

**CORRECTION and Addition URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
April 27-May 4, 2009**

Monday, April 27

No Meetings

Tuesday, April 28

General Govt. Council Link Meeting (PIO/Lexcall, Law, Risk Mgmt, CIO, Comp Svcs, Council Clerk, Citizen's Adv).....8:00 am
Conference Room-5th Floor Government Center

Outside Agency Oversight Committee Meeting.....11:30 am
Conference Room-5th Floor Government Center

COW Budget Meeting-Debt & Capital Projects.....1:00 pm
Council Chambers-2nd Floor Government Center

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

Public Meeting on Proposed Water Quality Fee.....6:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, April 29

Public Safety Council Link Meeting.....8:30 am
Conference Room-5th Floor Government Center

Commission for Citizens with Disabilities Meeting.....9:00 am
Central Library

Thursday, April 30

Public Works/Environmental Quality Council Links Meeting.....8:00 am
Conference Room-9th Floor Government Center

Public Safety Council Link Meeting.....8:30 am
Conference Room-5th Floor Government Center

Vacant Property Review/Commission Task Force) Meeting.....11:00 am
Conference Room-5th Floor Government Center

Social Services Council Links Meeting.....1:00 pm
Conference Room-5th Floor Government Center

Council Confirmation Hearings (Ethics Commission).....5:15 pm
Conference Room-5th Floor Government Center

Public Meeting on Proposed Water Quality Fee.....6:00 pm
Council Chambers-2nd Floor Government Center

Friday, May 1

No Meetings

Monday, May 4

Fayette County Rural Land Management Board Meeting.....3:00 pm
Conference Room-12th Floor Government Center

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

April 28, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, April 21, 2009 pp. 7-13**
- IV. Budget Amendments – None**
- V. New Business, pp. 16-46**
- VI. Continuing Business / Presentations**
 - A. Special Planning Committee, pp.47-52**
 - B. Planning Committee (separate, not in packet)**
 - C. Downtown Streetscape Master Plan Update**
Mike Webb, Commissioner
Department of Public Works & Development
 - D. Commerce Lexington Update**
Robert L. Quick, President & CEO,
Commerce Lexington Inc.
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept an Award from the Kentucky League of Cities Insurance Services (KLCIS) Under the 2008 – 2009 KLCIS Safety Grant Program. (269-09) (P. King/Webb)
 This request will authorize the acceptance of an award of \$922.50 from KLC on behalf of the Division of Traffic Engineering under the 2009 KLCIS Safety Grant Program. Funds will be used towards the purchase of personal safety jackets for traffic technicians who work in highly congested traffic work zones and in inclement weather. A 50% (\$922.50) local match is required and will come from the Division's 2009 General Fund budget. Total cost is \$1,845.**p.16**
- B. Authorization of a Recommendation for an Engagement of Professional Services with Wallace Roberts & Todd (WRT) on Behalf of the Department of Public Works and Development, Division of Planning. (278-09) (C. King/Webb)
 This request will authorize a recommendation for an Engagement of Professional Services in an amount not to exceed \$150,000 with WRT on behalf of the Division of Planning to prepare a complete streets manual for LFUCG to establish cross-sections for new and reconstructed streets. Funding will come from the Division's FY2009 budget.**p.17**
- C. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at 644 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (275-09) (Rayan/Webb)
 This request will authorize a deed of acceptance at a cost of \$250 for a permanent sidewalk easement of 120.04 square feet and a temporary construction easement of 156.88 square feet at property located at 644 Georgetown Street under the Georgetown Street Sidewalk Improvements project. Funds are budgeted.**p.18**
- D. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at 695 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (276-09) (Rayan/Webb)
 This request will authorize a deed of acceptance at a cost of \$125 for a permanent sidewalk easement of 41.33 square feet and a temporary construction easement of 147.29 square feet at property located at 695 Georgetown Street under the Georgetown Street Sidewalk Improvements project. Funds are budgeted.**p.19**

- E. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at 548 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (277-09) (Rayan/Webb)

This request will authorize a deed of acceptance at a cost of \$325 for a permanent sidewalk easement of 148.98 square feet and a temporary construction easement of 264.58 square feet at property located at 548 Georgetown Street under the Georgetown Street Sidewalk Improvements project. Funds are budgeted.**p.20**

- F. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at 681 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (281-09) (Rayan/Webb)

This request will authorize a deed of acceptance at a cost of \$100 for a permanent sidewalk easement of 3.94 square feet and a temporary construction easement of 30.95 square feet at property located at 681 Georgetown Street under the Georgetown Street Sidewalk Improvements project. Funds are budgeted.**p.21**

- G. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at 689 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (282-09) (Rayan/Webb)

This request will authorize a deed of acceptance at a cost of \$250 for a permanent sidewalk easement of 123.82 square feet and a temporary construction easement of 209.07 square feet at property located at 689 Georgetown Street under the Georgetown Street Sidewalk Improvements project. Funds are budgeted.**p.22**

- H. Authorization of a Deed of Acceptance for a Temporary Construction Easement at 3474 Clays Mill Road for the Clays Mill Road Improvements Project. (279-09) (P. King/Webb)

This request will authorize a Deed of Acceptance at a cost of \$575 for a temporary construction easement of 368.4 square feet at property located at 3474 Clays Mill Road for the Clays Mill Road Improvements project from the intersection with Harrodsburg Road to the intersection with Man O' War Boulevard. This project is federally funded by Surface Transportation Lexington (SLX) through the Kentucky Transportation Cabinet.**p.23**

- I. Authorization of a Deed of Acceptance for a Temporary Construction Easement and a Permanent Right-of-Way at 1400 Higbee Mill Road for the Clays Mill Road Improvements Project. (280-09) (P. King/Webb)

This request will authorize a Deed of Acceptance at a cost of \$5,625 for a temporary construction easement of 2183 square feet and a permanent right-of-way of 1810 square feet at property located at 1400 Higbee Mill

Road for the Clays Mill Road Improvements project from the intersection with Harrodsburg Road to the intersection with Man O' War Boulevard. This project is federally funded by Surface Transportation Lexington (SLX) through the Kentucky Transportation Cabinet. **p.24**

- J. Authorization of a Professional Service Agreement with Susan Noel, Sexual Assault Nurse Examiner (SANE), for Performance of Forensic Examinations. (270-09) (P. King/Bennett)

This request will authorize a Professional Service Agreement with Susan Noel, SANE, to serve on an "on-call" basis for the performance of forensic examinations at the University of Kentucky Hospital Emergency Room. Federal funding is provided under the Violence Against Women Act from the Kentucky Justice Cabinet for the operation of the SANE program. The agreement is from January 1, 2009 through December 31, 2009. Funds are budgeted. **p.25**

- K. Authorization of an Amendment to Agreement with the Fayette County Commonwealth Attorney's Office for Provision of *Fast Track* Prosecutor Services Under the Street Sales Drug Enforcement Project- FY2009. (271-09) (P. King/Bennett)

This request will authorize an amendment to reduce the original agreement amount to \$31,331 with the Fayette County Commonwealth Attorney's Office for provision of the *Fast Track* and the Major Violator (repeat offender) Prosecution programs under the Street Sales Drug Enforcement project as part of a drug task force. Due to vacancies in the assistant prosecutor positions, the remaining \$18,000 will be used by the Division of Police as confidential funds in the interdiction of drug crime. **p.26**

- L. Authorization to Submit an Application to the Kentucky Transportation Cabinet (KYTC) and Accept the Award (if Offered) on Behalf of the Department of Public Safety, Division of Police, for Participation in the Traffic Safety Program – FY2010. (272-09) (P. King/Bennett)

This request will authorize the submission of an application for federal funds in the amount of \$80,000 to the KYTC, Governor's Highway Safety Program, and accept the award, if offered, for continuation of the Traffic Safety program in Lexington-Fayette County. Funds in the amount of \$80,000 will be used for overtime by police officers to detect speeders, impaired drivers, seat belt usage and red-light running. Funds in the amount of \$50,000 will be used to purchase LiDAR, radar, and preliminary breath testing equipment. Federal funds in the amount of \$65,000 are requested. A 50% (\$65,000) local match is required and has been requested in the FY2010 General Fund budget. Total project cost is \$130,000. **p.27**

- M. Authorization of a Master Agreement and a Software Application Services Addendum with Previstar™ Inc. on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (273-09) (P. King/Bennett)

This request will authorize a Master Agreement and a Software Application Services Addendum with Previstar™ Inc. on behalf of the Division of Emergency Management / 911 at a cost of \$2,500 for the emergency management planning software. The Kentucky Department of Military Affairs, Division of Emergency Management, requires LFUCG's Emergency Operations Plan be converted to an emergency support functions format. **pp.28**

- N. Authorization to Change Street Names and Individual Address Numbers in Council Districts 1, 2, 7, 11 and 12 for the Enhanced 911 System. (274-09) (Lucas/Bennett)

