

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
December 7-December 14, 2009**

LFUCC Winter Recess December 9, 2009-January 10, 2010

Monday, December 7

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

Tuesday, December 8

Affordable Housing Trust Fund Task Force Meeting.....10:00 am
Conference Room-5th Floor Government Center

Outside 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

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

Council Meeting.....6:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, December 9

Policemen's & Firefighter's Retirement Pension Board Meeting.....9:00 am
Council Chambers-2nd Floor Government Center

Transportation Technical Coordinating Committee (TTCC) Meeting.....9:00 am
Conference Room-7th Floor Phoenix Building

Traffic Safety Coalition (TSC) Meeting.....10:30 am
Conference Room-3rd Floor Phoenix Building

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

Noise Ordinance Task Force Meeting.....5:00 pm
Conference Room-5th Floor Government Center

Thursday, December 10

Mobility Planning Services Institute Committee Stakeholder Meeting.....10:00 am
Conference Room-5th Floor Government Center

Friday, December 11

Mayor's Task Force on Breast Cancer.....10:00 am
Conference Room-5th Floor Government Center

Monday, December 14

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

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WORK SESSION AGENDA

December 8, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, December 1, 2009, pp. 3-9**
- IV. Budget Amendments – Yes, pp.10-13**
- V. New Business, pp. 15-19**
- VI. Continuing Business / Presentations**
 - A. Water Resources Oversight Committee(separate, not in packet)**
 - B. Special Intergovernmental Committee, pp.20-23**
 - C. Services Committee(separate, not in packet)**
 - D. Lyric Theatre Monthly Report (Attached-for informational purposes only), pp.24-25**
 - E. Purchase of Development Rights Program Update
Mr. Billy F. Van Pelt, Program Director**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Amend Resolution No. 212-2009 Regarding Bid Contract with Claunch Construction, LLC for the Radcliffe Road Stormwater Improvements Project. (717-09) (P. King/Taylor)
 This request will authorize an amendment to Resolution No. 212-2009 for change of fund source regarding bid contract with Claunch Construction, LLC for the Radcliffe Road Stormwater Improvements Project. LFUCG was awarded federal funds in the amount of \$237,000 from the Environmental Protection Agency through Kentucky Infrastructure Authority for this project.**pp.15-16**
- B. Authorization to Amend the HOPE VI Professional Service Agreement with the Lexington Housing Authority (LHA) on Behalf of the Department of Social Services. (718-09) (Helm)
 This request will authorize an amendment to extend the agreement date from December 13, 2009 to June 30, 2011 to the HOPE VI Professional Service Agreement on behalf of the Department of Social Services to continue the community and supportive services of the HOPE VI Revitalization Grant for Bluegrass / Aspendale with specific tasks to be performed for the duration of the HOPE VI Revitalization Grant.**p.17**
- C. Authorization of a designation of Applicant's Agent for LFUCG under the Disaster Relief Act of 1974 (Public Law 93-288), as Amended. (715-09) (Dugger/Bennett)
 This request will authorize the appointment of Linda L. Rumpke, Commissioner of Finance and Administration, as the designation of Applicant's Agent on behalf of LFUCG. The designee will have authority to execute for and on behalf of LFUCG to obtain federal financial assistance under the Disaster Relief Act of 1974 (PL 93-288), as amended.**p.18**
- D. Authorization of an Agreement with Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the IED Training Project. (719-09) (P. King/ Bennett)
 This request will authorize an agreement to extend the completion date from December 31, 2009 to June 30, 2010 with KOHS on behalf of the Division of Police to complete the IED Training Project.**p.19**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

December 1, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present except CMs Beard and Feigel.

I. Public Comment – Issues on Agenda-None

Mr. Adrian Ellis from Lincoln Center in New York made comments.

II. Requested Rezoning / Docket Approval-Yes

A Police Disciplinary Hearing was scheduled for January 11, 2010 at 3 pm.

A motion by CM Blues to place on the docket for Thursday, December 3, 2009 meeting, an ordinance authorizing the Mayor to accept a grant from the Kentucky Transportation Cabinet in the amount of \$6,375,000 Federal funds arising from the American Recovery and Reinvestment Act for Phases 1 and 2 of the Legacy Trail Project and the Downtown Streetscape Project and approaching funds pursuant to schedule No. 0097, seconded by CM McChord, passed without dissent.

