

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 26-November 2, 2009**

Monday, October 26

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

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

Tuesday, October 27

Special Planning Committee Meeting.....9:30 am
Council Chambers-2nd Floor Government Center

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

Budget & Finance Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Special Council Meeting including Public Hearing re: Showprop.....3:00 pm
Council Chambers-2nd Floor Government Center

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

Wednesday, October 28

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

MPO-Transportation Policy Committee Meeting.....1:30 pm
Jessamine Co. Courthouse, 101 N Main St, Nicholasville KY

Thursday, October 29

No Meetings

Friday, October 30

No Meetings

Monday, November 2

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

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 27, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, October 20, 2009, pp. 5-9**
- IV. Budget Amendments – None**
- V. New Business, pp.12-26**
- VI. Continuing Business / Presentations**
 - A. Planning Committee, pp.27-29**
 - B. Water Resources Oversight Committee**
 - C. Traffic Update – Ms. Shaye Rabold, Chief of Staff
and Division of Traffic Engineering**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of Change Order No. 1 to Contract with Schaefer Properties, LLC Regarding the Coolavin Park Community Building Project. (636-09) (Hancock/Cole)
This request will authorize Change Order No. 1 to increase contract amount by \$71,459.44 with Schaefer Properties, LLC for the Coolavin Park Community Building Project. The project was awarded in 2006 and delayed until 2009 when archaeological findings were discovered on the site. Further delays were caused by substandard soil and applying for federal funds for the project. Of the change order amount, \$50,000 was approved in the 2008 – 2009 Additional Bonds Projects under Resolution No. 668-08. Original contract amount was \$289,750. New contract amount is \$361,209.44.**pp.12-14**
- B. Authorization of Facility Usage Agreements with Various Youth Baseball Leagues on Behalf of the Department of General Services, Division of Parks & Recreation. (641-09) (Hancock/Cole)
This request will authorize Facility Usage Agreements with various nonprofit youth baseball leagues for use of the Division of Parks & Recreation's baseball fields. The agreements are with the Northern Babe Ruth, Southeastern Cal Ripken, Eastern Little League, Bluegrass Fast Pitch, Southeastern Babe Ruth, Lexington Little League Softball, Western Little League, and Southwest Lexington Pony. There is no budgetary impact for LFUCG.**p.15**
- C. Authorization to Accept an Award from the US Department of Justice on Behalf of the Department of Public Safety, Divisions of Police and Fire & Emergency Services, and the Fayette County Sheriff's Office for Purchase of Bulletproof Vests – FY2010. (633-09) (P. King/Bennett)
This request will approve the acceptance of federal funds in the amount of \$5,287 from the US Department of Justice for purchase of bulletproof vests for the Divisions of Police and Fire & Emergency Services and the Fayette County Sheriff's Office. The Division of Police will receive \$1,763 and the Division of Fire & Emergency Services will receive \$1,762. A local match of 50% (\$3,525) is required and budgeted. The Fayette County Sheriff's Office will be offered \$1,762. The Sheriff's Office will provide the match from their budget.**p.16**
- D. Authorization to Submit Application and Accept Award (if Offered) from the Kentucky Justice and Public Safety Cabinet (JPSC) under the Violence Against Women Act (VAWA) Program for the Continuation of the Sexual Assault Nurse Examiner (SANE) Program – FY2010. (638-09) (P. King/Bennett)
This request will authorize the submission of an application and accept the award (if offered) for federal funds in the amount of \$48,093 from the Kentucky JPSC under the VAWA Program to continue the SANE Program

within the Division of Police. Funds will be used for the cost of contractual services, emergency room space, medication, cell phones, training, and for supplies and equipment. A local match of \$16,031 is budgeted in the Division's FY2010 budget.**pp.17-18**

- E. Authorization to Accept an Award Offered from the Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety for the Continuation of the Metropolitan Medical Response System (MMRS) – FY2010. (639-09) (P. King/Bennett)

This request will authorize the acceptance of federal funds in the amount of \$311,000 originating from the US Department of Homeland Security, Federal Emergency Management Agency, offered by KOHS for the continuation of the MMRS Program. Funds will be used to support the MMRS project coordinator, minor equipment purchases, professional services, operating and travel expenses, purchase of a patient tracking system, a mobile satellite communications system, and will partially fund the purchase of a Medical Ambulance Bus. No matching funds are required.**p.19**

- F. Authorization to Accept an Award from the Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police under the 2009 State Homeland Security Grant Program (HSGP) for the Mobile Data Computer Network Project. (640-09) (P. King/Bennett)

This request will authorize the acceptance of federal funds from the US Department of Homeland Security in the amount of \$71,854 from KOHS on behalf of the Division of Police, for the Mobile Data Computer Network Project under the 2009 HSGP. Funds will be used for purchase of 19 mobile data and six (6) handheld mobile data computers. No matching funds are required.**p.20**

- G. Authorization of Change Order No. 1 to Contract with Elza Construction, LLC for the Demolition and Site Preparation of 898 Georgetown Road Project. (634-09) P. King/Webb)

