY2009 General Funds for operation of this program.**p.20**
- J. Authorization of a Trail Design Agreement with Third Rock Consultants, LLC, for Design and Engineering of the Masterson Station Trails Project. (242-09) (Hancock/Cole)
 This request will authorize a Trail Design Agreement at a cost of \$40,930 with Third Rock Consultants, LLC, for the preliminary and final design and engineering the Masterson Station Trails Project to connect two (2) trail segments. The first segment is the Masterson Station Park Perimeter Trail located in northern Fayette County within the Masterson Station Park to begin at the existing paved trail near Leestown Road and parallel the eastern park property line until it reaches a greenway connection near Majestic View Way. This trail will follow the creek corridor through greenway until it reaches Sandersville Road. The second segment is the Masterson Station Greenway Trail located in northern Fayette County in the Masterson Hills subdivision within the designed greenway that will follow the creek corridor from Sandersville Road (north of Citation)

southwest through Masterson Hills Park and turn southeast through greenway until it reaches Citation Boulevard. Funds are budgeted.**p.21**

- K. Authorization of a Trail Design Agreement with CDP Engineers, Inc., for Design and Engineering of the Veterans Park Mountain Bike Trail Project. (243-09) (Hancock/Cole)
This request will authorize a Trail Design Agreement at a cost of \$22,354 with CDP Engineers, Inc., for the preliminary and final design and engineering the Veterans Park Mountain Bike Trail Project for an unpaved mountain biking trail within Veterans Park. Funds are budgeted.**p.22**
- L. Authorization of a Revision to Lease with Fritz Farms Services, LLC, Regarding Property at West Hickman Wastewater Treatment Plant. (WWTP) (248-09) (Martin/Taylor)
This request will authorize a revision to lease with Fritz Farms Services, LLC, for mowing services at the West Hickman WWTP. This revision allows either hay or cropland to be planted / mowed and will increase the acreage from 107 acres to 121 acres. All other terms and conditions remain the same.**pp.23-24**
- M. Authorization of an Amended and Restated Grant Agreement by and among the Cabinet for Economic Development, the State Property and Buildings Commission, LFUCG and the Belcan Engineering Group, Inc., Regarding an Economic Development Bond Grant. (250-09) (Wright/Kelly)
This request will authorize an Amended and Restated Grant Agreement by and among the Cabinet for Economic Development, the State Property and Buildings Commission, LFUCG and the Belcan Engineering Group, Inc. for an Economic Development Bond Grant under the original agreement dated February 9, 2006 and Amendment No. 1 dated April 28, 2008. This Amended and Restated Grant Agreement will allow additional amendments to the terms to accommodate current economic circumstances as approved by the Kentucky Economic Development Finance Authority Board Meeting on February 26, 2009.**p.25**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

April 7, 2009

Mayor Newberry chaired the meeting. All Council Members were present except CMs Crosbie and Martin.

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

A motion by CM Beard to approve the docket, seconded by CM James, passed without dissent.

- III. Approval of Summary-Yes

A motion by CM Gorton to approve the summary of 3/24/09, seconded by CM Myers, passed without dissent.

- IV. Budget Amendments-Yes

A motion by CM Myers to amend the budget amendments by asking Comm. Bennett and Fire Chief Hendricks to come back next week to work session with a plan for the overtime journal #s and answers to the 3 questions that Comm. Bennett stated that he wanted answered, seconded by CM Lane, passed without dissent.

A motion by CM Myers to approve the amended budget amendments, seconded by CM Beard, passed without dissent.

- V. New Business

- A. Authorization of a Deed of Acceptance for a Permanent Greenway under the Greenway Master Plan. (225-09) (Rayan/Webb)
- B. Authorization of Amendment No. 2 to an Agreement with the Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Division of Traffic Engineering, for the South Limestone Multimodal Traffic Study Project. (226-09) (P. King/Webb)