This request will authorize the following changes to street names and individual address numbers for the proper operation of the Enhanced 911 System. **Council District 1:** Change 447 Campbell Street to 449 Campbell Street; 459 and 457 Belt Line Avenue to 600 and 602 W Fifth Street respectively; 214 – 230 Jefferson Street to 218 Jefferson Street; 540 Toner Street to 539 Toner Street; and 130 and 134 – 166 W Vine Street to 108 and 110 W Vine Street respectively. **Council District 2:** Change 743 – 745 Charles Avenue to 745 Charles Avenue; 372 ½ Glen Arvin Avenue to 370 Glen Arvin Avenue; 505 – 507 Newtown Pike to 505 Newtown Pike; and 712 – 714 W Third Street to 714 W Third Street. **Council District 7:** Change 209, Units 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9105, 9105, 9106, 9107, and 9108 Todds Road to 209, Units 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9105, 9105, 9106, 9107, and 9108 Old Todds Road respectively. **Council District 11:** Change 1588 Hill View Place to 1586 Hill View Place and 1800 Mason Headley Road to 975 Mason Headley Road. **Council District 12:** Change 5886, 5840, 5888 Jacks Creek Pike to 3785, 3885, and 3990 Raven Run Way respectively; 3229 Iron Works Pike to 3401 Sport Horse Lane; and 3677 Newtown Pike to 3232 Spy Coast Lane. **pp.29-34**

- O. Authorization of a Memorandum of Agreement (MOA) with the Commonwealth of Kentucky, Department of Corrections, Blackburn Correctional Complex on Behalf of the Department of Public Safety. (285-09) (Bennett)

This request will authorize a MOA with the Commonwealth of Kentucky, Department of Corrections, Blackburn Correctional Complex on behalf of the Department of Public Safety to provide police, emergency response, and fire protection and emergency medical first response ambulance service to the Complex. There is no budgetary impact. **pp.35-39**

- P. Authorization of an Agreement with The Chaucer Group, LLC to Perform an Analysis of Impediments to Fair Housing Choice. (284-09) (P. King/O'Mara)
This request will authorize an agreement in the amount of \$19,000 with The Chaucer Group, LLC to perform an analysis of impediments to fair housing choice. Lexington-Fayette County is a formula city for Community Development Block Grant and HOME Investment Partnership funding. Funds are budgeted.**p.40**
- Q. *Authorization of Change Order No. 1 to Contract with Kentucky Utilities Company Regarding the Town Branch Redundant Power Project. (287-09) (Martin/Taylor)
This request will authorize Change Order No. 1 to increase the contract amount by \$60,356.61 with Kentucky Utilities Company regarding the Town Branch Redundant Power project for additional work performed to rebuild, extend, and install circuits to accommodate a redundant feed to the Town Branch Wastewater Treatment Plant. The estimated original contract amount was \$275,160. New contract amount is \$335,516.61. Funds are budgeted.**pp.41-44 EPA Consent Decree**
- R. Authorization of Change Order No. 1 to Contract with GRW Engineers, Inc. Regarding the Investigation and Design of the Expansion Area 2A Pumping Station and Main Force Project. (288-09) (Martin/Taylor)
This request will authorize Change Order No. 1 to increase the contract amount by \$45,000 with GRW Engineers, Inc. regarding the Investigation and Design of the Expansion Area 2A Pumping Station and Main Force project for easements and a pump station site acquisition. Original contract amount was \$380,000. New contract amount is \$425,000. Funds are budgeted.**pp.45-46**

*** EPA CONSENT DECREE**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

April 21, 2009

Mayor Newberry chaired the meeting. All Council Members were present.

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

A motion by CM Beard to place on the docket without a hearing for the Thursday April 23, 2009 Council Meeting, an ordinance changing the zone from a Single Family Residential (R-1B) zone to a Neighborhood Business (B-1) zone for 0.31 net (0.46 gross) acre; and from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 1.86 net (2.22 gross) acres, for property located at 3256 and 3300 (a portion of) Lansdowne Drive, subject to certain use restrictions imposed as conditions of granting the zone change (Club Facilities, LLC (AMD)), seconded by CM Gorton, passed without dissent.

A motion by CM Lawless to place on the docket without a hearing for the Thursday April 23, 2009 Council Meeting, an ordinance changing the zone from a Two- Family Residential (R-2) zone to a Downtown Center Business (B-2B) zone for 0.4789 net (0.5859 gross) acre; and from a High Density Apartment (R-4) zone to a Downtown Center Business (B-2B) zone for 0.9066 net (0.9846 gross) acre, for property located at 200 West High Street (a portion of); 318 South Mill Street; and 323 and 327 South Upper Street, subject to certain use restrictions imposed as conditions of granting the zone change (Trustees of the First United Methodist Church of Lexington, Kentucky), seconded by CM Ellinger, passed by a 13-0 vote (with 2 Recusals: CMs Feigel and Martin).

A motion by CM Gorton to approve the amended docket, seconded by CM Stinnett, passed without dissent.

- III. Approval of Summary-Yes

A motion by CM Gorton to approve the summary of 4/14/09, seconded by CM Myers, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM Gorton to approve the budget amendments, seconded by CM Blues, passed without dissent.

V. New Business

- A. *Authorization to Approve Proposed Ordinance for a Water Quality Management Fee Required by the Federal Consent Decree. (629-08) (Martin/Taylor)
- B. Authorization of a Statement of Work for Metaformers™ to Provide Infrastructure Performance Management Support for Project Synergy. (249-09) (Dhuwaraha)
- C. Authorization to Submit Application to the Kentucky Energy and Environment Cabinet on Behalf of the Department of Environmental Quality under the Household Hazardous Waste Grant Program. (251-09) (P. King/Taylor)
- D. Authorization to Submit Application to the Kentucky Energy and Environment Cabinet on Behalf of the Department of Environmental Quality under the Kentucky Recycling and Household Hazardous Waste Grant Programs. (252-09) (P. King/Taylor)
- E. Authorization to Rescind Funding for Hollywood-Mt Vernon Neighborhood Association, Inc. Under Resolution No. 544-2006. (253-09) (Langston)
- F. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Social Services, Division of Family Services. (257-09) (Allen/Helm)
- G. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Division of Traffic Engineering, for the Intelligent Transportation System / Congestion Management System (ITS / CMS) Traffic Improvements Project – FY2010. (258-09) (P. King/Webb)
- H. Authorization of Change Order No. 1 to Contract with Todd Johnson Contracting Regarding the Meadows / Northland / Arlington Public Improvements Project – Phase 2D. (FINAL) (259-09) (P. King/Webb)
- I. Authorization of an Agreement with Fleetwood Land Management Services, LLC, for the Bluegrass Aspendale Collector Street – Phase 2. (261-09) (Rayan/Webb)

- J. Authorization of a Memorandum of Agreement (MOA) with Kentucky State Police for Reimbursement of Laboratory Services under the Cold Case Squad Project. (254-09) (P. King/Bennett)
- K. Authorization of an Amendment to Agreement with the Kentucky Office of Homeland Security for Extension of the Metropolitan Medical Response System (MMRS) Project. (255-09) (P. King/Bennett)
- L. Authorization of an Agreement with A-T Solutions, Inc. on Behalf of the Division of Police for Training of FBI-Certified Bomb Squads in Kentucky. (256-09) (P. King/Bennett)
- M. Authorization of an Agreement with The Inocon Group, LLC, Regarding the 2010 Alltech FEI World Equestrian Games™. (260-09) (P. King/Bennett)
- N. Authorization to Engage Mountjoy and Bressler, LLP to Conduct a Financial Audit of LFUCG Funds for FY2009. (262-09) (O'Mara)
- O. Authorization of a Memorandum of Understanding (MOU) with the Kentucky Finance and Administration Cabinet and the Kentucky Cabinet for Health and Family Services Regarding a New State Mental Facility in Fayette County. (263-09) (O'Mara)
- P. Authorization to Amend or Delete Sections of the Code of Ordinances as Part of PeopleSoft® Implementation and as Requested by the Division of Human Resources. (264-09) (Dhuwaraha)
- Q. Authorization of a Letter of Intent with the University of Kentucky to Operate the Family Care Center Health Clinic. (265-09) (Askew)

***EPA CONSENT DECREE**

Several CMs and citizens spoke on item 'A'. CM Stinnett asked that a correction be made to item 'A'-change 'was reviewed by... to the Storm Water Task Force'.

A motion by CM Blues to amend Sec. 16-408(2) of the draft ordinance as follows: "the board...shall be composed of five citizens appointed by the mayor and one non-voting ex-officio attorney from LFUCG Department of Law (a friendly amendment by CM Myers to add "no more than one from any council district", seconded by CM Gorton, passed without dissent.

A motion by CM Ellinger to table item 'A' until a public meeting is held, seconded by CM Crosbie, failed to pass with a 2-13 vote.

A motion by CM Blues to approve a public meeting on April 28th at 6 pm on item 'A', seconded by CM Beard, was amended to add another meeting on April 30th

at 6 pm in Council Chambers, passed with a 13-2 vote (No: CMs Crosbie and Ellinger).

A motion to receive public input on item 'A' on April 28th and April 30th at 6 pm, passed by a 13-2 vote (No: CMs Crosbie and Ellinger).

