

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 31-September 7, 2009**

Monday, August 31

No Meetings

Tuesday, September 1

Day Treatment Task Force Meeting..... 9:00 am
Conference Room-5th Floor Government Center

Citizen's Advocate Work Group Meeting..... 11:00 am
Conference Room-5th Floor Government Center

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

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

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

Public Forum (Meeting) re: Ad Valorem Tax..... 7:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, September 2

Masterson Station Park Advisory Board Meeting..... 6:00 pm
Masterson Station Park-Lions Club Bldg

Thursday, September 3

American Recovery & Reinvestment Act Meeting..... 4:00 pm
Conference Room-3rd Floor Phoenix Building

Council Meeting..... 7:00 pm
Council Chambers-2nd Floor Government Center

Friday, September 4

2009 LFUCG Roots & Heritage Festival Coordination team Meeting..... 1:00 pm
Conference Room-5th Floor Government Center

Monday, September 7

Labor Day Holiday-LFUCG Offices Closed

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

September 1, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, August, 18 & August 25, 2009, pp.5-12**
- IV. Budget Amendments – Yes, pp.13-17**
- V. New Business, pp.19-37**
- VI. Continuing Business / Presentations**
 - A. Water Resource Oversight Committee**
 - B. Budget & Finance Committee, pp.38-41**
 - C. Ad Valorem Approval**
 - D. River Cities Project**
 - Dr. Michael Speaks, Dean of the University of Kentucky College of Design**
- VII. Council Report**
 - VII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of an Amendment to the First-Time Homebuyers Program Agreement with REACH, Inc. (525-09) (P. King/O'Mara)
This request will authorize an amendment for additional funds of \$100,000 for the First-Time Homebuyers Program agreement with REACH, Inc. Funds will be reprogrammed from REACH Community Housing Development Organization program under the 2008 Consolidated Plan. The additional funds are requested due to the increase of participants. This amendment will also increase the minimum number of households to be assisted from 15 to 20. There are no other changes associated with this amendment. Funds are budgeted.**p.19**

- B. Authorization to Accept Award from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA) on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (526-09) (P. King/Bennett)
This request will authorize the acceptance of an award of federal funds in the amount of \$13,572 from FEMA for a Fire Prevention and Safety project to implement a Juvenile Firesetter Program (\$4,565) and to purchase a Fire Extinguishers Trainer package (\$12,400). A local match of 20% (\$3,393) is required. Funds are budgeted.**p.20**

- C. Authorization of an Additional Software License Agreement with New World Systems® on Behalf of the Department of Public Safety, Division of Police. (527-09) (P. King/Bennett)
This request will authorize an additional Software License Agreement for the purchase of 32 additional software licenses in the amount of \$58,560 from New World Systems® on behalf of the Division of Police. The additional software licenses will integrate data entry, property and evidence, field investigation and computer aided dispatch into one package. Funds are budgeted.**p.21**

- D. Authorization to Accept an Award from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police (KSP) for *Ticketing Aggressive Cars and Trucks* (TACT) Program. (530-09) (P. King/Bennett)
This request will authorize the acceptance of an award of additional federal funds in the amount of \$25,000 offered by KSP for officer overtime in the performance of TACT activities. A local match of \$6,250 is required and will come from budgeted staff salaries in the Division.**p.22**