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

III. Approval of Summary-Yes

A motion by CM Crosbie to approve the summary from November 24, 2009, seconded by CM Gorton, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM Henson to remove budget journal 38851 from consideration of Budget Journals on page 10 of the Work Session packet. This item for Fire and Emergency Services provides funds for Bluegrass Emergency Response Team but does not require Council approval and should not be included on this list, seconded by CM Crosbie, passed without dissent.

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

V. New Business

- A. Authorization of a Rental Agreement with Lexington Center Corporation on Behalf of the Commission for Citizens with Disabilities for the Celebration of Disability Expo and Medicaid Waiver Fair. (694-09) (Helm)
- B. Authorization to Accept an Award from the Kentucky Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) on Behalf Department of Public Safety, Division of Emergency Management / 911 for FY2010 Emergency Management Assistance Project. (695-09) (P. King/ Bennett)
- C. Authorization of a Memorandum of Understanding (MOU) with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training (DOCJT) on Behalf of the Department of Public Safety, Division of Police for Participation in the Cold Case Resolution Pilot Project. (700-09) (P. King/ Bennett)
- D. Authorization to Extend Agreement with Kentucky Office Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the Bomb Squad Enhancement Project. (699-09) (P. King/ Bennett)
- E. Authorization of an Agreement with the Kentucky Office of Homeland Security (KOHS) for Continuation of the Metropolitan Medical Response System (MMRS) Project. (701-09) (P. King/Bennett)
- F. Authorization to Extend Agreement with Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the IED Attack Deterrence Project. (704-09) (P. King/Bennett)
- G. Authorization of Agreements with Various Entities for Performance of Services under the 2008 Project Safe Neighborhood Grant. (708-09) (P. King/Bennett)
- H. Authorization of a Statement of Concurrence with the Louisville Metro Government Regarding Shared Use of the Frequency Spectrum. (702-09) (Lucas/Bennett)
- I. Authorization to Amend Section 14-10(f)(10) of the Code of Ordinances Relating to the Posting of Addresses. (703-09) (Lucas/Bennett)

- J. Authorization of Agreements with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training on Behalf of the Department of Public Safety, Division of Police. (710-09) (Bastin/Bennett)
- K. Authorization of an Agreement with the University of North Florida Training and Service Institute, Inc. (d/b/a the Institute of Police Technology and Management) on Behalf of the Department of Public Safety, Division of Police. (711-09) (Bastin/Bennett)
- L. Authorization of a KYOPS User Agreement with the Kentucky State Police (KSP) on Behalf of the Department of Public Safety, Division of Police. (712-09) (Bastin/Bennett)
- M. Authorization of a Change Order No. 1 to Contract with Randle-Davies Construction Company for the Town Branch Trail Project – Phase 1B. (FINAL) (693-09) (P. King/Webb)
- N. Authorization of Permanent Easements for the South Limestone Streetscape Project. (696-09) (Rayan/Webb)
- O. Authorization of Change Order No. 9 to Contract with ENTRAN (f/k/a American Consulting Engineers, PLC) for the Newtown Pike Extension Project – Phase I and IV. (705-09) (P. King/Webb)
- P. Authorization of a Definitive Relocation Agreement (Special Construction Agreement) with Insight Kentucky Partners, II, LP, for the South Limestone Streetscape Project. (697-09) (Webb)
- Q. *Authorization to Amend Section 21-5 of the Code of Ordinances on Behalf of the Department of Public Works and Development. (698-09) (Allen/Webb)
- R. Authorization to Amend Ordinance No. 188-2009 to Correct a Clerical Error of Salary Increase Percentage. (593-09) (Allen/Taylor)
- S. Authorization of Change Order No. 2 to Contract with Marillia Design and Construction for the McConnell Springs Wetland Demonstration Area Project – FY2010. (FINAL) (714-09) (P. King/Taylor)
- T. Authorization of Amendment No. 1 to Management Agreement with Kentucky Theater Management Group, Inc. (709-09) (Baradaran/Cole)
- U. Authorization of a Loan Agreement with Russell School Community Service Center, Inc. for use of Community Development Block Grant (CDBG) Funds for Rehabilitation of Russell Elementary School Property. (706-09) (P. King/ Rumpke)

- V. Authorization of an Agreement with Community Action Council for use of Community Development Block Grant (CDBG) Funds for Energy Efficiency Improvements in Private Housing. (713-09) (P. King/Rumpke)
- W. Authorization to Approve 2010 General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. (707-09) (Rumpke)

A motion by CM Gorton to approve new business items A-W, seconded by CM Ellinger, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Inter Governmental Committee Report

This report was first deferred until the end of presentations because the Dept. of Law was working on a resolution for Chair CM James.