A motion by CM Beard to approve new business items A-Q as amended, seconded by CM Myers, passed without dissent, except item 'A' with 2 dissents (CMs Crosbie and Ellinger).

VI. Continuing Business / Presentations

A. Inter Governmental Committee Update

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

A motion by CM James to establish a sub committee to deal with how the grievance process works and its effectiveness, seconded by CM Henson, passed with an 11-2 vote, with 2 absent.

B. Corridors Committee Update

This update was given by CM Blues for former CM Stevens, who presided.

C. Public Health Heroes Award

This award was presented to the Lions Club, Linda Allen and Sue Alexander representatives, by Dr. Rowe, Commissioner of Health, Lexington Fayette County Health Department.

VII. Council Report

CM James-Made Council aware of exciting things going on in the east end: successful event w/Community Development Corp; Byron Marshall from Austin was here to speak; thanked Legacy Center, Atomic Café, Knight Foundation, Sarah Brown, Doodles, Bluegrass Community Foundation; also thanked the mayor for attending William Wells Brown Elementary for Born Learning Trail-partnership w/United Way, Knight Foundation, FCPS, Legacy Center, and all the children who were there to participate.

CM Feigel-Congratulated 3 neighborhood associations-Fairway, Chevy Chase, and Shriners for receiving Neighborhood Sustainable Grants; thanked

the neighborhood associations for taking the initiative; attended the 2009 Ice Storm review meeting-asked the mayor if there could be a full presentation to Council.

A motion by CM Feigel to place on the docket for the April 23, 2009, Council Meeting a resolution honoring Virginia Bell for her many outstanding contributions that have helped countless Alzheimer's patients and their families and friends, seconded by CM Lane, passed without dissent.

CM Henson-Announced that on 4/22, Bennett Ave NA will meet at 6 pm and Port Royal NA will meet at 7 pm-they received a sustainable grant; also on Sunday at 2 pm, there will be a Wolf Run Creek clean-up-special invite to CM Blues and all citizens.

A motion by CM Henson to place on the docket for Thursday April 23, 2009 Council Meeting an ordinance amending section 22-59 of the Code of Ordinances to make the following changes:

1. Seasonal employees will no longer accrue vacation and sick leave or be eligible to purchase health insurance.
2. Part time employees must work twenty-four continuous months in order to accrue vacation and sick leave and are no longer required to work eighty-hours for two consecutive pay periods in order to be eligible.
3. Part time employees must work twenty-four continuous months in order to be eligible to purchase health insurance.
4. Part time employees will accrue vacation and sick leave at a rate of five (5) hours a month for each.
5. Part time employees may use vacation and sick leave in any increment.
6. Supervisors will no longer be required to keep records relating to leave time accruals and expenditures.
7. Part time employees may obtain verbal approval to use vacation time.
8. Section 22-59(c) which gives the Director of Human Resources the ability to make reasonable rules and procedures concerning the implementation of Section 22-59 has been deleted so that this

section is consistent with similar sections in Chapter 22 of the Code of Ordinances.

seconded by CM Lane, passed without dissent. CM Lane asked that the date on the above motion be corrected.

CM Gorton-Thanked Planning Committee members for attending the 2 meetings held today; announce the next joint Planning Committee/Commission meeting will be on 6/30 at 9 am in the basement of the library; stated that she has been working with the District 7 State Highway Dept. office on a joint cleanup, which will be held this Friday morning when the job corps folks will be cleaning up Winchester/ Cleveland Roads area.

CM McChord-Congratulated CM James on her picture in Sunday's paper about the wellness event; encouraged everyone to participate in the 2nd Sunday event on 10/11/09.

CM Lawless-Congratulated 4 neighborhood associations on receiving sustainable grants-Seven Parks, Ayelsford, Mentelle, and Columbia Heights.

CM Beard-A motion by CM Beard to approve the NDF list of 4/14/09, seconded by CM McChord passed without dissent.

CM Crosbie-Congratulated Parks for the Kiddie Kapers program last weekend; stated that downtown was jammed pack and she hopes that the parking meter issue is resolved soon.

CM Blues-Congratulated his 5 neighborhood associations for receiving sustainable grants-Meadowthorpe, Winburn, Westwood, Western Suburbs, and McConnells trace.

Mayor Newberry commented about the 24/39 sustainable grant awards given out.

CM Lane-Recognized CM Gorton on her efforts with the Storm Water Task Force and complimented Comm. Taylor on a job well done thus far.

CM Martin-Thanked Comm. Taylor for representing LFUCG at Commerce Lexington's Issues Forum today; announced that Firebrook NA will meet tonight at 7 pm at the clubhouse; thanked Mayor Newberry for inviting him and Congress Chandler for attending the news conference on the groundbreaking for the new South Elkhorn Sewage Treatment Plant; thanked Pasadena and Harrods Hill NA for the invitation to their meetings.

VIII. Mayor's Report-Yes

A motion by CM Gorton to pull the Ethics Commission from the Mayor's Report until a confirmation hearing could be held, seconded by CM James, passed without dissent.

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

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

Citizen, Lewis Cobb spoke.

VI. Continuing Business/Presentation (cont).

D. Eastern State Hospital Report by State Officials

This report and presentation was given by Sec. Janie Miller, Cabinet for Health and Family Services and Sec. Jonathan Miller, Finance & Administration Cabinet. Gov. Steve Beshear also spoke. Several CMs asked questions.

A motion by CM Myers to approve the Memorandum of Understanding between LFUCG and the Commonwealth in the financing of the new Eastern State Hospital, seconded by CM Gorton, passed without dissent.

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

Work Session was adjourned at 5:18 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

April 28, 2009 Work Session

14

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	
269-09	BA 2162	Community Development	To provide grant match for the 2008-09 Safety Grant Program awarded by the Kentucky League of Cities Insurance Services.	
A			1101	922.50
			1101	922.50CR*
				0*
269-09	BA 2163	Community Development	To establish grant budget for the Kentucky League of Cities Insurance Services 2008-09 Safety Grant Award.	
A			3300	1,845
			3300	1,845CR*
				0*
272-09	TBD	Community Development	To establish grant budget for the Traffic Safety Program – FY 2010.	
L			3160	130,000
			3160	130,000CR*
				0*

EFFECT ON FUND BALANCES

FUND 1101	6,540*	INCREASE TO:	GENERAL SERVICE DISTRICT
FUND 3160	0*	NO EFFECT ON:	US DEPARTMENT OF TRANSPORTATION
FUND 3300	0*	NO EFFECT ON:	GRANTS - OTHER

Budget Information For New Business Items
April 28, 2009 Work Session

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Item	<u>Number</u>	Amount	Fund	Name / Description
A	269-09	1,845	3300	Grants – Other Budget Journals
B	278-09	150,000	1101	General Service District – General Fund
C	275-09	250	2514	2005 Bond Projects
D	276-09	125	2514	2005 Bond Projects
E	277-09	325	2514	2005 Bond Projects
F	281-09	100	2514	2005 Bond Projects
G	282-09	250	2514	2005 Bond Projects
H	279-09	575	3160	US Department of Transportation
I	280-09	5,625	3160	US Department of Transportation
J	270-09	61,650	3140	US Department of Justice Budgeted for All Nurses for SANE
K	271-09	(18,000)	3140	US Department of Justice
L	272-09	130,000	3160	US Department of Transportation Budget Journals
M	273-09	2,500	3200	Grants – State
N	274-09	NA		
O	285-09	NA		
P	284-09	19,000	3120	US Department of Housing and Urban Dev
Q	287-09	60,357	4002	Sanitary Sewer Revenue and Operating Fund
R	288-09	45,000	4003	Sanitary Sewer Revenue Construction Fund



269-09

16

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 13, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM THE KENTUCKY LEAGUE OF CITIES INSURANCE
SERVICES UNDER THE 2008-09 SAFETY GRANT PROGRAM**

On April 9, 2009 (Resolution No. 255-2009), Council approved submission of an application to the Kentucky League of Cities requesting funding under the 2009 Safety and Liability Grant Program for personal protective safety jackets for traffic technicians who are required to work in highly congested traffic work zones and in inclement weather.

The Kentucky League of Cities Insurance Services has approved an award of \$922.50 for this project in the Division of Traffic Engineering. A 50% match in the amount of \$922.50 is required. Budget amendment is in process to provide this match in the Division of Traffic Engineering's 2009 general fund budget. Total project cost is \$1,845.00.

Source of funds is Kentucky League of Cities Insurance Services.

Council authorization to accept the award is hereby requested.

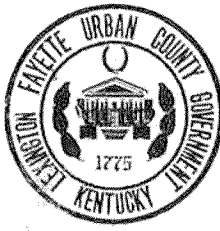
Paula King
Director

Xc: James M. Webb, Commissioner 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





278-09

17

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

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

TO: Joe Kelly, Senior Assistant to the Mayor
Joseph Kelly Approved

THROUGH: Mike Webb, Commissioner of Public Works and Development
Mike Webb Approved and Forwarded

FROM: Chris King, Director, Division of Planning *Chris King*

DATE: April 13, 2009

RE: Recommendation for Engagement of Professional Services – Complete Streets Manual

The Division of Planning requests that you approve for forwarding to Council a request for a resolution authorizing the engagement of the firm Wallace Roberts & Todd (WRT) to consult with the LFUCG for the preparation of a Complete Streets Manual for the LFUCG. The work would be as described in the issued RFP and WRT's proposal at billing fees described in the proposal in an amount not to exceed \$150,000. WRT will be the lead consultant of a team that would also include the local firm of EHI, Inc. to perform the requested services.

