

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 2, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, May 26, 2009, pp.4-8**
- IV. Budget Amendments – None**
- V. New Business, pp.11-19**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee, pp.20-24**
 - B. Division of Enterprise Solutions – Chief Information Officer**
 - C. 2009 Ice Storm Update – Division of Emergency Management/911**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**
- X. Closed Session - Property**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Amend the Workforce Investment Act (WIA) Program Contract with Bluegrass Area Development District (BGADD). (346-09) (Gales/Helm)
This request will authorize an amendment to the WIA program to increase the contract amount by \$162,282.83 with BGADD to fund the Summer Youth Employment program from April 20 – July 31, 2009. The source of funds is the American Recovery and Reinvestment Act of 2009.**p.11**
- B. Authorization to Accept an Award from the US Department of Health and Human Services Regarding the Healthy Tomorrows Project – FY2009. (352-09) (P. King/Helm)
This request will authorize the acceptance of federal funds in the amount of \$49,126 from the US Department of Health and Human Services for fifth-year continuation of the Healthy Tomorrows Project. Funds will be used for salary, pension, FICA, and fringe benefits for an Eligibility Counselor at the Family Care Center Children's Clinic. The Project requires a match of \$100,874 and will be documented through existing salaries in the Children's Clinic. Total Project cost is \$150,000.**p.12**
- C. Authorization of an Amendment to Agreement with the Kentucky Transportation Cabinet (KYTC) Regarding the Healthway Trail Project. (363-09) (P. King/Cole)
This request will authorize an Amendment to change the termination date of the Healthway Trail Project to June 30, 2010.**p.13**
- D. Authorization to Enter into an Engineering Services Agreement with HW Lochner, Inc. Regarding the Right-of-Way Acquisition for the Newtown Pike Extension Project – Phase I Mitigation Area. (359-09) (P. King/Webb)
This request will authorize an Engineering Services Agreement in the amount of \$196,650 with HW Lochner, Inc. for the right-of-way acquisition for the Newtown Pike Extension – Phase I Mitigation Area for the acquisition of 31 parcels (displacement of 23 residents and 8 businesses), appraisals, negotiations, closings and relocation assistance. This Project is federally funded under the TEA-21 through the Kentucky Department of Transportation. Funds are budgeted.**p.14**

- E. Authorization to Accept an Award from the Kentucky Heritage Council and Approve a Letter of Agreement Amendment on Behalf of the Division of Historic Preservation. (360-09) (P. King/Webb)
This request will authorize the acceptance of federal funds in the amount of \$9,968 from the Kentucky Heritage Council and the approval of a Letter of Agreement Amendment to change the end on date from August 1, 2009 to August 1, 2010. Funds will be used for salaries of existing personnel in the Division. A local match of 40% (\$6,645) is required and has been requested in the Division's FY2010 General Fund budget.**p.15**
- F. Authorization to Amend Resolution No. 122-2009 Regarding the Rural and Inner City Adopt-A-Spot Program – FY2009. (361-09) (P. King/Webb)
This request will authorize an amendment to Resolution No. 122-2009 to cancel a Purchase of Service Agreement regarding the Adopt-A-Spot Program with Tates Creek HS Lacrosse Club and enter into an agreement with the Bluegrass Youth Development Center to perform litter cleanup four (4) times a year in Inner City Area No. 3 for the amount of \$522.98. Funds are budgeted.**p.16**
- G. Authorization of a Catering Contract with Hyatt Regency Lexington on Behalf of the Department of Public Safety, Division of Police, Regarding the 2009 Police Awards Banquet. (364-09) (Bastin/Bennett)
This request will authorize a Catering Contract with Hyatt Regency Lexington on behalf of the Division of Police for the annual Police Awards Banquet to be held September 21, 2009. The Banquet will be funded by ticket sales. There is no budgetary impact.**pp.17-19**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

May 26, 2009

Mayor Newberry chaired the meeting. All Council Members were present, except CM Lane.

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

A motion by CM Stinnett to approve the summary of 5/12/09, seconded by CM Gorton, passed without dissent.