- E. Authorization to Submit Application to the Kentucky Department of Military Affairs, Division of Emergency Management (KYEM) on Behalf of the Department of Public Safety, Division of Emergency Management (DEM) / 911 Regarding the Lexington-Fayette County Hazard Mitigation Plan. (532-09) (P. King/Bennett)
This request will authorize the submission of a grant application for federal funds in the amount of \$108,850 (75%) and for state funds in the amount of \$17,400 (12%) to KYEM on behalf of the DEM /911 to reevaluate the risks and impacts to the community, update / revise the Hazard Mitigation Plan, and have the plan in place before the expiration of the current plan on August 30, 2011. A local match of \$18,850 (13%) is required and will be documented from personnel costs of staff members working on the plan.**p.23**
- F. Authorization of a Memorandum of Understanding (MOU) Support Agreement with the Department of Veterans Affairs (VA) on Behalf of the Department of Public Safety, Division of Police Regarding Jurisdiction on VA Property. (528-09) (Bastin/Bennett)
This request will authorize an updated MOU support agreement to replace the MOU support agreement dated April 29, 2008, with the Department of VA on behalf of the Division of Police. The MOU support agreement clarifies the roles of the Federal Bureau of Investigation, the VA Police, and the Division of Police regarding incidents on VA property.**pp.24-26**
- G. Authorization to Accept a Cash Donation from Columbia Gas of Kentucky on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (529-09) (Hendricks/Bennett)
This request will authorize the acceptance of a cash donation of \$250 from Columbia Gas of Kentucky on behalf of the Division of Fire and Emergency Services for the Public Education program.**p.27**
- H. Authorization to Proceed with the Annual Urban Service Legal Process for 2009. (531-09) (Webb)
This request will authorize the Department of Public Works and Development to precede with the annual Urban Service Legal Process for 2009 for the placement of new properties in appropriate tax districts. A **Public Hearing** is required and will be held on Tuesday, October 27, 2009, during Council work session.**pp.28-29**
- I. Authorization of a Modification to Memorandum of Agreement (MOA) for Operations and Maintenance of Traffic Signals and Electrical Traffic Devices on the State Primary Road System with the Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Division of Traffic Engineering. (535-09) (Herrington/Webb)
This request will authorize the approval of a modification to MOA for the operations and maintenance of traffic signals and electrical traffic devices on state primary road system in Fayette County with KYTC on behalf of

the Division of Traffic Engineering. This modification by KYTC will add \$300,000 to the contract amount, for a new total of \$900,000, and extends the contract expiration date from July 1, 2009 to June 2010. There are no other changes associated with this modification. **p.30**

- J. Authorization of Change Order No. 1 to Contract with Denham-Blythe Company, Inc. Regarding the Lyric Theatre and Cultural Arts Center Renovation and Addition Project. (536-09) (Rabold)
This request will authorize Change Order No. 1 to increase contract amount by \$16,313.12 with Denham-Blyth Company, Inc. regarding the Lyric Theatre and Cultural Arts Center Renovation and Addition project. This change order allows general contract changes in the amount of \$15,176.12 and direct purchase order changes in the amount of \$1,137. New contract amount is \$5,576,635.78. Funds are budgeted. **pp.31-33**
- K. Authorization for Mayor to Sign Future Change Orders, if needed. Regarding Contract with Denham-Blythe Company, Inc. for the Lyric Theatre and Cultural Arts Center Renovation and Addition Project.. (533-09) (Rabold)
This request will authorize the Mayor to sign future change orders, subject to certain conditions, to contract with Denham-Blyth Company, Inc. to avoid delays and maintain a progressive construction schedule of the Lyric Theatre and Cultural Arts Center Renovation and Addition project scheduled for completion by August 31, 2010. **pp.34-35**
- L. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water Quality. (534-09) (Allen/Taylor)
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to create one (1) position of Administrative Specialist Principal (Grade 114E) and five (5) positions of Administrative Specialist (Grade 110N) within the Division of Water Quality for a period of one (1) year. The fiscal impact for FY2010 is \$200,334.88 and will be funded from the Sewer Fund fund balance. **pp.36-37**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

August 18, 2009

Mayor Newberry chaired the meeting. All Council Members were present, except VM Gray and CM Beard.

CM McChord introduced Robert Engle, CM, from Louisville.

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

A motion by CM Blues to approve the amended summary of 8/11/09, seconded by CM Crosbie, passed without dissent.

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

- A. Authorization for Approval of Salary Increase of a Civil Service Employee Under Section 21-26.2 of the Code of Ordinance within the Department of General Services, Division of Facilities and Fleet Management. (496-09) (O'Mara)
- B. Authorization for Approval of Salary Increase of a Civil Service Employee Under Section 21-26.2 of the Code of Ordinance within the Department of Environmental Quality, Division of Waste Management. (497-09) (O'Mara)
- C. Authorization to Amend the 2009 Consolidated Plan to Establish a New HOME Investment Partnerships Program Project. (498-09) (P. King/ O'Mara)
- D. Authorization to Accept a Donation from Galls[®] on Behalf of the Department of Public Safety, Division of Police. (499-09) (Bastin/Bennett)
- E. Authorization of a Memorandum of Understand (MOU) with the University of Kentucky, Department of Athletics (UKDA) on Behalf of the Department of Public Safety, Division of Police. (500-09) (Bastin/Bennett)