This request will authorize Change Order No. 1 that will increase contract amount by \$2,624.88 with Elza Construction, LLC for the Demolition and Site Preparation of 898 Georgetown Road Project. Original contract amount was \$540,335.25. New contract amount is \$542,960.13. Funds are budgeted.**pp.21-23**

- H. Authorization to Execute Contracts, Deeds, and Relevant Documents Required for Purchase of Real Properties under the Neighborhood Stabilization Program (NSP) for Land-Banking Activities. (635-09) (P. King/Rumpke)

This request will authorize the execution of real estate contracts, deeds and relevant documents required for purchase and redevelopment of residential properties abandoned or foreclosed, for demolition of blighted structures, and for redevelopment of demolished or vacant properties of certain properties located in eligible Census Tract under the NSP for land-

banking activities. Deadline to purchase these properties is June 1, 2010, of which 50% should be obligated by January 1, 2010.**p.24**

I. Authorization to Accept an Award from the US Department of Energy (DOE) under the Energy Efficiency and Conservation Block Grant (EECBG) Program. (637-09) (P. King/Taylor)

This request will authorize the acceptance of a formula grant amount of \$2,753,800. funded by the American Recovery and Reinvestment Act of 2009, from DOE under the EECBG Program as authorized in Title V, Subtitle E of the Energy Independence and Security Act of 2007 (EISA) and signed into Public Law (PL 110-140) on December 19, 2007, for the for the following projects.

- The Energy Management Technology Project will receive \$180,000 to monitor and analyze LFUCG's energy consumption. Funds will be used for equipment, supplies, and professional services to facilitate benchmarking and to identify needed energy efficiency improvements.
- The Energy Retrofits Project will receive \$1,112,800 to make energy efficiency improvements to LFUCG buildings and facilities. Funds will be used for repairs and capital improvements.
- The Community Energy Awareness Project will receive \$297,000 to educate the community on the benefits of energy efficiency. Funds will be used for internship salaries, training, supplies, professional services (energy advisor) and energy tracking software for public use.
- The Community Energy Retrofits Project will receive \$314,000 to provide grants to nonprofit organization in Fayette County to reduce energy consumption. Funds will be used to upgrade lighting, HVAC, hot water and building shell components.
- The Traffic Management Technology Project will receive \$500,000 to partially fund new traffic management software, and to purchase and install advanced traffic signal controllers to improve traffic flow for all modes of transportation on Fayette County roadways.
- The Community Bike Program Project will receive \$175,000 for purchase of approximately 52 bikes placed at automated check-out stations in downtown Lexington, the University, and bike trails to replace short-distance car trips
- The Green Roof Education Program Project will receive \$25,000 for a conference / workshop to educate building owners and operators of Lexington buildings on the advantages and design of green roofs.
- The Recycling Efficiency Program Project will receive \$150,000 to purchase a waste compactor and a recycling compactor for the downtown restaurant district to reduce sidewalk congestion, waste pickup points and idling time of waste truck and to encourage recycling participation. Three (3) mobile recycling trailers and two (2) enclosed trailers will be purchased to facilitate recycling in parks and during special events.**pp.25-26**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 20, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present, except CM Crosbie.

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

A motion by CM Ellinger to approve the summary from October 13, 2009, seconded by CM Blues, passed without dissent.

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

- A. Authorization of an Amendment to the First-Time Homebuyers Program Agreement with REACH, Inc. (626-09) (P. King/O'Mara)
- B. Authorization of an Amendment to Agreement with Kentucky Transportation Cabinet (KYTC) for the Restoration of Latrobe's Pope Villa. (FINAL) (627-09) (P. King/O'Mara)
- C. Authorization of a Lease Agreement with Rachel Savané (d/b/a Savané Silver, Inc. for Space Located at 130 North Broadway Street (a/k/a Broadway Shoppes. (625-09) (Baradaran/Cole)
- D. Authorization of a Deed of Acceptance for a Permanent Drainage Easement and a Temporary Construction Easement at Property Located at 3570 Clays Mill Road for the Clays Mill Road Improvements Project. (608-09) (P. King/ Webb)
- E. Authorization of a Deed of Acceptance for a Temporary Construction Easement at Property Located at 3461 Clays Mill Road for the Clays Mill Road Improvements Project. (629-09) (P. King/ Webb)