A motion by CM James to place the Council rules and procedures resolution on Thursday's docket, seconded by CM Lawless was amended by CM Lane to be tabled until the first work session in 2010, was then amended to be tabled until the first COW meeting in January (1/19/10), seconded by CM Ellinger after which CM James then requested a friendly amendment to table until the first Inter Governmental Committee meeting in January but that motion failed for lack of second, was then passed by a 11-2 vote.

B. Planning Committee Report

This report was given by Chair CM Gorton. There were 4 motions to come forward.

A motion by CM Gorton to refer to the Building Inspection Task Force the issue of safety inspection processes including issues related to Building Inspection, Code Enforcement, and Fire Dept, seconded by CM Ellinger, passed without dissent.

A motion by CM Gorton to change verbiage in revised motion from recommends to endorse the concept of SHIPP (Student Housing Initiative Partnership), seconded by CM Henson, passed without dissent.

A motion by CM Gorton to address recommendations 5 and 6 (revised definition of family zoning ordinance and amend ordinance to prohibit parking in rear yards except on approved surfaces that are permeable in compliance with all other ordinances) in a January or February 2010 Planning Committee, review of residential zoning laws, passed without dissent.

A motion by CM Gorton to remove: place reasonable time limits for completion of construction projects approved for existing ½ family residential

building permits and fence retaining wall permits, from Planning Committee and refer to Building Inspection Task Force, seconded by CM Lawless, passed without dissent.

C. Report of Mortgage Lending

This report was given by Dr. Judy "J J" Jackson, Chair of Mayor's Commission on Mortgage Lending Practices. Several CMs made comments and asked questions.

A motion by CM James to reinstitute the "Don't borrow trouble" program with Council NDF money of the amount of \$250 from each CM, seconded by VM Gray, failed by a 3-10 vote.

D. Red Mile Project Update

This update was given by John Farris and Stan Harvey, Urban Collage. Several CMs and the mayor made comments and asked questions.

VII. Council Report

CM Stinnett-Stated that the first Building Inspection Task Force was held today and the next meeting will be on 1/14/10 at 3 pm; gave special thanks to Tony Westley of Waste Management who went above and beyond his job duties; sent condolences to Building Inspection Director Dewey Crowe who loss his father recently; reminded the CMs of the next bonding workshop this Thursday at 4 pm.

CM Lawless-Announced the Ayelsford NA will meet tonight at 7 pm; also announced the KY Ballet will be performing the Nutcracker on December 12th-14th.; reminded everyone that today was National AIDS Day and there will be a gathering at several places and ending at Triangle Park.

A motion by CM Lawless to move that the Eldemere Avenue parking permit and 700 Block of Melrose and Beaumont Avenue parking permit requests be sent to the Services Committee for consideration, seconded by CM Gorton, passed without dissent.

CM Blues-Announced that the residents of Georgetown Street Area and St. Martin NAs will be receiving flyers announcing a meeting on Dec. 10 at 7 pm at the O'Rear Center referencing changes coming to the neighborhood-BCTS moving to the Eastern State campus; on 12/5 Meadowthorpe NA potluck at 6:30 pm; on 12/7 Georgetown Street Area NA will have their Christmas potluck at 6 pm and at 7 pm Green Acres/Hollow Creek/Breckinridge NA will have their Christmas potluck.

A motion by CM Blues to approve the NDF list, seconded by CM Lawless, passed without dissent.

CM Henson-A motion by CM Henson to accept the Division of Traffic Engineering's recommendations to lower the posted speed limit to 25 mph on Alexandria Drive between Versailles and Viley Roads and on Delmont Drive, seconded by CM Gorton, passed without dissent.

Thanked everyone who will be participating in the celebrity bell ringing challenge on 12/5 at the Hamburg Wal-Mart.