- C. Authorization of Amendment No. 2 to an Agreement with the Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Division of Traffic Engineering, for the Intelligent Transportation System (ITS) / Traffic Control and Traffic Signal Upgrade Project. (227-09) (P. King/Webb)
- D. Authorization of Amendment No. 1 to Agreement with Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Regarding the Air Quality Planning and Mobility Coordination Projects. (233-09) (P. King/Webb)
- E. Authorization of a Memorandum of Understanding (MOU) with Windstream Kentucky East, LLC, Regarding Projects Area 2 and 4 of the Downtown Lexington Streetscape Project. (234-09) (Webb)
- F. Authorization of a Resolution Regarding Kentucky Public Service Commission Case No. 2008-00427 Pertaining to Rates of Kentucky-American Water Company. (236-09) (Askew)
- G. Authorization to Submit the Proposed 2009 Consolidated Plan to the US Department of Housing and Urban Development (HUD), Accept Awards, and Authorize Agreements with Subrecipients. (232-09) (P. King/O'Mara)
- H. Authorization to Accept Donation from the Kentucky Division of Emergency Management (KYEM) on Behalf of the Department of Public Safety, Division of Emergency Management (DEM) /911. (228-098) (P. King/Bennett)
- I. Authorization to Accept Award from the Kentucky Board of Emergency Medical Services (KBEMS) on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (230-09) (Dugger/Bennett)
- J. 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. (235-09) (P. King/Bennett)
- K. Authorization to Accept Deeds of Easement or Acquisition for Properties Regarding the Storm Water Management Project in Cardinal Valley under the Sugar Mill Mitigation Project. (231-09) (P. King/Taylor)

A motion by CM Gorton to approve new business items A-K, seconded by CM Myers, passed with 2 dissents on item F (Gorton & James).

VI. Continuing Business / Presentations

A. Budget & Finance Committee Update

This update was given by Chair CM Stinnett. There was 1 motion to come forward from this meeting.

A motion by CM Stinnett to request the Department of Law to draft an ordinance to require proceeds from any assets sold from one fund or account are put back into that fund/account, seconded by CM Myers, passed with a 11-1 (Lane) vote.

B. Alcohol Awareness Month Proclamation

This proclamation was presented by Mayor Newberry to Donna Weisenhannick, Retired Capt. Howard Rupert, and others.

C. Records & Information Management Proclamation

This proclamation was presented by Mayor Newberry to Council Clerk Susan Lamb and staff.

D. National Coin Week Proclamation

This proclamation was given by Mayor Newberry to Bob Jones.

E. Proposed Amendments to Section 11 of the Code of Ordinance

This presentation was postponed to a later date.

VII. Council Report

CM Gorton-Stated that the Storm Water Fee Task Force has completed its task and the packet will be placed in the CMs mailbox.

A motion by CM Gorton to approved the NDF list for 4/7/09, seconded by CM McChord, passed without dissent.

CM Stinnett-Announced the Run for Bobby next Saturday at 9 am; announced 50th anniversary of Bryan Station High School April 15-18; retirement of Dough Flynn's jersey; on 4/18 Defender Classic; asked Mayor about the ice storm de-briefing-the Mayor asked Comm. Webb and he said that Pat Dugger will be heading this up.

CM James-Announced that 'at this moment there is a Lyric Theatre renovation event going on at the Public Library from 4-7 pm'; reminded Council of the Celebration for Disabilities Expo on 4/10 at the Lexington Center from 10a-7p.

A motion by CM James to place on the docket for April 9, 2009 Council Meeting, a resolution authorizing and directing the Mayor to execute a rental agreement with the Lexington Center Corporation for the Celebration of Disabilities Expo, seconded by CM Gorton, passed without dissent.

CM Lawless-Announced the Ayelsford NA meeting tonight at Woodland Christian Church; stated that she is trying to get in touch with all 3rd District NA to make sure they are properly registered with the Secretary of State and to update their contact information; announced that on Saturday AVOL will have their Red Ribbon Run/Walk at the Horse Park and Reforest the Bluegrass will be at Shilito Park.

CM Henson-Announced the Cardinal Valley NA meeting tonight at 7 pm; mentioned the Celebration of Disabilities Expo and Reforest the Bluegrass.

VM Gray-Announced the members of the Lyric Theatre Working Group: CM James, CM Lane, Juanita Bets Peterson, Joan Brannon, Charlie Boland, Gene Woods, Jim Clark, Everett McCorvey, and Mayor Newberry or his designate.

CM McChord-Mentioned the Reforest the Bluegrass on Saturday at Shilito at 9 am; congratulated the Citizens Fire Academy Alumni for the Easter egg hunt this past Saturday.