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

- A. Authorization of a Maintenance Agreement with AB Dick / KopyKat, Inc. on Behalf of the Department of General Services for Konica Copier. (310-09) (Cole)
- B. Authorization of Change Order No. 1 to Contract with Arbor Masters Tree Service on Behalf of the Department of General Services, Division of Parks and Recreation Regarding the 2009 Ice Storm Cleanup. (342-09) (Hancock/Cole)
- C. Authorization of a Deed of Acceptance for Property Located at 134 Northwood Drive for the Northwood Drive Storm Water Project. (338-09) (Martin/Taylor)
- D. Authorization to Accept Deeds of Easement from Property Owners Required for the Loch Lomond Stormwater Improvements Project. (347-09) (Martin/Taylor)
- E. Authorization of a Health Insurance Privacy and Accountability Act (HIPPA) Business Associate Agreement with the Lexington-Fayette County Health Department on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (312-09) (Hendricks/Bennett)

- F. Authorization of a Service Agreement with Siemens Building Technologies, Inc. on Behalf of the Department of Public Safety, Division of Community Corrections. (351-09) (Bishop/Bennett)
- G. Authorization to Amend Section 4-21 of the Code of Ordinances Regarding Animals and Fowl. (355-09) (Bennett)
- H. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC) for the Brighton Rail Trail Bridge Project – FY2009. (336-09) P. King/ Webb)
- I. Authorization of Change Order No. 1 to Contract with MAC Construction & Excavating, Inc. Regarding the Meadows / Northland / Arlington Public Improvements Project - Design Phase 3B. (350-09) (P. King/Webb)
- J. Authorization to Close a Portion of a Right-of-Way and Transfer Ownership and Maintenance to Swope Development, LLC. (340-09) (Webb)
- K. Authorization to Close McGrath Alley and Transfer Ownership and Maintenance to the Historic Pleasant Green Missionary Baptist Church located at property 540 West Maxwell Street. (341-09) (Webb)
- L. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at Property Located at 550 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (343-09) (Rayan/Webb)
- M. Authorization of a Deed of Acceptance for a Permanent Sidewalk Easement and a Temporary Construction Easement at Property Located at 410 Georgetown Street for the Georgetown Street Sidewalk Improvements Project. (353-09) (Rayan/Webb)
- N. Authorization of Change Order No. 1 to Contract with Woodall Construction Company, Inc. Regarding the 12th Neighborhood Improvements Project. (**FINAL**) (348-09) (Rayan/Webb)
- O. Authorization of Change Order No. 1 to Contract with Central Rock Mineral Company, LLC Regarding the Star Shoot Parkway Extension Improvements Project. (**FINAL**) (349-09) (Rayan/Webb)
- P. Authorization of Change Order No. 1 to Contract with Claunch Construction, LLC Regarding the Bluegrass Aspendale Collector Project – Phase 2. (**FINAL**) (358-09) (Rayan/Webb)
- Q. Authorization of a Certificate of Sole Source Procurement with Metaformers™ on Behalf of the Division of Internal Audit for Purchase of PeopleSoft® Software (339-09) (Sahli/Dhuwarah)

- R. Authorization to Submit an Application to the US Department of Health and Human Services and Accept the Award (if Offered) for Operation of the MASH Drop Inn Facility – FY2010. (335-09) (P. King/Helm)
- S. Authorization of a Catering Sales Agreement with Lexington Downtown Hotel, a Hilton Affiliate, for the 2009 Senior Intern Program. (337-09) (Gales/Helm)
- T. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance and Administration, Division of Government Communications. (344-09) (Allen/O'Mara)
- U. Authorization to Amend Resolution No. 328-2009 Regarding the Award of Neighborhood Development Fund (NDF) to Lafayette High School Girls Booster Club, Inc. (345-09) (Langston)
- V. Authorization to Approve LexTran FY2010 Budget Pursuant to KRS 96A.360. (354-09) (Askew)
- W. Authorization of Partial Releases of Easement of Sanitary Sewer Easements at Property Located at 1950 Fort Harrod Drive. (356-09) (Askew)
- X. Authorization of an Interlocal Cooperation Agreement with the Board of Education of Fayette County and the Commonwealth of Kentucky to Establish the Landbank Authority – FY2009. (357-09) (Kelly)

A motion by CM Beard to approve the new business items, A-X, except V, seconded by CM Blues, passed without dissent.