CM Myers- Stated his time slot for the celebrity challenge; announced the 8th District Christmas potluck to be held on Tuesday at 12:15 pm and the new community center in Gainesway and the email to RSVP is jeremy.bann@gmail.com.

A motion by CM Myers to place the Mayor's Commission on Mortgage Lending Practices into the Services Committee, seconded by CM McChord, passed without dissent.

A motion by CM Myers to place on the docket of the December 3 council meeting an ordinance requiring appointees to boards, agencies, and commissions covered by the provisions of Article seven (7) of the Charter and which require Council confirmation for appointment of members to take an oath of office or oath by affidavit, unless exempt by law, within thirty (30) days of Council confirmation and requiring that the oath by affidavit form be submitted to the office the Council Clerk within fourteen (14) days of completion, seconded by CM Blues, passed without dissent.

CM Martin-Announced the Southland Christmas Tree lighting at 6:30 pm on 12/4; on 12/21 at 2:30-3:30 pm Christmas events at the Beaumont Branch library; on 12/5 the Beaumont YMCA will have a drop and shop day from 1:30-5 pm; on 12/12 there will be a reindeer 5K run at the Beaumont Y.

CM McChord-Thanked DDA and administration for Fridays' activities downtown; stated that we all need to understand the severity of the budget restraints; stated that everything on the bonding list has been approved already; was glad that the proposed Council changes were postponed and complimented Mayor Newberry.

CM Crosbie-Announced that on 12/2 Stewart Hall will meet at 5 pm at 141 Prosperous Place; on 12/7 at 7 pm Fairway at Lakeside will meet; on 12/3 at 8 pm at the Blue Moon there will be a dating game to support the firefighters' for toys program; on 12/19 the toy give a way at the

Walgreens building at the Idle Hour Shopping Center; also stated that game on for CMs Henson and Myers for the celebrity challenge.

CM James-Announced that tonight at 6:30 pm on the 3rd floor in the Phoenix Building, there will be a meeting of the Short and Second St conversion; invited the Transportation stakeholders to the meeting on Wednesday; thanked Mayor Newberry for her being a part of the meetings with Adrian Ellis from the Lincoln Center.

CM Gorton-Sent thoughts and prayers to her Legislative Aide, Melynda Jamison, on the recent passing of her grandfather; also mentioned that several CMs have kept in touch with CM Beard and wish him well in his recovery and she hopes to see him soon back around the horseshoe.

VM Gray-Stated that the Economic Development Task Force will meet on this Thursday and CMs should be ready to offer any criteria.

VIII. Mayor's Report-None

Mayor Newberry stated that many people assisted in last week's holiday festivities; also mentioned that the day spent with Adrian Ellis from New York's Lincoln Center had been remarkable.

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

Many citizens spoke in favor of the issue of the Downtown Distillery District.

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

Work session was adjourned at 6:40 pm.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	39164-65	DIVISION	Environmental Quality	Fund Name Fund Impact	Donation Fund 5,000.00 5,000.00
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To provide funds for operating supplies. This allocation is offset by revenue received last fiscal year from an award for Cans for Cash currently in fund balance for the Donation Fund.

JOURNAL	39168-69	DIVISION	Special Projects	Fund Name Fund Impact	Donation Funds 38,210.00 38,210.00CR .00
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To provide funds for Spotlight Lexington by establishing revenue budget from KAC grant \$15,000, vendor fees from applications \$22,650 and poster revenue \$560.

JOURNAL	39089	DIVISION	Environmental Policy	Fund Name Fund Impact	Urban Fund 130,000.00 130,000.00CR .00
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To provide funds for environmental education and outreach programs on various issues such as recycling, water quality, and energy conservation. The contract will include both print and video media. Funds will come from personnel budget that will not be spent this fiscal year.

JOURNAL	39045	DIVISION	Environmental Policy	Fund Name Fund Impact	Water Quality Fund 23,417.00 23,417.00
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To increase funds in operating account to purchase Lily containers. Revenues received last fiscal year from the Lily Program currently in fund balance for this fund will offset the costs.

JOURNAL	39166-67	DIVISION	Community Development	Fund Name Fund Impact	US Dept HUD 13,000.00 13,000.00CR .00*
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To budget additional Federal Funds for the Douglass Heights Redevelopment Project.