- F. Authorization of a Purchase of Service Agreement (PSA) and a Lease Agreement with the Lexington-Fayette Animal Care and Control, LLC. (617-09) (Bennett)
- G. Authorization of a Purchase of Service Agreement (PSA) with the Lexington Humane Society to Administer the Spay and Neuter Grant Fund Program. (618-09) (Bennett)
- H. Authorization to Accept Donation from the Bluegrass Junior Woman's Club on Behalf of the Department of Public Safety, Division of Police. (619-09) (Bastin/Bennett)
- I. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of Public Safety, Division of Police. (620-09) (Bastin/Bennett)
- J. Authorization of Change Order No. 1 to Contract with Franz, Inc. for the HVAC Upgrade to the Police Technical Services Unit Building Project. (FINAL) (632-09) (Bastin/Bennett)
- K. Authorization to Accept an Award from the Kentucky Justice and Public Safety Cabinet (JPSC), Kentucky State Police (KSP), on Behalf of the Department of Public Safety, Division of Police for Operation of a Motor Carrier Safety Assistance Program – FY2010. (630-09) (P. King/Bennett)
- L. Authorization to Accept an Award from the US Department of Justice on Behalf of the Department of Public Safety, Division of Community Corrections, under the 2009 State Criminal Alien Assistance Program (SCAAP). (631-09) (P. King/Bennett)
- M. Authorization of a Special Warranty Deed with the Fayette County Board of Education (FCBE) Regarding Transfer of Properties. (628-09) (Askew)

A motion by CM Beard to approve the new business items, A-M, seconded by CM McChord, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Inter Governmental Committee Report

This report was given by Chair CM James. There were no motions to come forward from the meeting. However, CM James did make a motion.

A motion by CM James to approve placing on the docket for 10/27 special meeting under the 2nd reading of ordinances the ordinance creating the Lyric Theatre and Cultural Center Board, seconded by CM Lane, passed without dissent.

Shaye Rabold, Mayor's Chief of Staff and Jim Clark, LexArts, spoke about the Lyric Theatre along with several CMs.

CM Crosbie is present.

B. Traffic Update Presentation

This presentation was postponed due to illness.

C. Main Street Incubator

This presentation was given by Luke Murray, Awesome, Inc.

D. Proposed Tobacco-Free Policy

This presentation was given by Anthany Beatty, UK Asst. VP of Campus Services.

A motion by CM Lane to approve placing a resolution adopting the MOU with UK on the 10/27 special meeting docket, seconded by CM Gorton, passed without dissent.

VII. Council Report

CM Crosbie-Asked Mayor Newberry about the official time and date for Halloween. Mayor Newberry, along with Council, decided to change the hours this year to 5-8 pm for Halloween on October 31st.

CM Gorton- Stated that the Planning Committee is working through the recommendations from the Student Housing Task Force; announced a Special Planning Committee meeting to be held on 10/27/09 at 9:30 am; also reminded CMs to give the Council Admin. Any dates that needed to be placed on the 2010 Council Calendar.

CM Stinnett-A motion by CM Stinnett to place the review of the Solid Waste (Waste Management) ordinances into the Services Committee, seconded by CM McChord, passed without dissent.

A motion by CM Stinnett to place the review of the residential zoning ordinances into the Planning Committee, seconded by CM McChord, passed without dissent.

CM James-Announced that the Citizens Leadership Academy will meet on Thursday at 6 pm in the Govt. Ctr. Ballroom.

A motion by CM James to approve the NDF list for Oct. 20, 2009,
seconded by CM Crosbie, passed without dissent.

CM Lawless-Announced Mentelle NA meeting tonight at 7 pm at Ashland Ele.; also announced that N Elizabeth St, 7 Parks, Columbia Heights, Montclair, Ayelsford, and Hollywood-Mt-Vernon NA will meet tonight at 7 pm at the 1st Christian Church at the corner of Audubon and Forest Park.

CM McChord-Stated that the weekend of October 10-12 was very pivotal for Lexington; thanked Mayor Newberry and everyone who helped make it happen.

CM Feigel-Congratulated the Ashland Park NA for receiving a historic marker; on 10/25 from 1-5 pm, there will be a home tour in this area-for information, you can call her office at 258-3213; on 10/26 there will be a meeting with neighborhood leaders and Chevy Chase merchants at Buddy's t 5 pm; on 10/29 Fairway will have its annual meeting at Julia R Ewan School.

CM Blues-Announced 3 meetings: Western Suburb Bd. tonight at 7 pm and on 10/26 at 7 pm Radcliffe-Marlboro and Oakwood.

CM Henson-Announced the Showcase Housing Fair (for women) at Chrysalis Community Center on Hillrise Dr tomorrow at 5 pm; stated that she had received an anonymous card in the mail about the Y; wanted to let the citizen know that she is working on demolition estimates and also a buyer for the property.

CM Martin-Stated that this morning on the Today Show, it was announced that Lexington is the #6 ranked city for raising a family.

Mayor Newberry piggy-backed on this issue by reading the list from the Today show.

VIII. Mayor's Report-None

Mayor Newberry thanked Dir. Bill O'Mara for his service and willingness to do whatever was asked of him, even taking on the Acting Comm. of Finance position. He also welcomed Linda Rumpke, the new Comm. of Finance.

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

Citizen, Lewis Cobb, spoke.

A motion by CM Crosbie to adjourn, seconded by CM Ellinger passed without dissent.