The scope of service will include the preparation of a manual that will establish cross-sections for new streets and reconstructed streets that will reflect the most progressive state-of-the art in the design of streets and related improvements contained within that element of the public realm. This project will result in further advancement of innovative planning in Lexington-Fayette County.

Seven firms responded to the RFP, and in accordance with CAO Policy #1, a selection committee was convened to evaluate the requests. The Selection Committee included Candace Wafford, Division of Purchasing; Ned Sheehy, Mayor's Office; Bob Bayert, Engineering; Jeff Neal, Traffic Engineering; Chris King, Cindy Deitz, Kenzie Gleason, Jimmy Emmons and Bill Sallee, Planning. The Council office was informed of the selection committee but did not participate. The Committee's unanimous opinion after follow-up questioning was that WRT's proposal was the superior in terms of the review criteria established in the RFP.

The funds for this project are budgeted within the Division of Planning's FY09 budget. The Division of Planning will be the approval agency for all work and the recipient of all invoices. The Division of Planning will review and approve all invoices prior to forwarding for payment.

After you have approved this request, please contact us and we will forward the necessary bluesheet to forward this matter to Council at the next available opportunity. If you have any questions, please do not hesitate to contact me.

Attachment: Project RFP (excerpt)

H:\CDKWORK\INFL-NHD\kellyj-complete streets.doc

275 -09



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: April 14, 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 Colored Orphan Independent Home at a cost of \$250.00 for the acquisition of 120.04 square feet of permanent sidewalk easement and 156.58 square feet of temporary construction easement from the property located at 644 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, Commissioner
Department of Public Works & Development

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

09.P497.406.blue 644 Georgetown Street

HORSE CAPITAL OF THE WORLD



276 - 09

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: April 14, 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 Corinne Warfield at a cost of \$125.00 for the acquisition of 41.33 square feet of permanent sidewalk easement and 147.29 square feet of temporary construction easement from the property located at 695 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, Commissioner
Department of Public Works & Development

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

09.P497.406.blue 695 Georgetown Street

HORSE CAPITAL OF THE WORLD



277-09

20

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: April 14, 2009

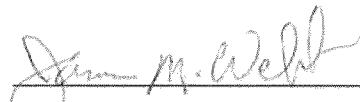
Re: Resolution Authorizing Acceptance of Deed
Project No. 497 – Georgetown Street Sidewalk Improvements

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 Clarence L. & Mary E. Bledsoe at a cost of \$325.00 for the acquisition of 148.98 square feet of permanent sidewalk easement and 264.58 square feet of temporary construction easement from the property located at 548 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, Commissioner
Department of Public Works & Development

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

09.P497.406.blue 548 Georgetown Street

HORSE CAPITAL OF THE WORLD



281-09

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: April 17, 2009

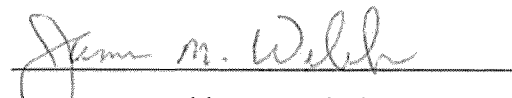
Re: Resolution Authorizing Acceptance of Deed
Project No. 497 – Georgetown Street Sidewalk Improvements

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 Larry & J. L. Hanley at a cost of \$100.00 for the acquisition of 3.94 square feet of permanent sidewalk easement and 30.95 square feet of temporary construction easement from the property located at 681 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, Commissioner
Department of Public Works & Development

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

09.P497.406.blue 681 Georgetown Street

HORSE CAPITAL OF THE WORLD



282-09

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: April 17, 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 Larry & J. L. Hanley at a cost of \$250.00 for the acquisition of 123.82 square feet of permanent sidewalk easement and 209.07 square feet of temporary construction easement from the property located at 689 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, Commissioner
Department of Public Works & Development

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

09.P497.406.blue 689 Georgetown Street

HORSE CAPITAL OF THE WORLD



279-09

23

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 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT A DEED OF TEMPORARY
CONSTRUCTION EASEMENT FROM VELMA AND WILLIAM ANDERSON AT
3474 CLAYS MILL ROAD FOR THE CLAYS MILL ROAD IMPROVEMENTS
PROJECT**

On July 1, 2003 (Ordinance No. 174-2003), Council approved acceptance of award from Kentucky Transportation Cabinet in the amount of \$644,000 in federal funding [Surface Transportation Lexington (SLX)] for the design phase of the Clay's Mill Road. Project required a 20% local match in the amount of \$161,000 for a total design cost of \$805,000. Project includes the area from the intersection with Harrodsburg Road to the intersection with Man O War Boulevard. On June 7, 2007 (Ordinance # 120-2007), Council approved acceptance of supplemental award in the amount of \$487,760 from Kentucky Transportation Cabinet for the design and right-of-way acquisition phases of the project. Supplemental award required 20% match in the amount of \$121,940, for a total of \$609,700.

The Division of Engineering has negotiated a purchase of 368.4 square feet of temporary construction easement at 3474 Clays Mill Road from Velma and William Anderson in the amount of \$575..00.

Funds for purchase of easements are budgeted in account:

Fund	Dept ID	Section	Project	Bud Ref	Account
3160	303201	0001	CLAYS MILL ROAD	2004	91715

Council authorization to accept deed of temporary construction easement is hereby requested.



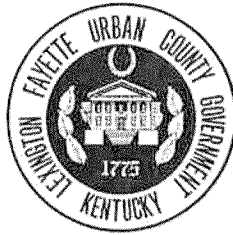
Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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280-09

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 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT A DEED OF TEMPORARY
CONSTRUCTION EASEMENT AND A DEED OF PERMANENT RIGHT OF WAY
(FEE SIMPLE) FROM ROBIN HOLLAR AT 1400 HIGBEE MILL ROAD FOR THE
CLAYS MILL ROAD IMPROVEMENTS PROJECT**

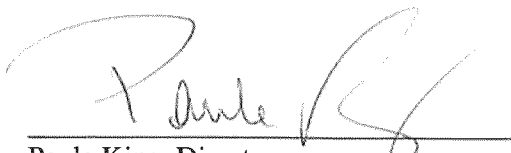
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The Division of Engineering has negotiated a purchase of 2183 square feet of temporary construction easement and 1810.0 square feet of permanent right of way (fee simple) at 1400 Higbee Mill Road from Robin Hollar in the amount of \$5,625.00.

Funds for purchase of easements are budgeted in account:

Fund	Dept ID	Section	Project	Bud Ref	Account
3160	303201	0001	CLAYS MILL ROAD	2004	91715

Council authorization to accept deeds of temporary construction easement and permanent right of way (fee simple) is hereby requested.



Paula King, Director

Xc: Mike Webb, Commissioner of the Department of Public Works

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270-09

25

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 14, 2009

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE PROFESSIONAL SERVICE AGREEMENT WITH SUSAN NOEL, SEXUAL ASSAULT NURSE EXAMINER, TO SERVE ON AN "ON-CALL" BASIS FOR THE PERFORMANCE OF FORENSIC EXAMINATIONS

The Lexington-Fayette Urban County Government has received continuation funding (Violence Against Women Act) from the Kentucky Justice Cabinet for the operation of a Sexual Assault Nurse Examiner program. The purpose of this program is to improve the collection of forensic evidence in sexual assault cases and to provide the victims of sexual assault more humane treatment during the investigation. Ultimately, higher rates of reporting will occur along with higher rates of prosecution and conviction. The Kentucky Crime Victims' Compensation Fund also provides financial support for forensic examinations.

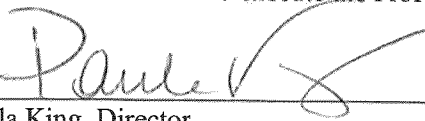
An approved element of the grant-funded project is having certified Sexual Assault Nurse Examiners (S.A.N.E.s) on call twenty-four hours a day to respond to calls for examinations at the University of Kentucky Emergency Room. This will be accomplished by contracting with qualified S.A.N.E.s. It is projected that a total of eight nurses will be placed under contract. Susan Noel meets all qualifications.

The attached Professional Services Agreement with Susan Noel for the period of January 1, 2009, through December 31, 2009, outlines the responsibilities and compensation. Funds for these services are budgeted as follows:

FUND	DEP ID	SECTION	PROJECT	ACTIVITY	BUD REF	ACCOUNT	AMOUNT
3140	505506	5561	SANE	DEFAULT	2009	71299	\$23,700
3140	505506	5561	SANE 2	DEFAULT	2009	71299	\$13,800
3140	505506	5561	SANE 3	DEFAULT	2009	71299	\$24,150

The funds with Activity Code DEFAULT are for the purpose of paying contractual nurses for on-call duty and for reimbursement for liability insurance. The funds with Activity Code STATE are for payment of nurses for forensic examinations. These funds come from the state's Crime Victims Compensation Board.