JOURNAL	39093-94	DIVISION	Community Development	Fund Name Fund Impact	US Dept Homeland Sec 585.00 585.00CR .00*
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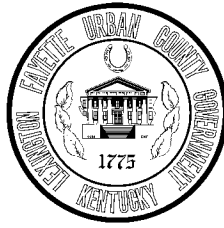
To amend Metropolitan Medical Response System to correct award amount.

JOURNAL	39049-50	DIVISION	Community Development	Fund Name	US Dept Homeland Sec
				Fund Impact	75,000.00
					75,000.00CR
					.00*

To budget an additional \$75,000 in federal funds for CSEPP 2009 for purchase of a medical ambulance bus.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1103	Donation Fund	5,000.00
Fund	1115	Urban Service District Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3200	US Department of Homeland Security	.00
Fund	4051	Water Quality Management Fund	23,417.00



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

Budget Journal Number 39093-94
Requesting Division Community Development
Fund Name US Department of Homeland Security
Fund Number 3200
Contact for Additional Information Irene Gooding--3079

Description

Acceptance of federal funds in the amount of \$311,000 was approved by Council on November 19, 2009 (Ordinance No. 241-2009). Actual award was \$311,585. Budget amendment adds \$585 to Account 44010 (Intergovernmental Revenue-Federal) and add \$585 to Account 71299 (Professional Services-Other).



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE AND ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

Budget Journal Number 39049-50
Requesting Division Community Development
Fund Name US Homeland Security
Fund Number 3200
Contact for Additional Information Irene Gooding-3079
Description

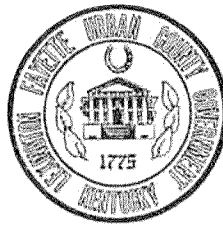
As approved by the KY Dept of Military Affairs, Budget Amendment provides additional federal funds in the amount of \$75,000 (Account 44010) for purchase of a medical ambulance bus (Account 96966) for use in the Chemical Stockpile Emergency Preparedness Program (CSEPP).

Budget Information For New Business Items

December 8, 2009 Work Session

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Item	Number	Amount	Fund	Name / Description
A	717-09	237,000 17,357.25	3170 2522	US Environmental Protection Agency Public Works Bond Fund
B	718-09	NA		
C	715-09	NA		
D	719-09	NA		



717-09

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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: NOVEMBER 30, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO AMEND RESOLUTION
NO. 212-2009**

On March 26, 2009 (Resolution 212-2009), Council approved acceptance of bid (Bid# 215-2008) of Claunch Construction, LLC, in the amount of \$254,357.25 for the Radcliffe Road Stormwater Improvements, the total of which was to be paid for from Fund 2522.

Since the acceptance of this bid, the LFUCG has been awarded federal funds in the amount of \$237,000 from the Kentucky Infrastructure Authority for this project. The source of these federal funds is the Environmental Protection Agency, authorized by the American Recovery and Reinvestment Act of 2009. Council approved acceptance of these funds on June 25, 2009 (Ordinance No. 119-2009).

Use of ARRA funds for this project necessitated revisions to the agreement with the contractor. These revisions include: adoption of an Equal Employment Opportunity Affirmation Action Policy, subcontracts with Disadvantaged Business Enterprises, compliance with federal prevailing wage rates, compliance with the Buy American requirement for iron, steel, and manufactured goods, ARRA reporting requirements, debarment certification, anti-lobbying certification, and whistleblower protection. Claunch Construction, LLC has agreed to all additional federal requirements.

Amendment to Resolution No. 212-2009 is requested modifying the source of funds for this project to the following:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3170	303204	3334	92211	RADCLIFFE 2010	2010	FED GRANT	\$237,000
2522	303204	3334	92211	SWRADCLIF 2007	2007	CONSTRUCT	\$17,357.25


Paula King, Director

Xc: Cheryl Taylor, Commissioner of the Department of Environmental Quality

RESOLUTION NO. 212 - 2009

A RESOLUTION ACCEPTING THE BID OF CLAUNCH CONSTRUCTION, LLC, IN THE AMOUNT OF \$254,357.15, FOR THE RADCLIFFE ROAD STORMWATER IMPROVEMENTS, FOR THE DIVISION OF WATER QUALITY, AND AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AGREEMENT WITH CLAUNCH CONSTRUCTION, LLC, RELATED TO THE BID.