Work session was adjourned at 5:25 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

October 27, 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	
633-09 C	BA 2513	Community Development	To establish grant budget for Bulletproof Vest - FY 2010.	
			3140	10,574
			3140	10,574CR
				0*
636-09 A	BA TBD	Finance/Parks and Recreation	To provide funds for Coolavin Neighborhood Center by recognizing bond proceeds.	
			2518	50,000
			2518	50,000CR
				0*
637-09 I	BA 2521	Community Development	To establish grant budget for the Energy Efficiency and Conservation Block Grant.	
			3210	2,753,800
			3210	2,753,800CR
				0*
638-09 D	BA 2516	Community Development	To establish grant budget for SANE – 2010 and SANE3 – FY 2010.	
			3140	88,274
			3140	88,274CR
				0*
639-09 E	BA 2512	Community Development	To establish grant budget for Metropolitan Medical Response System – FY 2010.	
			3200	311,000
			3200	311,000CR
				0*
640-09 F	BA 2517	Community Development	To establish grant budget for Mobile Police Data Computer Network – FY 2010.	
			3200	71,854
			3200	71,854CR
				0*

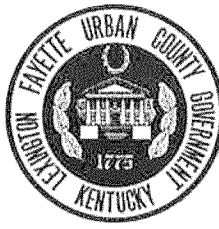
EFFECT ON FUND BALANCES

FUND 2518	0*	NO EFFECT ON:	2009 BOND PROJECTS
FUND 3140	0*	NO EFFECT ON:	US DEPARTMENT OF JUSTICE
FUND 3200	0*	NO EFFECT ON:	US DEPARTMENT OF HOMELAND SECURITY
FUND 3210	0*	NO EFFECT ON:	US DEPARTMENT OF ENERGY

Budget Information For New Business Items
October 27, 2009 Work Session

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Item	Number	Amount	Fund	Name / Description
A	636-09	71,459.44	2518	2009 Bond Projects Fund Budget Journal
B	641-09	NA		
C	633-09	10,574	3140	US Department of Justice Budget Journal
D	638-09	88,274	3140	US Department of Justice Budget Journal
E	639-09	311,000	3200	US Department of Homeland Security Budget Journal
F	640-09	71,854	3200	US Department of Homeland Security Budget Journal
G	634-09	2,624.88	3300	Grants – Other
H	635-09	Budgeted	3120	US Department of Housing and Urban Development
I	637-09	2,753,800	3210	US Department of Energy Budget Journal



636-09

12

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

RECEIVED

OCT 28 2009

GENERAL SERVICES
COMMISSIONER'S OFFICE

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor
Kimra Cole, General Services Commissioner

FROM:


Jerry Hancock

RE: Coolavin Neighborhood Building

DATE: October 20, 2009

This is a request for Council approval of the movement of funds in the amount of \$50,000.00 into a capital account within Parks to allow for completion of the Coolavin Neighborhood building. This request is to further approve change order #1 under contract 893 in the amount of \$71,459.44.

Construction started on the Coolavin neighborhood building in July 2009 after several archaeological findings of an earlier orphanage were located on the proposed site. Subsequent changes to substandard soils caused additional cost increases. Use of federal funds and the required approvals, further delayed the project.

A proposed "2008-2009 Additional Bonds Projects" list included \$50,000 for Coolavin Neighborhood Building which was approved under resolution 668-08 and has been relied upon to begin construction. These funds are now needed to cover the change order which in large part, is due to the long period of time since the original contract was approved by Urban County Council under Ordinance 343 of 2006. Significant negotiations have resulted in the change order of \$71,459.44. In order to pay for the change order from the project fund, the additional \$50,000.00 promised in 2008 is now needed.

CONTRACT HISTORY FORMContractor: Schaefer Properties LLCProject Name: Coolavin Park Community BuildingContract Number and Date: #893 Ordinance 343.2006Responsible LFUCG Division: Parks & Recreation**CHANGE ORDER DETAILS****Summary of Previous Change
Orders To Date****Dollar Amount****Percent Change to
Original Contract**A. Original Contract Amount: \$ 289,750.00B. Cumulative Amount of
Previous Change Orders: \$ 0.000% %
(Line B / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 289,750.00**Current Change Order**D. Amount of This Change Order: \$ 71,459.4425% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 361,209.44125% %
(Line E / Line A)**SIGNATURE LINES**Project Manager: Michelle KosienczakDate: 7/10/09Reviewed by: [Signature]Date: 7/10/09

Division Director: _____

Date: _____

Date: 7/10/09
Project: Coolavin Park Community Building
Location: Coolavin Park
Contract No 893
Change Order No. 1

Contract No 893

Change Order No. 1

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	See attached revised proposal dated June 2, 2009 and revised price from 21st Century Plumbing		\$71,459.44
	Change in contract price due to this Change Order:		71,459.44
	Total decrease	\$0.00	XXXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$71,459.44
	Net (increase) contract price		\$71,459.44

Recommended by Michelle Mosienau (Superintendent) Date 7/16/09
Accepted by Jim Schumpr (Contractor) Date 7-16-09
Approved by Samuel (Director) Date 7/16/09
Approved by _____ (Commissioner) Date _____
Approved by _____ (Mayor or CAO) Date _____



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

MEMORANDUM

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

FROM: 
Jerry Hancock

RE: Facility Usage Agreement

DATE: October 2, 2009

This is a request for Council approval of a Facility Usage Agreement between the Lexington-Fayette Urban County Government and various youth baseball leagues.