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


Paula King, Director

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

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271-09

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 13, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO AGREEMENT WITH THE COMMONWEALTH
ATTORNEY'S OFFICE FOR PROVISION OF "FAST TRACK"
PROSECUTOR SERVICES UNDER THE STREET SALES DRUG
ENFORCEMENT PROJECT--FY 2009**

The Kentucky Justice Cabinet awarded the Lexington-Fayette Urban County Government a grant for continuation of the Street Sales Drug Enforcement project for Fiscal Year 2009. Source of funds is the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. On September 17, 2009 (Resolution No. 511-2008), Council authorized execution of an agreement in the amount of \$49,331 with Fayette County Commonwealth Attorney's Office for the "Fast Track" prosecution program and the Major Violator (Repeat Offender) prosecution program in the Commonwealth Attorney's Office, as part of a drug task force. Funds are used to support one full-time assistant prosecutor for a one-year period.

Due to vacancies in this assistance prosecutor position, an Amendment to the Agreement has been proposed reducing the funding to \$31,331. The remaining \$18,000 will be used by the Division of Police for use as confidential funds in the interdiction of drug crime.

Council authorization to execute the amendment to the agreement is hereby requested.

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

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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 14, 2009


**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION,
AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY
TRANSPORTATION CABINET FOR PARTICIPATION IN THE TRAFFIC
SAFETY PROGRAM – FY 2010**

The Division of Police has prepared an application for submission to the Governor's Highway Safety Program in the Department of Transportation Safety/Kentucky Transportation Cabinet requesting federal funding for continuation of the Lexington-Fayette Urban County Government's Traffic Safety Program for FY 2010. These federal funds originate from the U.S. Department of Transportation's Highway Safety Standards Branch.

The purpose of this program is to improve safety in Fayette County through the enforcement of DUI, safety belt, speed limit, and traffic signal laws.

If approved, funds in the amount of \$80,000 will be used to continue the utilization of officers on an overtime basis to detect speeders, intoxicated drivers, those not wearing occupant protection, and drivers running red lights. In addition to overtime, funds will be used to purchase Lidar, radar, and preliminary breath testing (PBT) equipment. Total project costs are \$130,000. Federal funding in the amount of \$65,000.00 is requested. The project requires a 50% local match of \$65,000.00. This amount has been requested in the FY 2010 general fund budget.

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



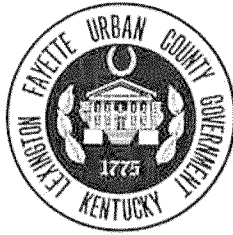
Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety

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273-09

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 14, 2009

**SUBJECT: AUTHORIZATION TO EXECUTE MASTER AGREEMENT AND
SOFTWARE APPLICATION SERVICES ADDENDUM WITH
PREVISTAR, INC., FOR PURCHASE OF EMERGENCY MANAGEMENT
PLANNING SOFTWARE FOR DIVISION OF EMERGENCY
MANAGEMENT/911**

The Kentucky Department of Military Affairs/Division of Emergency Management has provided the Lexington-Fayette Urban County Government federal funds for the support of emergency preparedness activities in Fayette County. Council accepted award of these funds on October 24, 2008 ((Ordinance No. 235-2008)).

The granting agency, the Kentucky Division of Emergency Management requires that the LFUCG update its Emergency Operations Plan form an annex-based format to an ESF (Emergency Support Functions) format. The purchase of Emergency Planning Software from Previstar, Inc. will provide the Division of Emergency Management/911 with the capability to perform this function. The cost of the software is \$2,500. Funds for this purchase are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	ACTIVITY
3200	505204	5291	71304	EMERG MGMT AS	DEFAULT

Council authorization to execute the Master Agreement and Software Application.Services Addendum with Previstar, Inc. is hereby requested.

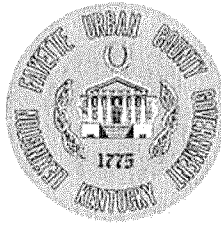
Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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274-09


29

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

April 9, 2009

TO: Mayor Jim Newberry and Urban County Council
FROM: David Lucas, Enhanced 9-1-1 Director 
RE: Address changes for Enhanced 9-1-1 compliance

This request will change street names and individual numbers to addresses within various Council Districts. The attached listing reflects the individual addresses to be changed that are located within the 1st, 2nd, 7th, 11th and 12th Council Districts.

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

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

The following documents are attached:

1. Administrative review form (Blue sheet).
2. Spreadsheet listing of each address change and associated Council District number.
3. Individual address list/Draft of Resolution.

RESOLUTION NO. _____ - 2009

A RESOLUTION CHANGING THE STREET NAME AND PROPERTY ADDRESS NUMBER OF 459 AND 457 BELT LINE AVENUE TO 600 AND 602 WEST FIFTH STREET, OF 5886, 5840, AND 5888 JACKS CREEK PIKE TO 3785, 3885, AND 3990 RAVEN RUN WAY, OF 3229 IRON WORKS PIKE TO 3401 SPORT HORSE LANE, AND 3677 NEWTOWN PIKE TO 3232 SPY COAST LANE; CHANGING THE PROPERTY ADDRESS NUMBERS OF 447 CAMPBELL STREET TO 449 CAMPBELL STREET, OF 743-745 CHARLES AVENUE TO 745 CHARLES AVENUE, OF 372 1/2 GLEN ARVIN AVENUE TO 370 GLEN ARVIN AVENUE, OF 1588 HILL VIEW PLACE TO 1586 HILL VIEW PLACE, OF 214-230 JEFFERSON STREET TO 218 JEFFERSON STREET, OF 1800 MASON HEADLEY ROAD TO 975 MASON HEADLEY ROAD, OF 505-507 NEWTOWN PIKE TO 505 NEWTOWN PIKE, OF 712-714 WEST THIRD STREET TO 714 WEST THIRD STREET, OF 540 TONER STREET TO 539 TONER STREET, OF 130 WEST VINE STREET TO 108 WEST VINE STREET, AND OF 134-166 WEST VINE STREET TO 110 WEST VINE STREET; AND CHANGING THE STREET NAME OF 209 TODDS ROAD UNITS 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9104, 9105, 9106, 9107, AND 9108, TO 209 OLD TODDS ROAD UNITS 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9104, 9105, 9106, 9107, AND 9108; ALL EFFECTIVE THIRTY DAYS FROM PASSAGE.

WHEREAS, the Lexington-Fayette Urban County Government has created a Geographic Information System ("GIS"); and

WHEREAS, the GIS street mapping and addressing project is the foundation for the Urban County Government's enhanced 911 Emergency Telephone Communication System (the "911 System"); and

WHEREAS, in order for the GIS and 911 Systems to function properly it is imperative that street names and property addresses conform to the standards established in Section 17-2 through 17-4 of the Code of Ordinances; and

WHEREAS, various street names and property addresses located in several Council Districts do not meet the Code requirements and changes should be made to conform to the Code and to accomplish the goals of the GIS and 911 System projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the street name and property number of the following properties be and hereby are changed as follows:

- (a) Belt Line Avenue: That the name of Belt Line Avenue located at 459 and 457 Belt Line Avenue is changed to West Fifth Street and the following number changes are made:

<u>Current</u>	<u>New</u>
459 Belt Line Avenue	600 West Fifth Street
457 Belt Line Avenue	602 West Fifth Street

- (b) Jacks Creek Pike: That the name of Jacks Creek Pike located at 5886, 5840, and 5888 Jacks Creek Pike is changed to Raven Run Way and the following number changes are made:

<u>Current</u>	<u>New</u>
5886 Jacks Creek Pike	3785 Raven Run Way
5840 Jacks Creek Pike	3885 Raven Run Way
5888 Jacks Creek Pike	3990 Raven Run Way

- (c) Iron Works Pike: That the name of Iron Works Pike located at 3229 Iron Works Pike is changed to Sport Horse Lane and the following number change is made:

<u>Current</u>	<u>New</u>
3229 Iron Works Pike	3401 Sport Horse Lane

- (d) Newtown Pike: That the name of Newtown Pike located at 3677 Newtown Pike is changed to Spy Coast Lane and the following number change is made:

<u>Current</u>	<u>New</u>
3677 Newtown Pike	3232 Spy Coast Lane

Section 2 – That the street numbers of the following properties be and hereby are changed as follows:

- (a) Campbell Street:

Current
447 Campbell Street

New
449 Campbell Street

(b) Charles Avenue:

Current
743-745 Charles Avenue

New
745 Charles Avenue

(c) Glen Arvin Avenue:

Current
372 1/2 Glen Arvin Avenue

New
370 Glen Arvin Avenue

(d) Hill View Place:

Current
1588 Hill View Place

New
1586 Hill View Place

(e) Jefferson Street:

Current
214-230 Jefferson Street

New
218 Jefferson Street

(f) Mason Headley:

Current
1800 Mason Headley Road

New
975 Mason Headley Road

(g) Newtown Pike:

Current
505-507 Newtown Pike

New
505 Newtown Pike

(h) West Third Street:

Current
712-714 West Third street

New
714 West Third Street

(i) Toner Street:

Current
540 Toner Street

New
539 Toner Street

(j) West Vine Street:

Current
130 West Vine Street
134-166 West Vine Street

New
108 West Vine Street
110 West Vine Street

Section 3 – That the street name of the following properties be and hereby are changed as follows:

- (a) Todds Road: That the name of Todds Road located at 209 Todds Road Units 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9104, 9105, 9106, 9107, 9108 is changed to Old Todds Road.