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

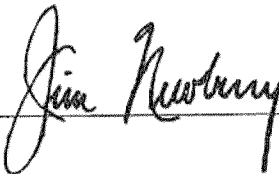
Section 1 - That the bid of Claunch Construction, LLC, in the amount of \$254,357.15, for the Radcliffe Road Stormwater Improvements, for the Water Quality, be and hereby is accepted and approved as to the specifications and amounts set forth in the terms of the bid and Agreement, which are attached hereto and incorporated herein by reference, and the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute the Agreement with Claunch Construction, LLC, related to the bid.

Section 2 - That an amount, not to exceed the sum of \$254,357.25, be and hereby is approved for payment to Claunch Construction, LLC, from account #2522-303204-92211 pursuant to the terms of the bid and Agreement.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 26, 2009

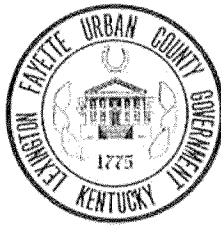
MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: April 2, 2009-lt
DJB:X:\Cases\WATER\09-LE0055\LEG\00202145.DOC



718-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Newberry
Mayor

Marlene Helm
Commissioner

November 20, 2009

MEMORANDUM

TO: Jim Newberry

FROM: Marlene Helm, Commissioner of Social Services

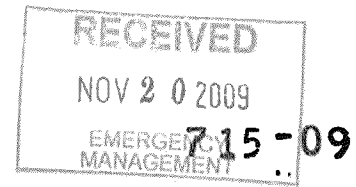
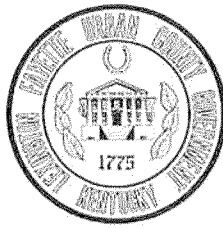
RE: Extension of MOU between the Lexington Housing Authority and LFUCG Department of Social Services

Request Council approval to extend until June 2011, the Hope VI Professional Service Agreement between the Lexington Housing Authority (LHA) and the Department of Social Services (DSS). This agreement, executed on December 13, 2005, authorizes DSS to administer and coordinate the community and supportive services (CSS) component of LHA's Hope VI Revitalization Grant for Bluegrass/ Aspendale until December 13, 2009, in the amount of \$1.5 million.

During recent discussions with HUD, LHA has received approval to continue CSS services beyond the period outlined in the original agreement. The services include, but are not limited to the following:

- Continue to provide direct case management services to former Bluegrass/ Aspendale residents and new residents of the revitalized site including concentrated efforts to link residents to GED programs, job skills and homeownership services.
- Serve as a liaison between LHA and HOPE VI residents who are at risk of losing housing. Aggressively work with residents identified by LHA before they are at the point of eviction.
- Work with LHA to request that HUD modify the current five-year time limitations on residency in new HOPE VI units. If these limitations cannot be changed, offer CSS services to those residents identified by LHA who are nearing the end of their five-year residency.
- Hire and supervise resident mentors to assist with outreach and foster resident participation in CSS activities.
- Identify through resident input any unmet needs or unresolved issues. Summarize these findings and make recommendations for future projects or HOPE VI efforts.

DSS will continue to be compensated for services and reimbursed for related expenses using HOPE VI funds. This agreement will be extended until June 30, 2011.



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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Patricia L. Dugger, Director *PLD*

RE: Designation of Applicant Agent

DATE: November 12, 2009

This is a request authorizing the Mayor to designate Linda L. Rumpke, Commissioner of Finance and Administration, as the Applicant Agent for the Lexington Fayette Urban County Government.

The Urban County Government is required to designate an Applicant's Agent that has the authority to execute for and in behalf of the Lexington Fayette Urban County Government for the purposes of obtaining Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

If you have any questions or need further information, please contact me at 258-3784.