A motion to approve adding item V to the docket failed by a 4-10 vote.

V. Continuing Business / Presentations

A. Planning Committee Meeting Update

This update was given by Chair CM Gorton. There were 5 motions to come forward.

A motion by CM Gorton to adopt the Family Care Center audit report, seconded by CM Beard, passed without dissent.

A motion by CM Gorton to refer the Newtown Pike Design Ordinance to full Council, seconded by CM Blues, passed without dissent.

A motion by CM Gorton to remove the electrical inspectors' fees from the committee list of items, seconded by CM Beard, passed without dissent.

A motion by CM Gorton to remove the Hisle Park Master Plan from the committee list of items, seconded by CM Beard, passed without dissent.

A motion by CM Gorton to adopt the "Blue Horse" branding as the logo and join the Convention and Visitors Bureau in using this as the visual logo and for way-finding signage, seconded by CM McChord, passed without dissent.

B. Corridors Committee Update

This report was deferred until next week's Work Session.

C. 2009 Ice Storm Report

This report was deferred until next week's Work Session.

D. Lexington Public Library Budget Report.

This report was given by Burgess Carey, Chair, Board of Trustees. There were other board members and employees present. Also, several CMs asked questions.

VII. Council Report

CM Gorton- Stated that she was elevating the passing of Mrs. Joann Bell, a neighborhood activist.

A motion by CM Gorton to refer to the Services Committee the discussion of allowing a special events permit for local taxicab company for a limited period of time to advertise a special event, seconded by CM Lawless, passed without dissent.

CM Stinnett- Thanked everyone involved in Public Works Dept. Week; stated that he was disappointed that more CMs were not at the Water Resources Oversight Committee meeting today; announced that the design for the public in the Wickland/Anniston Drs area to review on the storm water project will be available on 6/2/09.

A motion by CM Stinnett to approve the NDF list, seconded by CM McChord passed without dissent.

CM Henson- Announced that Cardinal Valley NA will participate in the Great American Cleanup this Saturday at 10 am, meeting at the corner of Oxford Cir/Versailles Rd; Cardinal Valley's next meeting will be next Tuesday at 7 pm at Faith Church at 125 Garrett Ave; CM Henson invited the At-Large Members; introduce John Walker of the Lexington

Urban Gleaning Network.

CM McChord-Stated that he appreciated CM Gorton bringing attention to the loss of Mrs. Joann Bell; thanked those in the armed forces, police, and fire for their service; stated that he appreciated having Bike Lexington this past weekend-also appreciated the work that the police did during the rain and Bike Lexington; spoke briefly about trip to Madison.

CM Feigel-Announced Kenwick NA bungalow tour on 6/7/09 from 1-6 pm; you can buy tickets at 148 Victory Ave; thanked Mayor Newberry, VM Gray, CM Gorton, and CM Ellinger for agreeing to attend the meeting tonight at Spencerian College at 6 pm.

CM Lawless-Spoke about her relationship with Mrs. Joann Bell; announced that Cormans and CSX have agreed to fix the RR tracks near Winchester Rd.

CM Martin-Mentioned that he would like to see more money to acquire right-of-ways and building trails.

CM James-Announced that the next Citizens with Disabilities meeting will be held at the Art League at 209 Castlewood Dr and the next Neighborhood Development Bond Fund meeting will be on Thursday, 5/28/09, at 1 pm in the 5th floor conference room.

VIII. Mayor's Report-None

Mayor Newberry asked Comm. Askew to come forward to speak. Interim Comm. O'Mara gave the monthly update of revenues and expenditures. VM Gray asked a question.