Section 4 - That this Resolution shall be effective thirty (30) days from passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

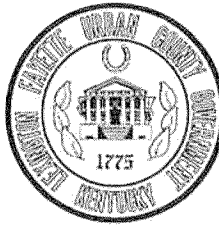
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

DJB/X:\Cases\911\09-CC0061\LEG\00205966.DOC

1st Qtr 2009 Address Changes

Old Num	Old Dir	Old Street	Old Type	Old Unit	New Num	New Dir	New Street	New Type	New Unit	AKA Address	Occupant	CouncilDist
447		Campbell	St		449		Campbell	St				1
743-745		Charles	Ave		745		Charles	Ave				2
459		Belt Line	Ave		600	W	Fifth	St			Vacant Land	1
457		Belt Line	Ave		602	W	Fifth	St			Vacant Land	1
372		Glen Arvin	Ave	1/2	370		Glen Arvin	Ave				2
1588		Hill View	Pl		1586		Hill View	Pl			Retention Basin	11
214-230		Jefferson	St		218		Jefferson	St			Starlight Magic	1
1800		Mason Headley	Rd		975		Mason Headley	Rd				11
505-507		Newtown	Pike		505		Newtown	Pike				2
209		Todds	Rd	Unit 10101	209		Old Todds	Rd	Unit 10101			7
209		Todds	Rd	Unit 10102	209		Old Todds	Rd	Unit 10102			7
209		Todds	Rd	Unit 10103	209		Old Todds	Rd	Unit 10103			7
209		Todds	Rd	Unit 10104	209		Old Todds	Rd	Unit 10104			7
209		Todds	Rd	Unit 10105	209		Old Todds	Rd	Unit 10105			7
209		Todds	Rd	Unit 10106	209		Old Todds	Rd	Unit 10106			7
209		Todds	Rd	Unit 10107	209		Old Todds	Rd	Unit 10107			7
209		Todds	Rd	Unit 11101	209		Old Todds	Rd	Unit 11101			7
209		Todds	Rd	Unit 11102	209		Old Todds	Rd	Unit 11102			7
209		Todds	Rd	Unit 3103	209		Old Todds	Rd	Unit 3103			7
209		Todds	Rd	Unit 4102	209		Old Todds	Rd	Unit 4102			7
209		Todds	Rd	Unit 7106	209		Old Todds	Rd	Unit 7106			7
209		Todds	Rd	Unit 8101	209		Old Todds	Rd	Unit 8101			7
209		Todds	Rd	Unit 8102	209		Old Todds	Rd	Unit 8102			7
209		Todds	Rd	Unit 8103	209		Old Todds	Rd	Unit 8103			7
209		Todds	Rd	Unit 8104	209		Old Todds	Rd	Unit 8104			7
209		Todds	Rd	Unit 8105	209		Old Todds	Rd	Unit 8105			7
209		Todds	Rd	Unit 9101	209		Old Todds	Rd	Unit 9101			7
209		Todds	Rd	Unit 9102	209		Old Todds	Rd	Unit 9102			7
209		Todds	Rd	Unit 9103	209		Old Todds	Rd	Unit 9103			7
209		Todds	Rd	Unit 9104	209		Old Todds	Rd	Unit 9104			7
209		Todds	Rd	Unit 9105	209		Old Todds	Rd	Unit 9105			7
209		Todds	Rd	Unit 9106	209		Old Todds	Rd	Unit 9106			7
209		Todds	Rd	Unit 9107	209		Old Todds	Rd	Unit 9107			7
209		Todds	Rd	Unit 9108	209		Old Todds	Rd	Unit 9108			7
5886		Jacks Creek	Pike		3785		Raven Run	Way			Raven Run	12
5840		Jacks Creek	Pike		3885		Raven Run	Way			Raven Run Park	12
5888		Jacks Creek	Pike		3990		Raven Run	Way			Raven Run Park	12
3229		Iron Works	Pike		3401		Sport Horse	Ln			Spy Coast Farm	12
3677		Newtown	Pike		3232		Spy Coast	Ln			Spy Coast Farm	12
712-714	W	Third	St		714	W	Third	St			Saunier Brothers Ironworks	2
540		Toner	St		539		Toner	St				1
130	W	Vine	St		108	W	Vine	St			Parking Lot	1
134-166	W	Vine	St		110	W	Vine	St				1



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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

TO: Mayor Jim Newberry
Urban County Councilmembers

FROM: Tim Bennett, *TB* Commissioner
Department of Public Safety

DATE: April 17, 2009

SUBJECT: Memorandum of Agreement with Blackburn Correctional Complex

This is to request approval of a Memorandum of Agreement ("MOA") between Blackburn Correctional Complex and the Lexington-Fayette Urban County Government. The MOA describes LFUCG's emergency response assistance for incidents at Blackburn requiring response by the Division of Police or the Division of Fire and Emergency Services.

There is no budgetary impact as a result of this MOA, and I recommend its approval.

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (hereinafter the "MOA") is made and entered into as of the ____ day of _____, 2009, by and between the **COMMONWEALTH OF KENTUCKY, DEPARTMENT OF CORRECTIONS, BLACKBURN CORRECTIONAL COMPLEX**, an agency of the Commonwealth of Kentucky located at 3111 Spur Road, Lexington, Kentucky 40511 (hereinafter "Blackburn") and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky pursuant to Chapter 67A of the Kentucky Revised Statutes, 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "LFUCG").

W I T N E S S E T H:

WHEREAS, Blackburn operates a state penal correctional institution in Fayette County; and

WHEREAS, LFUCG provides police, emergency response, and fire protection and emergency medical first response ambulance service throughout Fayette County ("emergency services"); and

WHEREAS, in the event of an emergency, Blackburn may require emergency services from LFUCG; and

WHEREAS, Blackburn requires an agreement with LFUCG pertaining to the provision of emergency services in order to satisfy certain regulatory and/or auditing requirements; and

WHEREAS, the parties have determined that the provision of such emergency services for Blackburn by LFUCG may be mutually beneficial;

NOW, THEREFORE, in consideration of the covenants set forth herein, the receipt and sufficiency of which are acknowledged, the parties hereby agree as follows:

1. **Emergency Response.** In the event that a police, fire, medical or other emergency exceeds Blackburn's capacity and upon request from the Warden or other

authorized Blackburn personnel, LFUCG shall provide emergency services response assistance to Blackburn; provided, however, that LFUCG shall not be obligated to respond if, by doing so, it would be required to respond with an ambulance or emergency care unit that it is required to hold in reserve pursuant to 202 KAR 7:501, or any other law or regulation.

2. **Term.** This MOA shall be for a term of one (1) year and shall automatically renew on an annual basis for additional terms of one (1) year each, unless terminated by either party. Either party may terminate this MOA by giving the other party thirty (30) days prior written notice of termination.

3. **Conditions.** The following conditions shall apply to this MOA:

A. Response shall be limited to LFUCG's available equipment and personnel and shall be conditioned on LFUCG's ability to provide emergency services without otherwise causing an unreasonable or dangerous deficiency in service.

B. Response by LFUCG shall be limited to the geographic territory of Fayette County or to an adjoining county if response outside Fayette County is necessary and if such response is permitted by applicable state and local law.

C. Response shall be limited to the service or services that LFUCG is licensed or certified to perform (*e.g.*, ALS or BLS for ambulance services). With respect to any emergency services provided by LFUCG's Division of Fire and Emergency Services, the response shall be limited to fire suppression, ALS medical care, ALS first response, hazardous materials and extrication, and other services as they may become available.

D. Requests for assistance shall be made by contacting LFUCG's E-911 radio communication or dispatch center and shall include the nature of the service requested (*e.g.*, police, fire suppression, first response, ALS, BLS, inter-facility transport, hazardous material, extrication).

E. Response by LFUCG's Division of Fire and Emergency Services shall be limited to emergency response and shall not include any non-emergency inter-facility or convalescent transportation or transfers.

F. LFUCG shall, in its sole and absolute discretion, determine whether the circumstances are appropriate for it to respond to a request for assistance from Blackburn.

G. LFUCG's Division of Fire and Emergency Services' personnel shall coordinate all activity on-scene and shall be in control of the scene in the event that it responds to a request for assistance.

H. LFUCG and Blackburn shall exchange patient information, records and reports as required for patient treatment and transportation or as authorized for other legal purposes (*e.g.*, notice or warning regarding infectious diseases).

I. LFUCG's Division of Police will respond to calls for assistance and emergencies and will participate in the incident command system in accordance with the National Incident Management System (NIMS) and the Department of Homeland Security guidelines.