Attachments

xc: Tim Bennett, Commissioner of Public Safety
Emergency Management File



719-09

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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**

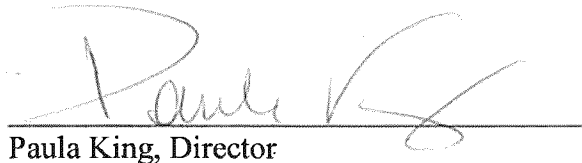
DATE: DECEMBER 1, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND
SECURITY FOR EXTENSION OF THE DIVISION OF POLICE'S
IED TRAINING PROJECT**

On December 4, 2008 (Ordinance No. 260-2008), Council approved the acceptance of federal funds in the amount of \$435,000 from the Kentucky Office of Homeland Security for the Division of Police's IED Training project. This project expires on December 31, 2009.

The Kentucky Office of Homeland Security has offered the Lexington-Fayette Urban County Government an extension through June 30, 2010, so that the project can be completed.

Council authorization to execute the agreement is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

Urban County Council
Special Inter-Governmental Meeting Summary
December 1, 2009

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Council Member James called the meeting to order at 9:05 A. M. Lane and Stinnett were recognized as voting members for a quorum.

Council Standing Committees & Streamlining Council Role - James

Logan Askew, Law Dept. covered items A through L on page 10 of the committee packet. The items are proposed changes to council rules aimed at streamlining the blue sheet and docket process. Susan Lamb, Council Clerk, was on hand to talk about new software to aide with this process.

James asked Askew to cover those items that would not affect the Council Clerk's office. Those were items B, C, D, F, and K.

Lane asked if the Mayor could execute any documents before council is aware of them and suggested adding a 3 day notice insuring every council member is fully advised.

Blues questioned item L regarding change orders and changing threshold to 10% of original contract.

Henson asked about current procedure adopted by council regarding approving projects, contracts. She asked about item F referring to any maintenance cost involved with some donations. She also questioned item J asking for clarification saying it's vague, and maybe should have a cap.

Myers had questions about E, acceptance of bids and concern about bids from sole source vendors and item F acceptance of donations, saying he's in favor of keeping it as part of the docket.

Askew said all this proposed change does is eliminating need for a blue sheet.

Stinnett mentioned transparency talking specifically about item C, some contracts and donations may have political implications. He said there are a couple of changes he would support but could not support others, adding he does not have a problem with the council clerk reading actions taken to the public.

Lawless expressed concern about bids sole source vendors. It's important for council to review asking if there is way for council to review or discuss some items beforehand.

Stinnett reminded the committee that council would not get a vote on these items. Currently council see's these items through new business and council meetings.

Motion by Myers to separate items A, B, D, I and K, moving them forward for approval to include in this proposed resolution, seconded by Blues.

Discussion:

Martin asked if we are approving the changes to the resolution in its entirety and was told no we would have to vote on the other items.

Gray said there is a reason for public readings of actions taken and since he's been on the council better understands the process and need for such.

Blues offered clarification of motion by Myers; we are not approving the resolution itself just the items specified.

James asked Myers to clarify intent of his motion, do you want the items specified to move forward even if the other items listed are not moved forward or adopted?

Feigel suggested taking a look at everything we publish in an effort to make all these items more transparent.

Gray asked about considerations of operational and administration cost associated with these proposed changes.

Martin said he has sympathy for Myers position and agreed there are some issues the legislative branch does not need to supervise the executive branch on. He cited accepting grants as an example. He will support Myers motion.

James reminded committee to be aware of the time and other meetings scheduled concerned with losing a quorum.

Lane questioned Myers about motion. Myers said the intent is to move these items forward to the full council and get them off the table.

Lane talked about issues with legislation and suggested not to consider this as final legislation, adding we need to take another look and be creative.

Motion by Myers to separate items A, B, D, I and K, moving them forward for approval to include in this proposed resolution, seconded by Blues, passed with one nay vote by Gray.

Motion by Myers to accept items G and H amending both to reflect \$25,000 instead of \$50,000 as the cap for execution of contracts, seconded by Lane.

Discussion:

Lawless suggested amendment to G & H, specifying professional service contracts are reviewed when a sole source vendor is not the lowest bidder.

Gray asked for clarification on the motion, adding if the assumption is these actions will streamline the purchasing process he wondered if this will only complicate and prolong it.

James said the intent was to separate the administrative process from the legislative process.

Askew said with respect to professional services Gray's point is well taken.

Lane said all information would be in the form of communication from the Mayor, the idea is to expedite the process for bidding and change orders.