VIII. Mayor's Report-Yes

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

IX. Public Comment-Issues not on the agenda-Yes

Citizens, Vanessa Mitchell, Dawn Givens, and Lewis Cobb spoke.

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

Work Session was adjourned at 5:18 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

10

April 14, 2009 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
238-09	BA 2153	Streets Roads & Forestry	To provide funds for Food & Clothing (T-shirts) for volunteers for Reforest the Bluegrass by recognizing donation from Kentucky American Water Company.
B			1101 5,000 1101 5,000CR 0*
239-09	BA 2152	Streets Roads & Forestry	To provide funds for Minor Operating Supplies by recognizing donation from the School for Creative and Performing Arts.
C			1101 350 1101 350CR 0*
241-09	BA 2141	Community Development	To establish grant budget Summer Food Service Program – FY 2009.
I			3100 212,810 3100 212,810 CR 0*
246-09	TBD	Community Development	To provide funds for Transportation Planning activities – FY 2010.
C			3160 427,080 3160 427,080 CR 0*

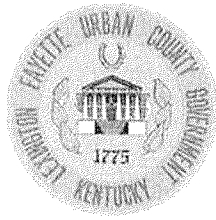
EFFECT ON FUND BALANCES

FUND 1101	0*	NO EFFECT ON: GENERAL SERVICES DISTRICT
FUND 3100	0*	NO EFFECT ON: US DEPARTMENT OF AGRICULTURE
FUND 3160	0*	NO EFFECT ON: US DEPARTMENT OF TRANSPORTATION

Budget Information For New Business Items
April 14, 2009 Work Session

11

Item	Number	Amount	Fund	Name / Description
A	238-09	5,000	1101	General Service District – General Fund Budget Journal
B	239-09	350	1101	General Service District – General Fund Budget Journal
C	246-09	427,080	3160	US Department of Transportation Budget Journal
D	247-09	100	2514	2005 Bond Projects
E	237-09	3,000	3140	US Department of Justice
F	244-09	NA		
G	245-09	NA		
H	240-09	(19,778)	1101	General Service District – General Fund
I	241-09	212,810	3100	US Department of Agriculture Budget Journal
J	242-09	40,930	2517	2008 Bond Projects
K	243-09	22,354	2517	2008 Bond Projects
L	248-09	(1,575)	4002	Sanitary Sewer Revenue and Operating Fund
m	250-09	NA		



238-09

12


Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Joseph Kelly – Senior Advisor
Urban County Council

FROM: 
Sam Williams, Acting Director

DATE: April 2, 2009

RE: Request for Council Authorization to Accept a \$5,000 Donation from Kentucky American Water Company and a \$350 Donation from The School for Creative and Performing Arts for the Reforest the Bluegrass Program

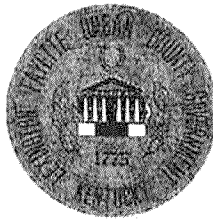
Kentucky American Water Company wishes to donate \$5,000 to this year's Reforest the Bluegrass to be held on April 11, 2009. Their donation will be used to help pay for the costs associated with the event including: t-shirts and hats, various rental charges, lunches and volunteers, etc.

The School for Creative and Performing Arts also wished to donate \$350 to this year's Reforest the Bluegrass to help toward the costs of the above referenced items.

SW/alc

Xc: Mike Webb, Commissioner of Public Works & Development
Tim Queary, Urban Forester

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239-09

13

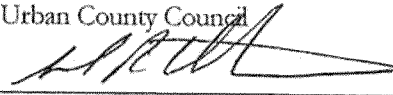
Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Joseph Kelly – Senior Advisor
Urban County Council

FROM: 
Sam Williams, Acting Director

DATE: April 2, 2009

RE: Request for Council Authorization to Accept a \$5,000 Donation from Kentucky American Water Company and a \$350 Donation from The School for Creative and Performing Arts for the Reforest the Bluegrass Program

Kentucky American Water Company wishes to donate \$5,000 to this year's Reforest the Bluegrass to be held on April 11, 2009. Their donation will be used to help pay for the costs associated with the event including: t-shirts and hats, various rental charges, lunches and volunteers, etc.

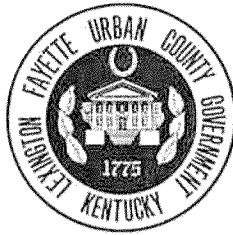
The School for Creative and Performing Arts also wished to donate \$350 to this year's Reforest the Bluegrass to help toward the costs of the above referenced items.