These agreements are for the purpose of providing youth sports for the youth of the community by utilizing Park facilities.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac



633-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: OCTOBER 15, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE U.S. DEPARTMENT OF JUSTICE FOR THE PURCHASE OF
BULLETPROOF VESTS— FY 2010**

On July 2, 2009 (Resolution No. 489-2009), Council approved the submission of an application to the U.S. Department of Justice requesting federal funds for the purchase of bulletproof vests for the Division of Police, Division of Fire and Emergency Services, and the Fayette County Sheriff's Office.

The purpose of the Bulletproof Vest Partnership Grant Acts of 1998 (Public Law 105-181 and 2000 Public Law 106-517) is to save the lives of law enforcement officers by helping States and units of local governments equip their law enforcement officers with armor vests. The application can only be submitted by the local government. All law enforcement agencies in Fayette County that want to participate in the program must do so in a unified application with the lead entity being the LFUCG. A 50% local match is required. In the application, Division of Police requested funds for the purchase of 46 vests; the Division of Fire and Emergency Medical Services requested funds for the purchase of ten vests; and the Fayette County Sheriff requested funds for the purchase of ten vests. A total of \$25,270 in federal funds was requested.

The U.S. Department of Justice has offered the LFUCG an award of \$5,287. A 50% match is required. The Division of Police will be budgeted with \$1,763 and the Division of Fire and Emergency Services will be budgeted with \$1,762. Match funds in the amount of \$3,525 is budgeted in the Division of Police's 2010 general fund budget. Funds in the amount of \$1,762 will be offered to the Fayette County Sheriff. The sheriff will provide match from her own budget. Each division/agency will be able to purchase four-five vests.

Council authorization to accept the award is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety



638-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: OCTOBER 19, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY
JUSTICE CABINET UNDER THE VIOLENCE AGAINST WOMEN ACT
PROGRAM FOR THE CONTINUATION OF A S.A.N.E. PROGRAM IN
FY 2010**


The Division of Police has prepared an application for submission to the Kentucky Justice Cabinet requesting federal funds in the amount of \$48,093 from the Violence Against Women Act (VAWA) Program for the continuation of a Sexual Assault Nurse Examiner (S.A.N.E.) program in the Division of Police as a response to sexual assault for females fourteen and above. The Division of Police, the Commonwealth Attorney's Office, the Fayette County Attorney's Office, and the Bluegrass Rape Crisis Center have collaborated on the planning and implementation of this project and have agreed to provide a coordinative response to the victims of sexual assault.

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

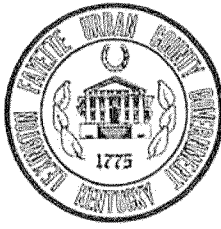
Total project costs for a 12-month period will be \$88,274. Of this total, the request for federal funding is \$48,093. Local match in the amount of \$16,031 is budgeted in the Division of Police's FY 2010 general fund budget. Funds will be used for contractual services, emergency

room space, medication costs, cell phones, training and supply and equipment costs. It is projected that during a full project year, as many as 130 sexual assault examinations will be conducted. It is estimated that the S.A.N.E. Coordinator will perform approximately 25 of these exams in the course of her work. The remaining 105 exams will be performed by S.A.N.E.s working under contract. It is anticipated that the state's Crime Victims Compensation Fund will pay \$200 for each of these exams, for a total estimated state revenue of \$21,000. The LFUCG pays the nurses at a rate of \$230. The remaining \$30 per exam (\$3,150 total) is included in grant match.

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


Paula King, Director

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



639-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

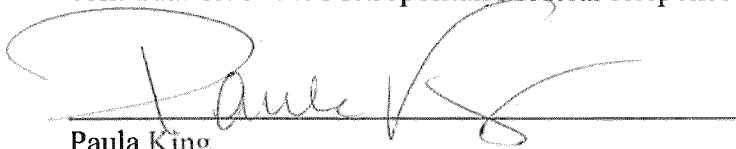
DATE: OCTOBER 19, 2009

**SUBJECT: AUTHORIZATION TO ACCEPT AWARD FROM THE KENTUCKY
OFFICE OF HOMELAND SECURITY FOR CONTINUATION OF THE
METROPOLITAN MEDICAL RESPONSE SYSTEM—FY 2010**

The Kentucky Office of Homeland Security has offered the Lexington-Fayette Urban County Government federal funds in the amount of \$311,000 for continuation of the Metropolitan Medical Response System (MMRS). This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the MMRS program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community. These are federal funds that originate from the Federal Emergency Management Agency in the U.S. Department of Homeland Security.

The Kentucky Department of Homeland Security has approved an award amount of \$311,000. These funds will be used to support the MMRS Project Coordinator (salary and benefits), purchase of minor equipment, professional services, operating, travel, and purchase of capital equipment that includes a patient tracking system, a mobile satellite communications system, and partial funding for a Medical Ambulance Bus.