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

A motion by CM Stinnett to go into closed session pursuant to KRA 61.810 (1)(f) for a discussion that may lead to the discipline or dismissal of one or more employees, seconded by CM McChord, passed without dissent.

A motion by CM Blues to go back into open session, seconded by CM Feigel, passed without dissent.

A motion by CM Stinnett to adopt the arbitration opinion and award with regard to a disciplinary matter relating to firefighter Christopher Nead, seconded by CM McChord, passed without dissent.

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

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

June 2, 2009 Work Session

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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	
360-09	TBD	Community Development	To establish grant for Historic Preservation's Survey and Planning Project – FY 2010.	
F			3130	16,613
			3130	16,613CR
				0*
346-09	TBD	Community Development	To provide additional funds for WIA Youth Summer Youth Employment.	
A			3150	162,282.83
			3150	162,282.83CR
				0*

EFFECT ON FUND BALANCES

FUND 3130	0*	NO EFFECT ON:	US DEPARTMENT OF INTERIOR
FUND 3150	0*	NO EFFECT ON:	US DEPARTMENT OF LABOR

Budget Information For New Business Items

June 2, 2009 Work Session

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Item	Number	Amount	Fund	Name / Description
A	346-09	162,282.83	3150	US Department of Labor Budget Journal
B	352-09	150,000 100,874	3190 1101	US Department of Health and Human Services General Service District – General Fund Budget Journals
C	363-09	NA		
D	359-09	196,650	3160	US Department of Transportation
E	360-09	16,613	3130 1101	US Dept of Interior General Service District – General Fund Budget Journal
F	361-09	522.98	3400	Grants – State
G	364-09	NA		



346-09

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: MAY 26, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT
\$162,282.83 FROM THE BLUEGRASS AREA DEVELOPMENT
DISTRICT FOR FEDERAL FUNDING (AMERICAN RECOVERY
AND REINVESTMENT ACT) FOR A SUMMER YOUTH
EMPLOYMENT PROGRAM**

The Bluegrass Area Development District (BGADD) has awarded the Lexington Fayette Urban County Government's Department of Social Services \$162,282.83 in Workforce Investment Act (WIA) funds for a summer youth employment program. Federal funds are from the U.S. Department of Labor, American Recovery and Reinvestment Act of 2009 (ARRA). The program will serve 100 youth ages 16-24 this summer and must include a work readiness component. All participants must be WIA eligible.

The BGADD has amended the current Workforce Investment Act grant award approved by Council on July 3, 2008, Ordinance 167-2008, for the additional funds. Council authorization to execute the award amendment is requested.

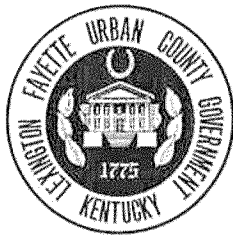
Paula King
Director

Xc: Marlene Helm, Commissioner of Social Services

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352-09

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 3, 2009


**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES FOR FIFTH YEAR CONTINUATION OF HEALTHY
TOMORROWS PROJECT—FY 2009**

On March 24, 2005 (Ordinance # 73-2005), the Urban County Council approved the acceptance of an award from the U.S. Department of Health and Human Services/Health Resources and Services Administration/Maternal and Child Health Bureau, for implementation of a Parent Resource Center for a Bright Future under the Healthy Tomorrows initiative at the LFUCG Family Care Center. The Healthy Tomorrows Partnership for Children Program is a collaborative partnership between the American Academy of Pediatrics and the federal government's Maternal and Child Health Bureau. This represented the first year of a five-year project. Second year project was approved for submission and acceptance by Council on October 20, 2005 (Ordinance # 290-2005.) Third Year project was approved by Council on December 12, 2006 (Ordinance # 399-2006). Fourth year funding was approved on October 23, 2008 (Ordinance No. 229-2008). On December 4, 2008 (Resolution No. 716-2008), Council authorized submission of application requesting fifth and final year funding.