SW/alc

Xc: Mike Webb, Commissioner of Public Works & Development

Tim Queary, Urban Forester

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246-09

14

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: MARCH 31, 2009

SUBJECT: AUTHORIZATION TO ACCEPT AWARDS, IF OFFERED, FOR FY 2010
TRANSPORTATION PLANNING ACTIVITIES

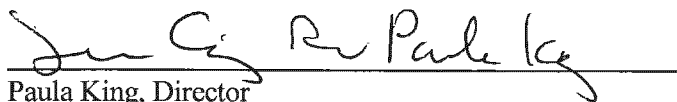
The Transportation Planning Section of the Division of Planning has prepared a work program for Fiscal Year 2010 that includes funding from the following federal programs that finance the Unified Work Program.

<u>Federal Program</u>	<u>Federal Amount</u>	<u>State Match</u>	<u>Local Match</u>	<u>Total</u>
FHWA Planning	301,664	18,854 (5%)	56,562 (15%)	377,080
Federal Transit Administration Section 5303	40,000		10,000 (20%)	50,000

Among the activities covered by the Unified Work Program are congestion management, planning and updating the long-range transportation plan, air quality planning, traffic impact analysis, and updating the transit development plan.

These funding sources support the personnel costs of seven transportation planning positions in the Division of Planning. Operating costs such as office supplies, printing, maintenance, equipment and professional development are also included. The Kentucky Transportation Cabinet provides a 5% match on the FHWA Planning grant, for which the LFUCG provides a match of 15%. FTA Section 5303 requires a match of 20%.

Council authorization to accept the awards, if offered, is hereby requested, subject to the availability of sufficient funds in FY 2010.

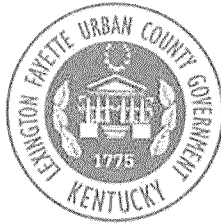

Paula King, Director

Xc: James M. Webb, Commissioner, Department of Public Works and Development

HORSE CAPITAL OF THE WORLD

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





247-09

15

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: James R. Wray
Engineering Technician Principal


Date: March 31, 2009

Re: Resolution Authorizing Acceptance of Deed
Project No. 497 – Georgetown Street Sidewalk Improvements

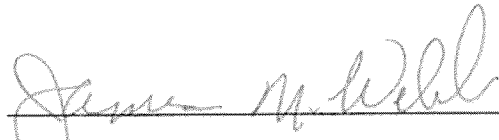
The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of permanent sidewalk easement and temporary construction easement for the Georgetown Street Sidewalk Improvement project. The deed will be from Banister Allen Properties, Inc. at a cost of \$100.00 for the acquisition of 3.26 square feet of permanent sidewalk easement and 36.03 square feet of temporary construction easement from the property located at 458 Georgetown Street.

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

Approved by:



Marwan A. Rayan, P.E.
Urban County Engineer



James M. Webb, Acting Commissioner
Department of Public Works & Development

c/with att: Yvonne Stone File
c/wo att: Robert Bayert, P.E.

09.P497.406.blue 458 Georgetown Street

HORSE CAPITAL OF THE WORLD



237-09

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: APRIL 1, 2009


**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH UNIVERSITY OF KENTUCKY ALBERT B.
CHANDLER MEDICAL CENTER FOR USE OF EMERGENCY
ROOM AS CLINICAL PRACTICE AREA FOR SEXUAL
ASSAULT TREATMENT PROGRAM—FY 2009**

The Lexington-Fayette Urban County Government has been awarded federal funds under the Violence Against Women Act by the Kentucky Justice Cabinet for the continuation of the Sexual Assault Treatment Center in the Division of Police. This program provides for the use of specially trained Sexual Assault Nurse Examiners (S.A.N.E.s) for the performance of forensic examinations on the victims of sexual assault. In order to provide the victims of sexual assault with maximum privacy, only one area hospital emergency room will be used for all examinations. The University of Kentucky has agreed to continue its allocation of emergency room space to this program at a cost of \$250 per month for the year 2009.

Funds are budgeted as follows:

FUND	DEPT ID	SECTION	PROJECT	BUDGET REF	ACCOUNT	AMOUNT
3140	505506	5561	SANE	2009	71302	\$2,100
3140	505506	5561	SANE_2	2009	71302	\$ 900

Council authorization to execute agreement is hereby requested.