- F. Authorization of a State and Local Task Force Agreement with the Drug Enforcement Administration (DEA) on Behalf of the Department of Public Safety, Division of Police. (501-09) (Bastin/Bennett)
- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (502-09) (Allen/Taylor)
- H. Authorization to Amend Section 5-76 of the Code of Ordinances on Behalf of the Department of Public Works and Development, Division of Building Inspection, Regarding Electrical Fees. (504-09) (Crowe/Webb)
- I. Authorization to Amend Agreement with Commonwealth Inspection Bureau, Inc., on Behalf of the Department of Public Works and Development, Division of Building Inspection, Regarding Electrical Inspection Services for LFUCG. (505-09) (Crowe/Webb)
- J. Authorization of a Software Product License Agreement with Granicus, Inc., Regarding the Council Chambers Voting System. (506-09) (Lamb/Dhuwaraha)

A motion by CM Stinnett to approve new business items A-J, seconded by CM Crosbie, passed without dissent.

VI. Continuing Business / Presentations

A. Services Committee Meeting Update

A motion by CM Stinnett to suspend rules and allow the presentations on today's agenda, seconded by CM James, passed without dissent.

This update was given by Chair CM Ellinger. There were 3 motions to come forward.

A motion by CM Ellinger to move forward with the draft ordinance on taxicab special permits with the exception of (6)- definition of taxicab, seconded by CM Gorton, passed without dissent.

A motion by CM Ellinger to remove the issue of golf carts on public roads from committee, seconded by CM Gorton, passed without dissent.

A motion by CM Ellinger to move the issue of underground utilities subdivision regulations as drafted forward, seconded by CM Gorton, passed without dissent.

Several CMs asked questions.

B. Ad Valorem Tax

This report was given by Bill O'Mara, Interim Commissioner, Dept. of Finance & Administration and Mary Fister, Director of Budgeting. Several CMs asked questions. A public forum (meeting) was scheduled for Sept. 1, 2009 at 7 pm.

C. Division of Engineering Internal Audit

This audit was given by Bruce Sahli, Director of Internal Audits. Several CMs asked questions.

A motion by CM Myers to enter into closed session, seconded by CM Gorton, passed without dissent.

A motion by CM Lawless to enter back into open session, seconded by CM Crosbie, passed without dissent.

D. Urban Services Fund & Waste Management Plan

This presentation was given by Commissioner Cheryl Taylor, Department of Environmental Quality. Several CMs asked questions. Mayor Newberry also commented.

A motion by CM James to extend the speaker time by 4 minutes, seconded by CM Gorton, passed without dissent.

VII. Council Report

CM Gorton-Congratulated and wished a happy birthday to VM Gray.

A motion by CM Myers to ask the Depts. of Law and Human Resources to Bluesheet the issue of taking '09 fund balance to fix inversion, seconded by CM Gorton, passed without dissent.

A motion by CM Gorton to ask for a written report on the inversions, seconded by CM Myers, passed without dissent.

CM Stinnett-Asked for update on forced main break from Charlie Martin, Dir. Div. of Water Quality.

CM Lawless-Stated that the Citizen's Advocate office plans to hold 2-hr training on citizens' grievances; grave concerns about this.

A motion by CM Lawless to refer to the Inter Governmental Committee the review of this Citizen's Advocate program, seconded by CM Crosbie, passed with one dissent.

CM Henson-A motion by CM Henson to approve the NDF list, seconded by CM Crosbie passed without dissent.

CM James-A motion by CM James to place into the Services Committee the issue of loading and unloading in downtown, seconded by CM Blues, passed without dissent.

CM McChord-Thanked KAWC for call center volunteers who out mulch at Shilito; congratulated the Fire Dept. Firefighter Combat Challenge.

VIII. Mayor's Report-None

Mayor Newberry asked Comm. Taylor to come forward with an announcement: partnership with Children's Theatre; Kevin Wente gave update on wayfinding signs: effectively ready to go; several CMs asked questions; Andrew Grunwald gave update on Newtown Pike Project.

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

Citizen, Lewis Cobb, spoke.

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

Work session adjourned at 6:35 pm.