Council authorization to accept award from the Kentucky Office of Homeland Security for continuation of the Metropolitan Medical Response System (MMRS) is hereby requested.



Paula King
Director

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



640-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: OCTOBER 19, 2009

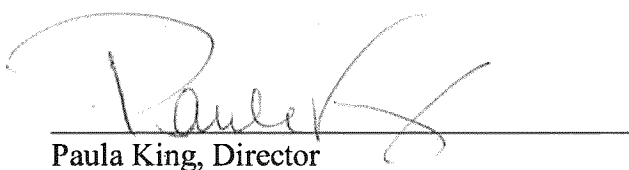
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FEDERAL FUNDS FROM THE KENTUCKY OFFICE OF
HOMELAND SECURITY UNDER THE 2009 STATE HOMELAND
SECURITY GRANT PROGRAM FOR POLICE MOBILE DATA COMPUTER PROJECT** *NETWORK*

On May 14, 2009 (Resolution # 375-2009), Council approved the submission of a grant application to the Kentucky Office of Homeland Security, under the Fiscal Year 2009 Homeland Security Grant Program, for the purchase of equipment for the Division of Police's Mobile Data Computer *NETWORK* system. The state agency has approved an award of federal funds in the amount of \$71,854.00 for this project.

Federal funds will be used for purchase of 19 mobile data computers and six handheld mobile data computers.

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

Council authorization to accept the award is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

TO: JIM NEWBERRY, MAYOR

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: OCTOBER 15, 2009

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1 WITH ELZA CONSTRUCTION FOR SITE PREPARATION OF PROPERTY LOCATED AT 898 GEORGETOWN ROAD

On April 9, 2009 (Ordinance No. 48-2009), Council accepted bid of Elza Construction, LLC, in the amount of \$540,335.25 for the demolition and site preparation of property at 898 Georgetown Road. Property will be used by the Lexington-Fayette Urban County Housing Authority for the construction of single family units. The Division of Engineering has negotiated Change Order number 1 in the amount of \$2,624.88 for the addition and deletion of materials and labor. The new total is \$542,960.13.

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3300	160201	0001	91715	UDAG 1992	1992	OTH GRANT1

Council authorization to execute Change Order No. 1 is hereby requested.

Paula King
Director

Cc: Michael Webb, Commissioner of Public Works

CONTRACT HISTORY FORM (Change Order #1)

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Contractor: Elza Construction

Project Name: Demo and Site Preparation for 898 Georgetown Road

LFUCG Ordinance # and Date: 48-2009 April 9, 2009

Responsible LFUCG Division: Division of Engineering

CHANGE ORDER DETAILS

A. Original Contract Amount: \$540,335.25

Next Lowest Bid Amount:
\$ XXXXXXXXXXXXXX

B. Amount of Selected Alternate or Phase: \$N/A

C. Cumulative Amount of All Previous Alternates or Phases: \$N/A

D. Amended Contract Amount: \$540,335.25

E. Cumulative Amount of All Previous Change Orders: \$0.00 0.0%
(Line E / Line D)

F. Amount of This Change Order: \$2,624.88 0.5%
(Line F / Line D)

G. Total Contract Amount: \$542,960.13

SIGNATURE LINES

Project Manager:



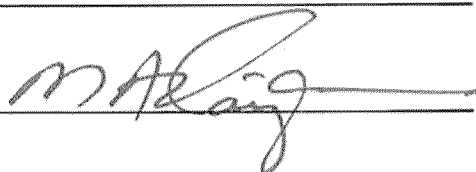
Date:

10/6/09

Reviewed by:

Date:

Division Director:



Date:

10/8/09

LEXINGTON-FAYETTE

URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Page 1 of 2

Date: October 5, 2009

Project: Demo and Site
Preparation for 898 Georgetown
Road

Location: Georgetown Road

To (Contractor)

Elza Construction
442 West Highway 30
East Bernstadt, Ky 40729

LFUCG Ordinance No. 48-2009

Change Order No. 1

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You are hereby requested to comply with the following changes from
The contract plans and specification;

Item No. (1)	Description of changes-quantities, unit prices, changes in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
9	(Delete) Bituminous Asphalt Surface by 155 TN @ \$76.00 per T.N.	\$11,780.00	
54	(Add) Construction of 5' Wide Sidewalk for 50' @ \$35.44 per L.F.		\$1,772.00
55	(Add) Septic Tank Removal and Fill Placement for \$2,050.00 Per L.S.		\$2,050.00
56	(Add) Tree Removal for Sidewalk Extension for \$3,190.00 per L.S.		\$3,190.00
57	(Add) Undercut, and Fabric Placement for Sidewalk Extension for \$2,070.00 per L.S.		\$2,070.00
58	(Add) Excavation of unsuitable building material (trash pit)		\$2,400.00
59	(Add) Landfill / disposal fee of unsuitable building material		\$2,922.88
Total decrease		\$11,780.00	XXXXXXXXXXXX.XX
Total increase		XXXXXXXXXXXX.XX	\$14,404.88
Net (increase) contract price			\$2,624.88

The sum of **\$2,624.88** is hereby added to the contract price, and the total
adjusted contract price to date thereby is **\$542,960.13**.