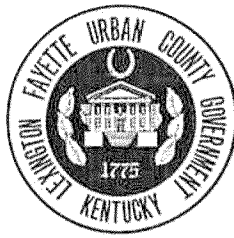

Paula King
Director

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

HORSE CAPITAL OF THE WORLD

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





244-09

17

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: APRIL 6, 2009

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT
REQUESTING FEDERAL FUNDS UNDER THE FEDERAL
EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION
GRANT PROGRAM**

The Division of Fire and Emergency Services has prepared an application requesting federal funds from the Kentucky Division of Emergency Management under the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

Federal funds in the amount of \$133,720 are being requested to support the cost of replacing the generator at Fire Station One with a new one of greater capacity along with upgrading the electrical service. The project also includes taking the existing generator from Fire Station One and installing it in the Fire training Academy. A 13% local match in the amount of \$20,280 is required. This match has been requested in the Fiscal Year 2010 general fund budget. Total project cost is \$156,000.

The Hazard Mitigation Grant Program (HMGP) provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Council authorization to submit application is hereby requested.

Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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





245-09

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: APRIL 7, 2009

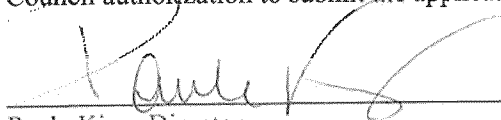
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S.
DEPARTMENT OF JUSTICE REQUESTING FEDERAL FUNDS UNDER THE 2009
STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

An application has been prepared by the Lexington-Fayette Urban County Government requesting federal funding under the 2009 State Criminal Alien Assistance Program (SCAAP). The program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security. This program is governed by the Immigration and Nationality Act, 8 U.S.C. §1231 (i) as amended, and Title II, Subtitle C. Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for inmates who are foreign born (with no legal right or documentation to be in the United States), incarcerated for at least four consecutive days during the reporting period (July 1, 2007 to June 30, 2008), and incarcerated on conviction of at least one felony or two (2) misdemeanors. Immigration and Customs Enforcement (ICE) will take responsibility for ensuring that aliens are properly identified and their status verified before reimbursements are made.

The FY 2009 SCAAP payment amounts are determined using a sampling of actual inmate, cost and facility data for a specified sampling or reporting period. SCAAP is not a traditional reimbursement program in which the actual cost, facility and data are collected. SCAAP uses prior year's data, from a specified sampling period, to determine applicants' annual relative percentages of available funding. For the 2008 SCAAP, the actual revenue to the LFUCG was \$119,587. The Bureau of Justice Assistance cautions applicants about using the prior year award as a basis for estimating this year's award. Immigration and Customs Enforcement (ICE) will review all information submitted on eligible inmates to make final determination of which inmates are qualified undocumented criminal aliens. Any funds received from the 2009 SCAAP must be used for a corrections purpose.

Council authorization to submit the application is hereby requested.



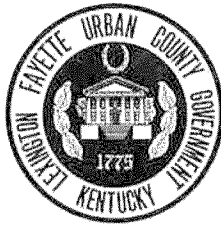
Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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





240-09

19

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

To: Mayor Jim Newberry
Urban County Council

From: Kimra Cole
Commissioner of General Services

Date: March 25, 2009

Re: Easement for property for purposes of constructing a water line

This Resolution would authorize the Mayor to enter into an agreement with Kentucky-American Water Company to grant an easement for property situated on the southeasterly side of the proposed southeasterly right-of-way of Star Shoot Parkway, northeasterly from Liberty Road, in Lexington, for purposes of constructing a water line.

The Government is to receive \$19,778.00 for the permanent easement and \$275.00, per calendar month, for a temporary easement to be paid upon completion of construction of the project.

Please contact me, or Keith Horn, in the Department of Law, should you have any questions related to this agreement.



241-09

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: APRIL 2, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION, AND
ACCEPT AWARD IF OFFERED, TO THE KENTUCKY DEPARTMENT OF
EDUCATION FOR PARTICIPATION IN THE SUMMER FOOD SERVICE
PROGRAM - FY 2009**

An application has been prepared for submission to the Kentucky Department of Education, Division of School and Community Nutrition, requesting federal funds from the U.S. Department of Agriculture for operation of the Summer Food Service Program for 2009. The Summer Food Service Program provides lunch on a daily basis during the summer in low-income neighborhoods for children from birth through the age of 18. The purpose of the program is to provide for a minimum level of nutritional support for children during the summer months.