J. LFUCG will be a participant as generally outlined in Blackburn's Fire Plan Manual and Critical Incident Plan Manual, which are incorporated herein by reference, but its actions shall not ultimately be bound or controlled by any such provisions.

4. **Obligations.** Blackburn agrees to indemnify and hold harmless LFUCG, its employees, agents, successors and assigns, and elected or appointed officials against and from any and all claims whatsoever for any injuries arising from the actions of Blackburn during the response to a request for assistance.

Blackburn further agrees to resist or defend any claim or proceeding against LFUCG, its employees, agents, successors and assigns, and elected or appointed officials, by counsel, reasonably satisfactory to LFUCG, arising directly or indirectly from the acts or omissions of Blackburn during the response to a request for assistance.

5. Miscellaneous Provisions.

(a) Governing Law. This MOA shall be governed in all respects by the laws of the Commonwealth of Kentucky and venue for all actions shall lie in Fayette County, Kentucky.

(b) Changes and Additions. By mutual agreement, the parties to this MOA may, from time to time, make written changes to any provision hereof. Blackburn acknowledges that LFUCG may make such changes only upon approval of its legislative authority, the Lexington-Fayette Urban County Council, and the signature of its Mayor.

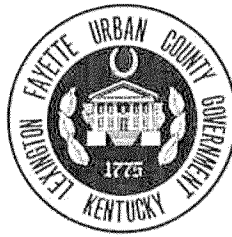
(c) Entire Agreement. This MOA shall constitute the entire agreement between the parties and no representations, inducements, promises or agreements, oral or otherwise, which are not embodied herein shall be effective for any purpose. This MOA shall replace any previous agreement between the parties on the same subject matter.

(d) Relationship of the Parties. In no event shall the parties be construed, held or become in any way for any purpose partners, associates or joint ventures in the conduct of their respective endeavors or otherwise.

(e) Anti-Discrimination. Each party shall provide equal opportunity and employment for all qualified persons, shall prohibit discrimination in employment because of race, color, creed, national origin, sex, age, sexual orientation or gender identity, or disability, shall promote equal employment and shall cause each of its respective contracting agencies to do so. This program of anti-discrimination shall apply to every aspect of the parties' employment policies and practices.

(f) Assignability. Neither party may assign any of its rights and duties under this MOA without the prior written consent of the other party.

(g) Notices. All notices, requests, demands, waivers, and other communications given or required to be given under this MOA shall be in writing and shall be addressed to the parties as follows:



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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 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH THE CHAUCER GROUP, LLC FOR COMPLETION OF AN
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

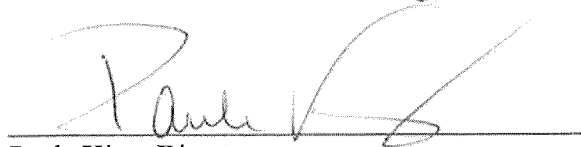
As a formula city for Community Development Block Grant funding and HOME Investment Partnerships funding, the LFUCG is required to certify that it will "Affirmatively Further Fair Housing" and enforce "Compliance with Anti-discrimination laws." The U.S. Department of Housing and Urban Development (HUD) requires its grantees to complete an Analysis of Impediments to fair housing choice. LFUCG's most recent Analysis of Impediments was completed on August 31, 1998. In its approval of the 2008 Consolidated Plan, HUD has suggested that a new Analysis of Impediments be conducted.

The Chaucer Group, LLC, has been selected to complete an Analysis of Impediments which will include a review of local regulations and policies and their effect on fair housing choice. The Chaucer Group, LLC, has performed similar work for Louisville, Ashland, Covington, and Nashville. An agreement with The Chaucer Group, LLC, in the amount of \$19,000 has been proposed.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3120	160201	0001	71299	HOME	2008	H05	\$9,500
3120	160201	0001	71299	CDBG	2008	C21a	\$9,500

Council authorization to execute agreement is hereby requested.


Paula King, Director

Xc: Bill O'Mara, Acting Commissioner of the Department of Finance and Administration

HORSE CAPITAL OF THE WORLD

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





Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

TO: Mayor Jim Newberry
Urban County Council

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

DATE: April 13, 2009

SUBJECT: Change Order #1 for Kentucky Utilities Company – Town Branch Redundant Power

The Division of Water Quality requests approval of change Order #1 for Kentucky Utilities Company. Change Order #1 is for \$60,356.61 increasing the total contract amount to \$335,516.61, resulting in a net increase of 22% from the original contract amount.

The original contract amount of \$275,160.00 was an estimate from KU to expand there existing system to accommodate a redundant feed to the Town Branch WWTP. The actual cost of the upgrade ended up \$60,356.61 over their original estimate.

The funds are fully budgeted in 4002-303401-3401-71299.

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

CONTRACT HISTORY FORM

Contractor: Kentucky Utilities Company

Project Name: Town Branch Redundant Power

Contract Number and Date: 6005 11/01/2007

Responsible LFUCG Division: Water Quality

CHANGE ORDER DETAILS

Summary of Previous Change Orders to Date: **Dollar Amount** **Percent Change to Original Contract**

A. Original Contract Amount	\$275,160.00	
B. Previous Change Order Total:	\$0.00	0% <i>Line B/Line A</i>
C. Current Contract Amount:	\$275,160.00	
D. Amount of this Chage Order :	\$60,356.61	22% <i>Line D/Line A</i>
E. New Contract Amount:	\$335,516.61	122% <i>Line E/Line A</i>

SIGNATURE LINES

REVIEWED BY: <u>Tiffany Roup</u>	DATE: <u>4/13/09</u>
DIVISION DIRECTOR: <u>[Signature]</u>	DATE: <u>4-15-09</u>

*287-09

Change Order No. 1
Resolution # 586-2007
Town Branch Redundant Power

Lexington-Fayette Urban County Government
Lexington, Kentucky

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

CONTRACTOR: Kentucky Utilities Company
 One Quality Street
 Lexington, KY 40507

SUMMARY OF INFORMATION

Date of Change Order:	March 5, 2009
Date of Contract:	November 1, 2009
Date of Notice to Proceed:	November 1, 2009
Official Start Date:	November 1, 2009
Length of Contract (calendar days):	N/A
Date of Contract Completion: (Final Completion Date)	April 1, 2009
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	April 1, 2009
Change in Contract Time in CO#1 (calendar days)	0
Revised Contract Date: (Final Completion Date)	
Original Contract Amount	\$275,160.00
Previous Change Order Total:	\$0.00
Current Contract Amount:	\$275,160.00
Change Order (1) Amount:	\$60,356.61
Revised Contract Amount:	\$335,516.61
Percent Change from Original:	22%

Review attached information for **General Description**

Summary Chart for Change Order #1

Project: West Hickman WWTP Ash Tank Improvements
Lexington, Kentucky
Contract #927

Key
Ow = Owner Om = Omission
A/E = Architect/Engineer C = Contractor

No.	Date	Brief Description	Price	Change Requested by				CO No.
				Ow	A/E	C	Om	
1	03/05/2008	Change: Additional cost for work performed by KU for a redundant power feed being completed to the plant to meet criteria required by the consent decree. Reason: The original cost proposed by KU was an estimate of \$275,160.00 plus any additional costs associated to the project. The money requested is for additional funds used to rebuild 3,780' - 397ACSR circuit with 795AAC, rebuild/extend 2,790' - 2/0ACSR circuit, extend 40' - 1/0A1 UG circuit and install 280 amp VW recloser.	\$60,356.61			X		1
2								
3								
4								
5								
TOTAL			\$60,356.61					

* 287-09



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Mayor Jim Newberry
Division of Water Quality

TO: Mayor Jim Newberry
Urban County Council

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

DATE: March 25, 2009

SUBJECT: Change Order #1 for the Investigation and Design of the Expansion Area 2A
Pumping Station and Force Main

The Division of Water Quality (DWQ) requests approval of Change Order #1 with GRW Engineers, Inc. for the Investigation and Design of the Expansion Area 2A Pumping Station and Force Main. The original contract amount for this project was \$380,000. Change Order #1 is \$45,000 for a revised total contract amount of \$425,000.

Change Order #1 is for "Additional Services" included as an option in DWQ's original Scope of Services, and the cost for this work as noted in the original GRW, Inc. Proposal:

1. Easements – Description, appraisal, and acquisition: \$37,000.
2. Pump station site acquisition: \$7,500.

The funds are fully budgeted in 4003-303401-3424-92811, Project: EXPANSION AREA, Activity: CONSTRUCTION. Questions regarding Change Order #1 should be directed to the Project Manager, LaJoyce Mullins-Williams, at ext. 2580.