Crosbie said this appears to be two separate issues and suggested putting this in committee.

Motion by Myers to accept times G and H amending both to reflect \$25,000 instead of \$50,000 as the cap for execution of contracts, seconded by Lane, motion passed unanimously.

Myers referred to item J, asking Askew to check with Purchasing and get back to the committee, saying he preferred to wait on that item.

Lawless commented on the purchasing process and approving items such as computers, copiers, etc. that are already budgeted. She said not going through the blue sheet process and having two readings was a time savings in the administrative process.

Motion by Myers to accept change discussed on item L to strike language “and any amendments thereto”, seconded by Lawless, motion passed.

Motion Myers to accept the proposed resolution as amended and exclude items D, E, F, G, H, J and L, seconded by Crosbie, and were not voted on.

Discussion:

Martin suggested another way to make this motion. Myers explained he wants A, B, D, I and K to move forward, motion withdrawn.

Lane suggested incorporating the changes made today and address other items at a later date since we are not yet sure of what we are voting on.

Feigel agreed suggesting taking what we've already done and creating a document out of it.

Motion by Martin to approve item F, seconded by Lane, motion failed.

Myers talked about bringing examples of item F to the next meeting. He said there might be more sustainable items donated.

Feigel asked for list of types of donations made and accepted. This was assigned to Paul Schoninger, Research Analyst.

Susan Lamb reminded the committee if the proposed changes were not passed in its entirety, it will change the entire scope of the software proposal.

Motion to adjourn at 10; 41 am, passed.

Update on Committee Items

Due to lack of time there was no update on items in committee



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

To: Mayor Newberry and Urban County Council Members

From: Joyce Thomas, Project Manager

Date: November 30, 2009

Subject: Monthly Report #3 of Change Orders for Lyric Theatre

In accordance with Section 1 of Resolution No. 593-2009, I am submitting this report of the status of Change Orders to Denham-Blythe's contract for construction of the Lyric Theatre Renovation and Addition. There was one (1) change order approved in November, Number 5. Change Order Number 5 provided soil remediation as described in the summary in the amount of \$13,308.75. Attached is a summary of all change orders approved to date.

Please contact me if you need additional information about this report.

Attachment

Cc: Shaye Rabold
Brian Marcum
w/a

LYRIC THEATRE
MONTHLY CHANGE ORDER SUMMARY
Change Order Summary No. 3
Date: November 30, 2009

Contractor: Denham-Blythe
Original contract: \$5,560,322.66

CO No.	Subject	Approval Date	Amount	Accum. Amount (Max \$150,000)	Amt. Remaining	%Change from Orig. Contract	Accum. % (Max 2.7%)
1	Four items: Relocate wheelchair lift, change windows, add plants, revise entrance mats		\$ 16,313.12	\$ 150,000.00	\$ 133,686.88	0.29%	0.29%
2	Replace existing wall	17-Sep-09	\$ 72,838.01	\$ 89,151.13	\$ 60,848.87	1.31%	1.60%
3	Various items (see list below)	13-Oct-09	\$ (353.77)	\$ 88,797.36	\$ 61,202.64	-0.01%	1.60%
4	Soil remediation (Area #1)	20-Oct-09	\$ 13,936.78	\$ 102,734.14	\$ 47,265.86	0.25%	1.85%
5	Soil remediation (Area #2)	04-Nov-09	\$ 13,308.75	\$ 116,042.89	\$ 33,957.11	0.24%	2.09%
						0.00%	0.00%
						0.00%	0.00%
						0.00%	0.00%
						0.00%	0.00%

Project Manager: Joyce Thomas, 258-3054

- 3 Add items:
Lockable handpump for Stormwater Harvest System
Demolition and install new wall near main entrance
Extend Curb Box Inlet to proper elevation
- 3 Credit items:
Delete sink, fixtures and piping
Deduct sewer tap fee
Change storm water piping from cast iron to PVC
Credit for not replacing steel columns and revising steel column reconditioning requirements
- 4 Soil remediation is the process of modifying existing soils that are not capable of supporting structures to give them adequate strength.
The existing soils in Area #1 had insufficient strength to support a portion of the building.
- 5 The existing soils in Area #2 had insufficient strength to support the concrete slab for the new building. Soil remediation was required for construction to continue.