This program will operate at approximately 40 sites in low-income neighborhoods. The rate of reimbursement for 2009 is \$3.13 per lunch, \$.7350 per supplement, and \$1.78 per breakfast. The 2009 budget for this program is based upon approximately 40,000 reimbursable lunches, 10,000 reimbursable breakfasts, and 6,000 reimbursable snacks being served throughout the eight-week period of program operation. Based upon this level of activity, \$147,210 in federal funds will be received. While no match is required, \$65,600 has been budgeted in the General Fund (Fiscal Year 2009) for operation of this program.

Programs that participate in the Summer Food Service Program include eligible summer school sites, Extended School Program sites, open park sites operated by the Division of Parks and Recreation, camps operated by the Division of Parks and Recreation, and other organized summer programs for children operated by public and private nonprofit groups at eligible sites in the community.

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



Paula King, Director

Xc: Kimra Cole, Commissioner of General Services

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242-09

21

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

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

FROM:


Jerry Hancock

RE: Trail Design Agreement

DATE: April 2, 2009

This is a request for Council approval of a Trail Design Agreement between Third Rock Consultants, Inc. and the Lexington Fayette Urban County Government.

This Trail Design Agreement is for design services for the Masterson Station Park Perimeter and Greenway Trails .

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



243-09

22

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

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

FROM:


Jerry Hancock

RE: Trail Design Agreement

DATE: April 2, 2009

This is a request for Council approval of a Trail Design Agreement between CDP Engineers, Inc. and the Lexington Fayette Urban County Government.

This Trail Design Agreement is for design services for the entire trail to be known as the Veterans Park Mountain Bike Trail.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



248-09

23

Mayor Jim Newberry
Division of Water Quality

TO: Mayor Jim Newberry
Urban County Council

FROM: Charles H. Martin, P.E. *CHM*
Director

DATE: March 31, 2009

SUBJECT: Revision Request to Procurement Contract #220-2008
For Mowing Services at the West Hickman Wastewater Treatment Plant

The Division of Water Quality (DWQ) requests approval of a revision to the four year lease, Procurement Contract #220-2008, for mowing services at the West Hickman Wastewater Treatment Plant (WWTP) to allow either hay or cropland on the property to be planted/mowed and to increase the acreage from 107 acres to 121 acres.