The Family Care Center's Children's Clinic serves the health care needs of a broad population of approximately 4000 children, all of whom are at or below 200% of poverty level, with most being below 150% of poverty level. Most of these children and their parents are not enrolled in other Family Care Center programs and are in need of more extensive family resource development supports than can be provided in a medical visit to the clinic. The Parent Resource Center for a Bright Future serves as a parent resource center that is fully integrated with pediatric care, and is staffed with a bilingual (Spanish) employee. The purpose is to provide poor families with the connection to available community resources.

The amount of federal funding offered for the fifth year of program operation is \$49,126. Funds will be used to pay salary, pension, FICA, and fringe benefits for an Eligibility Counselor. This project requires a match of \$100,874. Total project cost is \$150,000. This match will be documented through existing salaries in the Family Care Center Children's Clinic.

Council authorization to accept the award is hereby requested.


Paula King, Director

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

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363-09

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: MAY 19, 2009

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT
TO AGREEMENT WITH KENTUCKY TRANSPORTATION CABINET
FOR THE HEALTHWAY TRAIL PROJECT**

On November 2, 2006 (Ordinance No. 318-2006), the Urban County Council approved the acceptance of a grant award from the Kentucky Transportation Cabinet of federal funds for the construction of a portion of the Healthway Trail system for pedestrians and bicyclists in southwest Fayette County.

The Kentucky Transportation Cabinet has proposed an Amendment to the Agreement, providing for a new agreement number and establishing a revised termination date of June 30, 2010. Kentucky Transportation Cabinet is requesting the submission of a resolution approving the amendment.

Council authorization to execute Amendment to Agreement is hereby requested.



Paula King, Director

Xc: Kimra Cole, Commissioner, Department of General Services

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359-09

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: MAY 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH
HW LOCHNER FOR RIGHT-OF-WAY SERVICES FOR NEWTOWN PIKE
EXTENSION PROJECT MITIGATION AREA—RFP 9-2009**


The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). Council approved project agreement on November 9, 2000 (Ordinance #344-2000). The project provides for construction from West Main Street to South Limestone. An approved element of the project is a contractual agreement for Right of Way services that includes 31 acquisitions, including all aspects of procurement from property appraisals, title reviews, making offers and negotiation, relocation benefits management and tracking, and parcel management.

In response to RFP 9-2009, three firms submitted proposals. A selection committee made up of representatives of the Mayor's Office, Council, Divisions of Purchasing and Engineering, the Department of Public Works and Development, and Kentucky Transportation Cabinet District 7 was convened. Based upon established selection criteria, the committee selected HW Lochner to perform these services in the amount of \$196,650.

Funds are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3160	303202	3211	91715	NEWTOWN PIKE	2002	DEFAULT	\$126,468.11
3160	303202	3211	91715	NEWTOWN PIKE	2009	DEFAULT	\$70,181.89

Council authorization to execute agreement with HW Lochner is hereby requested.


Paula King, Director

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

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360-09

15

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: MAY 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE KENTUCKY HERITAGE COUNCIL AND TO EXECUTE LETTER
OF AGREEMENT AMENDMENT FOR THE DIVISION OF HISTORIC
PRESERVATION'S SURVEY AND PLANNING PROJECT – FY 2010**

On February 12, 2009 (Resolution #77-2009), Council approved the submission of a grant application to the Kentucky Heritage Council requesting federal funding for the purpose of supporting Certified Local Government historic preservation administrative activities in the Division of Historic Preservation.

The Kentucky Heritage Council has approved an award of federal funds in the amount of \$9,968. A 40% match in the amount of \$6,645 is required. Total project cost is \$16,613. Matching funds have been requested in the Division of Historic Preservation's general fund budget for Fiscal Year 2010. Funds will be used for the salaries and benefits of existing personnel in the Division of Historic Preservation. This project has an expiration date of August 1, 2009. The Kentucky Heritage Council has offered the LFUCG a Letter of Agreement Amendment changing the expiration date to August 1, 2010.

Council authorization to accept the award and to execute the Letter of Agreement Amendment is hereby requested.