Cc: Cheryl A. Taylor, Commissioner, Department of Environmental Quality
Rod Chervus, Collection and Conveyance Manager, Division of Water Quality

CM/lmw

DO NOT REPRODUCE OR TRANSMIT WITHOUT PERMISSION

288-09

CONTRACT HISTORY FORMContractor: GRW Engineers, Inc.Project Name: Investigation and Design for Expansion Area 2A Pumping Station and Force MainContract Number and Date: R-55-2009 12-Feb-09Responsible LFUCG Division: Division of Water Quality**CHANGE ORDER DETAILS**

	<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A.	Original Contract Amount:	\$ <u>380,000.00</u>	
B.	Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	\$ <u>380,000.00</u>	
<u>Current Change Order</u>			
D.	Amount of This Change Order:	\$ <u>45,000.00</u>	<u>12%</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order:	\$ <u>425,000.00</u>	<u>112%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: [Signature]Date: 3-30-09Reviewed by: [Signature]Date: 4-13-09Division Director: [Signature]Date: 4-13-09

URBAN COUNTY COUNCIL

SPECIAL PLANNING COMMITTEE SUMMARY

April 21, 2009

The Planning Committee was convened at 9:02 AM. All committee members were present with the exception of Vice Mayor, Gray.

I. Parks Master Plan - Stinnett

Jerry Hancock, Director Parks & Recreation presented highlights and recommendations from the Parks Master Plan. He told the committee about recommendations in programming assessments such as core services, need for more participation in leagues, health & wellness programs among others. He covered the budget analysis, which revealed LFUCG Parks is behind the nation's average of 34% for cost recovery. He gave a few examples of development recommendations such as large community parks, downtown parks, community centers, indoor facilities and golf courses. Hancock said there is a need to have conversations about a number of specific issues in the plan, but is asking the council to look at the master plan as a body of work.

CM Gorton asked for questions and opened the floor to discussion:

CM James asked about accreditation and requirement for legislative approval of the master plan, stating she was not sure about council's role. She wanted to know the history behind bringing parks master plan before council. She talked about budgeting for parks using a 10 year master plan, and how to accommodate for changing needs of the public. She asked if an adopted plan is binding over time and for councils in the future. She was not clear on why we adopt a master plan stating she would like to see a flow chart spelling out the council's role. James remarked about marketing and advertising and encouraged finding creative ways to increase favorability of certain programs.

Hancock replied saying accreditation does require approval of a master plan with respect to budgeting. However, the master plan is more of a catalog and set of guidelines used to manage themselves. Hancock said he did not know how the process of presenting a master plan to council began. Hancock acknowledged over time needs do change and asked for assistance with finding ways to move forward and implement the plan. He said the master plan consists of totally new ideas, none of which have been implemented yet.

CM McChord talked about changes in the economy and shortfalls of meeting the criteria for the master plan. He mentioned issues he would like to see coming

forward from the plan, mentioned specifically Safe By Design Program. He added he did not feel parks received the priority it should and would like to see details on how they take in revenue.

CM Blues spoke about council responsibility regarding parks master plan and stated their main purpose is to look at funding and funding approval via the budget process, adding the main thing is to change the funding environment. He said government and the community need to look at ways to change and ways to find and promote funding.

Motion by CM James to establish an ad-hoc committee to work on economic and various funding mechanisms for parks and recreation, seconded by: CM Feigel passed without dissent.

Discussion on the motion:

CM Blues asked for more specific details on goals of the proposed ad – hoc committee and the anticipated report date.

CM James suggested a time line.

CM Beard asked what methods of funding would be explored and recommended if it involved questions about taxing, wouldn't it be more appropriate to refer the matter to the Budget & Finance Committee.

CM James said an ad- hoc committee would come back with specific recommendations that could eventually be referred to B&F.

CM Feigel stated the focus and function of the ad-hoc committee would be just on parks and promoting methods of funding.

CM Gorton asked Mr. Hancock about forming a committee to address several personnel recommendations included in the master plan.

Hancock said establishing a sub committee to address the administrative piece of the master plan would serve to gain a greater understanding of the plans goals. Commissioner Cole added, the budget could be reflective of the proposed changes and recommended presenting them to the General Services Link.

CM James asked Mr. Hancock if he sat down with other directors for ideas on the roll out of the master plan.

He replied he and other directors spent more time on the recommended personnel changes, vacancies, and filling retirement positions.

Motion by CM Blues asking the General Services Link to look at Parks & Recreation Master Plan's personnel and administrative recommendations for reorganization, seconded by CM McChord, passed without dissent.

Discussion:

CM Feigel asked if this budget currently included those recommendations and the answer was it did not.

CM James cautioned on the motion to insure any changes to personnel, cost of equipment or any cost associated with those changes are not added to the master plan.

Hancock stated the recommendations require eliminating some positions, re-classifying others, creating and funding new ones. He felt this could be an overall savings.

2. Hisle Park Master Plan - Stinnett

Jerry Hancock, Director of Parks & Recreation covered framework for designing a plan for the Hisle Farm property. He told the committee, public meetings were held to discuss potential use of the property. He presented a map of the property, which is 280 acres, located on Briar Hill Rd. and would serve the northeast corner of the county. He covered details of buildings located on the property and talked about desired features and design elements coming from the public input process, such as: preservation of farm character, trails, bird sanctuary, archery course, etc.

He said some public concerns were noise, lights, a railroad crossing, crowds and traffic congestion. He discussed three different use plans by section of the property, which included parking, trails, vegetation plan, public areas etc. He added feedback was not in favor of mixing horse and mountain biking. He talked about the equestrian trails being planned saying the first year of development would take care of fencing issues, replacing a bridge on the property, defining vegetation zones, adding public access, parking and renovating ponds at the farm's entrance.

CM Feigel asked about public restroom facilities since there is no sewer system there yet. She also asked about the railroad, and how, when the crossing is used.

Hancock replied there are railroad crossing issues to address, adding funds required to replace that crossing would be an estimated, additional cost of \$200K.

CM Stinnett asked for a copy of the presentation and about a financial package and estimated cost projections. He asked if this plan would be implemented all at once or in stages. He also asked if parking would be gravel or paved.

Hancock told the committee \$6.4 million is the estimate to develop the entire Hisle Farm property as a park. He predicts things like public access would be worked out first. Hancock said he thought parking surfaces would be paved to accommodate ADA. He added there will also be parking for RV's & campers.

CM Blues said he'd been thinking about how we would pay for this. He said we need to look at the idea of reviving a dedicated tax for parks. He asked Hancock about the possibility of looking into having such a tax.

Hancock agreed saying the way we are doing things is a bit outdated, spending is approx. \$10-\$15 million and still have lots to do. He said we need to ask citizens if they are willing to get behind a tax or ways to fund parks.

CM Beard asked about various park programs planned for Hisle and what the need for staff looked like.

Hancock said a director will be needed but seasonal staff is all that is planned for now. He said he did not have a specific answer at this time regarding the need for permanent staff.

CM James asked if other entities have been approached about investing capital or has he asked for any outside help with funding. She recommended and encouraged conversation with others to participate. She asked if any of the parking was off-site and wanted to know the total parking spaces. She wanted to know how the plan insured how many parking spaces were adequate, and mentioned an ordinance against parking on grass.

Hancock said there is no off-site parking per say. There are 45 parking spaces and another 30 for RV, campers. Hancock said the number of parking spaces was determined by the consultants and he could not speak to the criteria used. However, he is comfortable with the numbers given.

Hancock told the committee operating cost would not be ready to discuss until 2011 and when asked about a business plan and sustainability, he said there are no plans at this point to charge admission. However, he added he does not believe the park will pay for itself due to the nature of its use. He was also asked for a list of how much it will actually cost and responded it will take time and might be available by next budget year.

McChord said there should be discussion with citizens concerned with preservation of farmland and suggested their involvement.

CM Ellinger wanted to know if any funds were in this year's budget to get started on this park project and expressed concern about future potential financial impact.

Motion by CM Ellinger to accept in concept the Hisle Park Master Plan, seconded by CM Beard, passed without dissent.

Discussion on the motion:

CM Feigel mentioned the need for flat park land for athletic fields and wanted to know if it might be possible to move activities from other parks to this park in an attempt to free up flat land.

Hancock replied he did not think that was possible.

CM Blues asked for clarification of Ellinger's motion and what it entails and was told the motion is to send it to the full council for review.

Hancock explained he would be asking for approval of council as a whole and would interpret it as intention to proceed with plans.

CM James asked how he would address questions about the need to fund this park when other parks are also in need of funding.

Hancock replied much of the \$100 million need identified in the last parks master plan is still there and getting bigger all the time. He said he does not think we should stop growing and feels Hisle development is not taking funds away from other parks, since the property was given as a donation.

CM Gorton asked about the bridle tax and if the equestrian community responded.

Hancock said he would like to see council give Parks & Recreation authority to pursue opportunities for funding, adding he did not want to focus on the bridle tax just yet.

CM Gorton asked about council having the authority to put a parks referendum on the ballot.

CM Stinnett responded he thought council does have that authority, adding they might need to seek a legal opinion for clarification.

CM McChord commented he looked forward to CM Stinnett bringing information back to council regarding a tax referendum for parks. He added we need to start looking at real priorities instead of increasing taxes.

3. Items Referred to Committee

This agenda item was not addressed at today's meeting due to lack of time.

Motion to adjourn by CM Blues, seconded by CM Beard, meeting adjourned at 10:59 am.