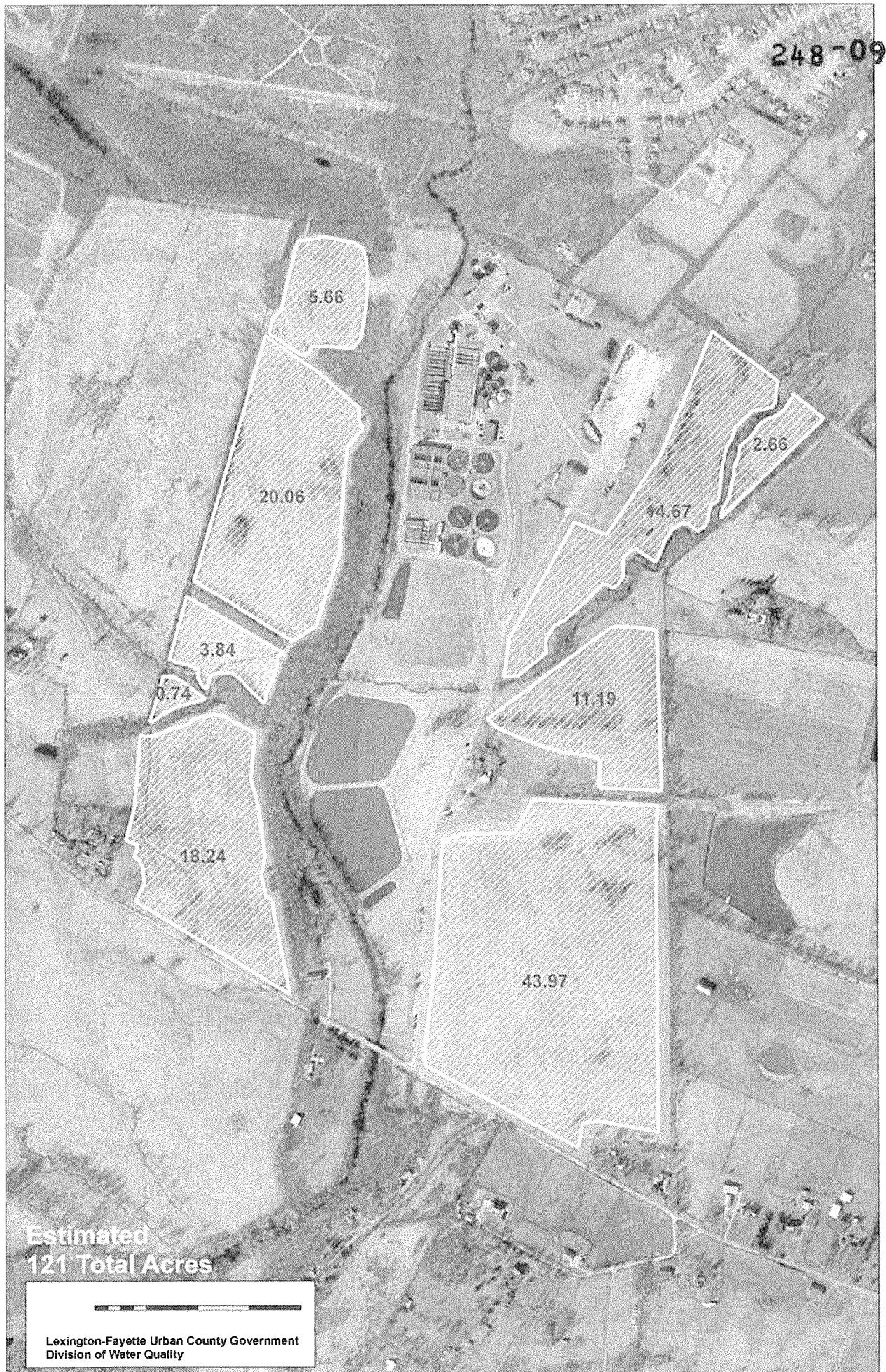
The original lease with Fritz Farms Services, LLC, designated which property at the West Hickman WWTP could be mowed for hay and which property could be used for cropland. DWQ would like to remove that restriction to allow for either hay or cropland on the entire mowing area.

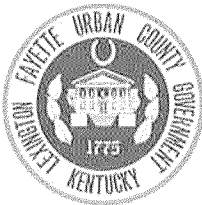
The original lease included 107 acres, but the West Hickman WWTP Supervisor would like to increase that to 121 acres—grass that would otherwise have to be mowed by WWTP staff. (The updated map is attached.) It should be noted that for part of 2009, installation of a sewer line will require a 40-foot easement along part of the property that will prohibit hay or crops.

All other terms and conditions will remain the same. Rent is due and payable with the execution of the lease—which includes a five percent (5%) per year increase. The rent in 2008 was \$1,500, and the rent for 2009 will be \$1,575. After this year, there two more year options remaining on the original lease.

Questions regarding this revision should be directed to Jim Worten at 859-272-1713 or Julie Mantrom at 859-258-2402.

Cc: James Worten, West Hickman WWTP Plant Operations Supervisor Senior, DWQ
Frances Southwood, Division of Central Purchasing
Barbara Dunn, Division of Revenue





Lexington-Fayette Urban County Government

Jim Newberry, Mayor

TO: Mayor Jim Newberry
Members, Urban County Council

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

DATE: April 8, 2009

RE: Authorization to execute Grant Agreement

This is to request a resolution authorizing the Mayor to execute the "Amended and Restated Grant Agreement" originally executed on February 9, 2006 and recently amended on April 28, 2008 by the First Amendment to Grant Agreement between the Cabinet for Economic Development, State Property and Buildings Commission, Lexington-Fayette Urban County Government, and Belcan Engineering Group. The purpose of this amendment is to allow additional amendments to the terms to accommodate current economic circumstances.

This Amended and Restated Grant Agreement was discussed and approved in the February 26, 2009 Kentucky Economic Development Finance Authority board meeting. Lexington-Fayette Urban County Government Department of Law has reviewed the "Amended and Restated Grant Agreement."