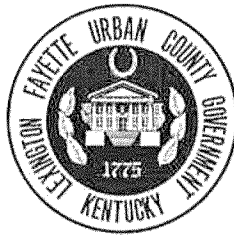
Paula King
Director

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

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361-09

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: MAY 19, 2009

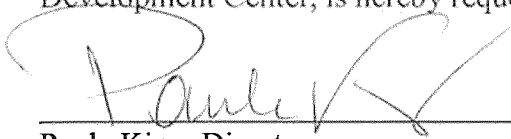
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO AMEND RESOLUTION
NO. 122-2009, CANCELING THE ADOPT-A-SPOT AGREEMENT WITH
TATES CREEK HS LACROSSE CLUB AND REPLACING IT WITH AN
AGREEMENT WITH BLUEGRASS YOUTH DEVELOPMENT
CENTER—FY 2009**

The Lexington-Fayette Urban County Government is a recipient of state funds from the Kentucky Pride Fund providing for litter cleanups on Fayette County roadways. These funds were accepted by Council on September 18, 2008 (Ordinance # 209-2008). The LFUCG Department of Public Works uses a portion of these funds to support the Adopt-a-Spot program. On February 26, 2009 (Resolution No. 122-2009), Council approved the execution of agreements with various nonprofit organizations for participation in the Adopt-a-Spot program. One organization, the Tates Creek HS Lacrosse Club (\$522.98), is unable to execute an agreement. A replacement organization, Bluegrass Youth Development Center, has been identified. This organization will perform litter cleanup activities four times in Inner City Area Number 3 for the amount of \$522.98.

Funds are budgeted as follows:

FUND	DEPT ID	Section	ACCT	PROJECT/GRANT	BUD REF	ACTIVITY
3400	303301	0001	71299	KY PRIDE	2009	DEFAULT

Council authorization to amend Resolution No. 122-2009, canceling Adopt-a-Spot agreement with Tates Creek HS Lacrosse Club and executing agreement with Bluegrass Youth Development Center, is hereby requested.


Paula King, Director

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

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LEXINGTON DIVISION OF POLICE

364-09

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: May 27, 2009 (Revised)

RE: Lexington Center/Hyatt Regency Catering Contract – Police Awards Banquet

Please find attached catering contract and blue sheet requesting approval between the Lexington Center/Hyatt Regency, Bluegrass Ballroom and the Lexington Fayette Urban County Government for the Annual Police Awards Banquet to be held on September 21, 2009.

We are requesting council approval to authorize Mayor Newberry to sign the attached agreement. Upon signing, please forward a copy of the signed agreement to the Chief's Office.

Cost of the agreement will be funded by ticket sales through the Citizens Police Academy Alumni Association (CPAAA).

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

A handwritten signature in cursive script that reads "Ronnie Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety



HYATT REGENCY LEXINGTON

April 10, 2009

CATERING CONTRACT

ALL RESERVATIONS AND AGREEMENTS are made upon, and are subject to, the rules and regulations of the Hotel and the following conditions:

Your private function has been booked on a first option tentative basis:

GROUP NAME: LFUCG
 FUNCTION NAME: AWARDS DINNER
 CONTACT NAME: SHARAAN COLLINS
 ADDRESS: 150 EAST MAIN STREET
 LEXINGTON, KY 40507
 PHONE NUMBER: (859) 258-3615

Day	Date	Function	Time	Set Up	# of guests	Room
Mon	9/21/09	Reception/Dinner	5:30 PM - 9:30 PM	Rds of 10	500	½ Bluegrass Ballroom

ROOM RENTAL

At this time, ½ of Bluegrass Ballroom is being held for this event. No meeting room rental will be incurred for the LFUCG Police Dinner contracting only ½ of Bluegrass Ballroom. If LFUCG Police Dinner would like to contract the entire Bluegrass Ballroom, the room rental would be \$1400.00. If LFUCG Police Dinner would like to contract the entire Bluegrass Ballroom and incur a \$1400.00 room rental, an addendum contract will be created and need to be signed to secure the room rental and change in meeting space.

DEFINITE BOOKING

Once you sign and return this letter, your reservation will be confirmed and considered a definite booking. This signed contract is due on 6/30/09.