The time provided for completion in the contract and all provisions of the
contract will apply hereto.

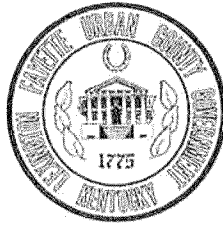
Recommended by *Art C. Park* (Proj. Engr.) Date 10/6/09

Accepted by *[Signature]* (Contractor) Date 10/07/09

Approved by *[Signature]* (Urban Co. Engr.) Date 10/8/09

Approved by *[Signature]* (Commissioner) Date

Approved by *[Signature]* (Mayor or CAO) Date



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: OCTOBER 15, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE PURCHASE
CONTRACTS, DEEDS TO PURCHASE PROPERTIES AND ALL RELEVANT
DOCUMENTS FOR THE PURCHASE OF PROPERTIES FOR LAND BANKING
ACTIVITIES AS APPROVED UNDER THE NEIGHBORHOOD STABILIZATION
PROGRAM**

On June 25, 2009 (Ordinance No. 123-2009), Council approved the acceptance of an award from the Kentucky Department of Local Government for \$1,371,047 in federal funds under the Neighborhood Stabilization Program (NSP) for the acquisition of foreclosed properties, disposal, and maintenance of distressed homes and demolition of blighted structures.

The properties will be located in census tracts 1, 2 (except block group 4), 3, 4, 10, 11, 13, 14, 15, 16, 19, 20, 34.04 (block groups 1 and 3), 35.02, 38.01, 39.01, and 40.01 (block group 1). The blighted units will be demolished and offered to for-profit and nonprofit organizations that will redevelop properties for affordable housing opportunities for low-income households (below 80% of area median income.) All of the properties will require appraisal's and surveys.

The current project deadline to purchase all properties is June 1, 2010, of which 50% should be obligated by January 30. In most cases, the timeframe to execute Purchase Contracts and/or other binding documents is limited and Council authorization prior to purchase would reduce the overall purchasing opportunities. Therefore, Council authorization to execute Purchase Contracts, deeds, and all other relevant documents in regards to the purchases, including eligible properties available at Master Commissioner Sales as defined by the NSP regulations is hereby requested.

Paula King
Director

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



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: OCTOBER 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF
ENERGY UNDER THE ENERGY EFFICIENCY AND
CONSERVATION BLOCK GRANT PROGRAM**

The American Recovery and Reinvestment Act of 2009 appropriated funding for the Department of Energy to award formula-based grants to units of local government under the Energy Efficiency and Conservation Block Grant (EECBG) Program. Authorization for this program is set forth in Title V, Subtitle E of the Energy Independence and Security Act of 2007.

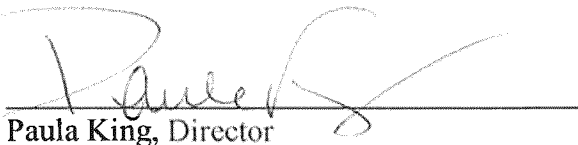
The LFUCG is eligible to receive a formula grant of \$2,753,800. No matching funds are required. Funding has been requested for the following projects:

1. Energy Management Technology for purpose of monitoring and analyzing LFUCG's energy consumption. Funds in the amount of \$180,000 will be used for equipment, supplies, and professional services to facilitate benchmarking and to identify needed energy efficiency improvements.
2. Energy Retrofits in the amount of \$1,112,800 to make energy efficiency improvements to LFUCG's buildings and facilities. Funds will be used for repairs and capital improvements.
3. Community Energy Awareness in the amount of \$297,000 to educate the community on the benefits of energy efficiency. Funds will be used for internship salaries, training, supplies, professional services (Energy Advisor) and energy tracking software for public use.
4. Community Energy Retrofits in the amount of \$314,000 to provide grants to nonprofit organizations in Fayette County to reduce energy consumption. Funds

will be used to upgrade lighting, HVAC, hot water and building shell components.

5. Traffic Management Technology in the amount of \$500,000 for the partial funding of new traffic management software and purchase and installation of advanced traffic signal controllers to improve traffic flow for all modes of transportation on Fayette County roadways.
6. Community Bike Program in the amount of \$175,000 for purchase of a fleet of conveniently located bikes (approximately 52) at automated check-out stations throughout downtown Lexington, the university, and bike trails. It is anticipated that these bikes will be used to replace short-distance car trips.
7. Green Roof Education Program in the amount of \$25,000 for the conduct of a conference/workshop to educate building owners and operators on the advantages and design of green roofs to encourage their use on Lexington buildings.
8. Recycling Efficiency Program in the amount of \$150,000 for purchase of two waste compactors (one waste and one recycling) in a downtown restaurant district to reduce sidewalk congestion, reduce waste-pick up points and truck idling time, and to increase recycling participation. This activity will also purchase three mobile recycling trailers and two enclosed trailers for use in public parks to facilitate recycling in parks and during special events.

Council authorization to accept the award is hereby requested.



Paula King, Director

Xc: Cheryl Taylor, Commissioner, Department of Environmental Quality

URBAN COUNTY COUNCIL PLANNING COMMITTEE SUMMARY

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October 20, 2009

Planning Committee was convened at 1:00 PM. All committee members present. CM Doug Martin attended as a non voting member.

I. Student Housing Task Force - Lawless

Officer Keith Gaines presented a pilot proposal for student housing. One recommendation was a “seal of approval” sticker certifying houses have been inspected. This information would be included on a web site and could be accessed as a reference by parents and students searching for student housing. The web site would also serve as a resource for landlords, renters and property owners who are willing to submit their properties for inspection. He said the policing part of the program would use the sticker for identification and if there is a problem the property owner and location will be easier to access to assist with resolution.

Feigel commented saying this plan is a good start but felt the issue is multi faceted and needs to be taken a step further. She wanted to know if the proposal pertains only to UK boundary areas.

Gaines said it did not, since student housing is located throughout Lexington.

Blues was concerned about property owners that opted not to participate in the program and how to make rental housing safe for everyone.

David Jarvis – Code Enforcement responded, even properties outside the program would still be subject to code enforcement regulations and any sub standard properties would be dealt with accordingly. He explained the pilot program is designed to address immediate needs and the recent boom of student housing issues such as density, trash and noise. He added a voluntary effort on the part of land lords would help alleviate a need for more code enforcement resources.

Ellinger asked are schools in other areas participating in programs such as this and wanted to know who would be designated as a clearinghouse for the program. He asked about start up costs and if LFUCG would need to designate funds for it.

Gaines explained the ideas in the plan came from several other universities, such as the University of Michigan. He said the plan offers some type of solution and could be a start to grow from. He said the web site would be the obvious answer as a clearinghouse. In reference to cost of the program, Gaines envisioned a public partnership with land lords, the university and others.

Jarvis said the “seals or sticker” proposed would be the most costly item. There would also need to be assessment of administrative costs and designation of where the money goes, which would most likely be the general fund.

Lawless requested to speak but said she would reserve comment until after the committee hears from University of Kentucky representatives who were scheduled to speak at today’s committee meeting.

James had questions about tenant rights and what ordinances or statutes prevail; she talked about how police cite and the land lord tenant act. This is not an issue of student housing but absentee landlords.

Gaines said standards of leases will be part of the program and can uphold a higher standard than other lease agreements. There is no difference in this program than current, existing rules/regulations for property owners, except the element of working in partnership to better communicate issues.

Martin said he sees this as two separate issues, one being density the other being behavior of residents in specific neighborhoods. He suggested increasing police presence and fines. He agreed with Blues comments about landlords who do not volunteer to participate in the program. He’s not sure the bad landlords would be captured by this plan. He asked if violations or violators will be treated differently when in this plan or not and if the fines and certification system need to be differentiated?

Stinnett asked who would be the primary person to administer this program, expressing concern the program might “get away from us” and could grow into very labor intensive oversight. He added UK is not the only campus, mentioning Transylvania and BCTS.

Chair Gorton introduced Tom Harris, UK Vice President who addressed the contention that UK has not been at the table on this issue. He said they were engaged in many ways such as Town and Gown Commission and site visits to other university campus looking at their processes. He commented on UK’s Top 20 business plan, saying the contention that UK is going to build housing for 7000-8000 new students is not true; actually their plan is for much more modest growth.

Lawless stated she would like to see the web site in the proposed pilot plan maintained by UK not LFUCG. She asked UK to “beef up” it’s off campus code of conduct to include violations against private citizens not just another UK student. She said the problems of a few create a bad name and tension in neighborhoods.

Gray said he felt UK had not made this issue a priority. He too said these matters were not on his radar until serving as co-chair of the Town and Gown Commission. He felt UK has been absent until recently when the “heat” has been dialed up. He mentioned UK’s decision regarding alcohol on campus and not on campus, and

Cooperstown renovations. He said an off- campus housing office should be an option offered by UK.

Blues told UK personnel he appreciated their commitment to be at the table and that as a community, everyone should have a stake in preserving neighborhoods. This is an issue of safety, civic duty and common decency.

Beard said 8-10 students living in vinyl box additions is no way to encourage quality education.

Feigel asked what UK could offer to help deal with the problem. She said perhaps we are talking to the wrong people asking for a meeting with UK Board of Trustees.

Mr. Harris said he would carry that message back to the Chair.

Martin said as long as these discussions have been going on, we really expected some proposals from UK today. Its one thing to be at the table but a different to contribute with possible solutions to the problem.

Stinnett commented UK has attempted to have dialog and invited council members to an earlier meeting about economic development and only three council members attended.

Gorton told the committee she was looking at possible dates to hold a special planning committee meeting.

Motion to adjourn meeting at 3:00 pm

No motions resulting from today's proceedings.