MINIMUM REVENUE COMMITMENT

Based on the approximate number of guests set forth above, a minimum of \$10,000.00 in banquet food will be spent at your function. This minimum does not include guestroom charges, service charges, tax, labor charges, audiovisual, or any other miscellaneous charges incurred. Should your final count drop below the approximate number of guests listed above, we will be happy to advise you on additional alternatives in food and beverage which will bring you back up to the agreed upon minimum revenue figures for your function.

CANCELLATION POLICY

Either the Hotel or Group may cancel this contract without cause at any time prior to the event by paying to the other party liquidated damages (agreed not to constitute a penalty) based on the following scale:

Less than six(6) months to one(1) month from arrival date	\$2500.00
Less than one(1) month up to arrival date	\$5000.00

Cancellations made under this provision shall be made by the canceling party to the non-canceling party by written notice and payment of the liquidated damages due at that time.

Customer Initials _____

Hotel Initials *SC*

364-09

GUARANTEE COUNTS

In arranging for private functions, the final attendance must be received by the Catering Office no later than 11:00 a.m. three (3) working days prior to the commencement of the function. This number will be considered a guarantee, not subject to reduction, and charges will be made accordingly. Please provide the guarantees on the following days*:

Day of Function:	Guarantee due on the preceding:
Saturday, Sunday, or Monday	Wednesday
Tuesday	Thursday
Wednesday	Friday
Thursday	Monday
Friday	Tuesday

*National Holidays are not considered working days and should be taken into consideration when submitting guarantees.

The Hotel will be prepared to serve 3% more than the guaranteed number of attendees and cannot be responsible for service to more than 3 % over the guarantee for groups of up to 1,000 persons. For groups more than 1,000 persons, a maximum of 30 person overset will apply. If the guarantee is raised within the 72 hours, the 3% over set will not apply, and the guarantee then becomes the set.

TAXES

All federal and local taxes / charges which may be imposed or be applicable to this agreement and to the service rendered by the Hotel are in addition to the prices herein agreed upon, and the Customer agrees to pay them.

Groups that are tax exempt in the State of KENTUCKY must provide a copy of their KY tax exemption certificate at the time of signing this agreement to qualify.

FOOD AND BEVERAGE

No food and beverage of any kind may be brought into the Hotel or Convention Center by the Customer or any of the Customer's guests or invitees.

CONTINGENCY

Performance of the agreement is contingent upon the ability of the Hotel to complete same and is subject to labor, disputes, strikes or picketing, accidents, government (federal, state, local) requisitions, restrictions upon travel, transportation, food, beverage or supplies and other causes, whether enumerated herein or not, which are beyond the control of the Hotel. In no event shall the Hotel be liable for the loss of profit or other similar or dissimilar collateral or consequential damages, whether based on breach of contract, warranty or otherwise. In no event shall the Hotel's liability be in excess of the total amount of the food and beverages contracted heretofore.

PAYMENT

In some instances, the hotel may approve direct billing. The completed request for direct billing form must be received by the hotel no later than 30 days prior to your function to be considered for direct billing. Should billing be approved, the balance of the account is due and payable no later than thirty (30) days after the date of the function.

SERVICE CHARGE

A 22% Service Charge and applicable taxes shall be added to all food and beverage.

LIABILITY

The Customer agrees to be responsible for any damage done to the function rooms or any other part of the Hotel by the Customer, his guest, invitees, employees, independent contractors or other agents under the Customer's control. The Hotel will not assume or accept any responsibility for damage to or loss of any merchandise or articles left in the hotel prior to, during or following the Customer's function.

Customer Initials _____

Hotel Initials _____



Corridors Committee Meeting
Summary of Meeting
May 12, 2009

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The most recent Corridors Committee meeting was held on Tuesday May 12.

- The Committee agreed to waive part of the Man O War landscape ordinance for the Brighton Shoppes property due to road widening project at Liberty/Todds/MOW.
- The Committee continued to review/revise the Corridors Commission ordinance. That should be coming to the Council for consideration in the near future.
- The Committee heard a report re the Versailles Rd Transportation Enhancement Grant that bids came in approximately \$ 20,000 under budget for landscaping, fencing and banners
- The Committee agreed to allocate up to \$ 7500 to replace landscaping along Bates Creek Pike.

Corridors Committee Meeting
Summary of Meeting
May 12, 2009

David Stevens, Interim Chair; Julian Beard, Councilmember, 4th District; Tom Blues, Councilmember, 2nd District; Dorothea Oatts, Federation of Garden Clubs; Scott Seymour, Council Office; Bill Di'Orio, Eon/KU; Gigi Garman; Diane Ivory; Rory Kahly, EA Partners; ; Howard Cruse, Ball Homes; Mark Yanik, M2D Design; Keith Horn, Law; Bob Carpenter, Building Inspection; Kevin Wente, Public Works; Rob Allen, Streets, Roads & Forestry; Jim Rebmann, Environmental Policy; Tim Queary, Streets, Roads & Forestry; Paul Schoninger, Council Office.

Minutes

On a motion by Julian Beard, second Jim Rebmann the April 14 meeting summary was approved.

Man O War Landscape Ordinance Waiver

Howard Cruse with Ball Homes and Rory Kahly with EA Partners requested a waiver of the Man O War landscape ordinance for the Brighton Shops near Todds Road. They noted that the road widening on Liberty would take much of the present landscaping due to the turning lane construction.

Tim Queary and Bob Carpenter both spoke in favor of the waiver.

After several questions, on a motion by Bob Carpenter, second Jim Rebmann the waiver was granted. (David Stevens abstained as he owns property in the area).

Alumni Drive

Tim Queary stated that he had visited the site and confirmed that LFUCG had removed some landscaping along the corridor. He stated that the landscaping was removed for safety reasons.

He was worried that a precedent would be established if Corridors replaced trees that property owners should be responsible for.

On a motion by Tim Queary, second Dorothea Oatts this item was tabled.

Corridors Committee Summary
May 12, 2009
Page Two

Corridors Committee Ordinance

The Committee reviewed the ordinance and made several recommendations including adding to its powers to include any powers granted to the Corridors Committee and to add several (up to 5 non voting citizens).

Chair Report

Dr. Stevens stated that the Bates Creek sidewalk project is included in the Work Session packet as a new business item.

Projects Report

Mark Yanik reported that the bids have been opened for the Versailles Road project and the low bid was approximately \$ 20,000 under budget. Planting and other construction will start in Summer-Fall.

Dr. Stevens reported that Mark & he met with Mayor Newberry regarding the Newtown project. He reported that the Mayor wanted some work done north of 3rd Street.

Dr. Stevens, Mark Yanik and Shaye Rabold walked the corridor. They agreed to ask Code Enforcement to review properties along Newtown Pike for possible code violations.

Paul Schoninger reported that CDP was reviewing the Harrodsburg Rd plan and would present the final draft at the June 9 Corridors Committee meeting.

Councilmember Blues requested that he and 1st District Councilmember Andrea James be updated on plans for the corridor.

Urban Forestry Report

Tim Queary reported on the FY 10 Mayor's Proposed Streets Roads & Forestry budget.

He also reported on the landscaping for Loudon Avenue. He stated that the Tree Board was still reviewing plans for landscaping adjacent to the Airport property.

Mr. Queary reported on dead landscaping on Bates Creek.
Corridors Committee Summary
May 12, 2009
Page Two

On a motion by Julian Beard, second Gigi Garman the Corridors Committee agreed to allocate \$ 7,500 to replace trees on Bates Creek.

Bicycle/Pedestrian Report

Kenzie Gleason reported on bicycle facility planning for Maxwell Street as well as plans for Bicycle Lexington on Memorial's Day weekend.

Other Business

Jim Rebmann reported on Founders' Day activities at McConnell Springs.

There being no other business the meeting adjourned at 12:55 PM.

The next meeting is scheduled for Tuesday June 9, 2009 at 11:30 AM.

PAS 05.19.2009