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

August 25, 2009

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

- I. Public Comment – Issues on Agenda-No
- II. Requested Rezonings / Docket Approval-Yes

A motion by CM Blues to place on the docket without a hearing, an ordinance changing the zone from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone for a 6.93 net (7.15 gross) acres, for property located at 1700 Leestown Rd. (a portion of), subject to provision of a landscape buffer imposed as a condition of granting the zone change (Dennis Anderson INV 1700, LLC), seconded by CM Beard, passed without dissent.

A motion by CM Lane to place on the docket for the August 27, 2009 Council Meeting a resolution approving the report of the audit examination of the Lexington-Fayette Urban County Government Sheriff's Settlement-2008 taxes, and granting the Sheriff a quietus, seconded by CM Henson, passed without dissent.

A motion by CM Gorton to place on the docket for the Thursday August 27, 2009 Council Meeting, three ordinances correcting pay equity inversions created by the hiring of a new employee from September 2007-January 2009, February and March 2009, and April through July 2009, seconded by CM Lawless, passed without dissent.

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

- III. Approval of Summary-No
- IV. Budget Amendments-Yes

A motion by CM Henson to amend budget journal 36078-79 from \$4,161 to \$2,766, a portion was presented at the 8/11/09 work session. Seconded by CM Beard, passed without dissent.

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

V. New Business

- A. Authorization to Accept Additional Funds from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police, for Assessments of Critical Infrastructure in Fayette County. (507-09) (P. King/Bennett)
- B. Authorization of Standard Software Maintenance Agreement with New World Systems Corporation on Behalf of the Department of Public Safety, Division of Police. (508-09) (Bastin/Bennett)
- C. Authorization of Change Order No. 1 to Contract with HH General Contractor, Inc. Regarding the Police Health Care Center Project. (509-09) (Bastin/Bennett)
- D. Authorization to Change Street Names and Individual Address Numbers within Council Districts 1, 2 and 6 for the Enhanced 911 System. (514-09) (Lucas/ Bennett)
- E. Authorization of a Paramedic Training Program Agreement with the Paris Fire Department on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (515-09) (Hendricks/Bennett)
- F. Authorization of a Deed of Conveyance from North Forty Properties, LLC, at Property Located at and being a Portion of 1505 Deer Haven Lane for the Brighton East Rail Trail Project. (510-09) (Rayan/Webb)
- G. Authorization of an Amendment to Agreement with the Kentucky Transportation Cabinet (KYTC) Regarding the South Elkhorn Trail Project. (511-09) (P. King/Webb)
- H. Authorization of an Amendment to Agreement with the Kentucky Transportation Cabinet (KYTC) Regarding the Lane Use Controls / Reversible Lane Project for Nicholasville Road. (512-09) (P. King/Webb)
- I. Authorization of Approval to Advertise Internally the Position of GIS Specialist in the Director of Computer Services. (518-09) (Allen/O'Mara)
- J. Authorization of an Amendment to Agreement with the Kentucky Transportation Cabinet (KYTC) for the Versailles Road Corridor Enhancements Project. (513-09) (P. King/Langston)
- K. Authorization of an Agreement with the Fayette County Sheriff for the Collection of the 2009 Urban Services Property Taxes. (516-09) (Askew)

- L. Authorization to Amend Resolution No. 465-2008 Regarding Contract with Collins & Company, Inc. (519-09) (Askew)
- M. Authorization to Amend Section 21-5 of the Code of Ordinances within the Office of the Chief Information Officer (CIO) and to Advertise Internally. (517-09) (Allen/Dhuwaraha)
- N. Authorization to Accept an Award from the Kentucky Department of Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services under the Juvenile Accountability Block Grant Program – FY2010. (520-09) (P. King/Helm)
- O. Authorization for an Automated Solution to provide the Division of Waste Management the Ability to Optimize Routing and Reporting Capabilities for their Waste Collection Fleet. (503-09) (Dhuwaraha/Taylor)

A motion by CM Beard to approve new business items A-O, seconded by CM Blues, passed without dissent.

VI. Continuing Business / Presentations-Yes

- A. Ad Valorem Tax Rates-Bill O'Mara, Commissioner, Dept. of Finance & Administration and Mary Fister, Director of Budgeting

This presentation was given by Acting Commissioner Bill O'Mara.

- B. Communicable Disease Prevention & Control Measures-Melinda Rowe MD, MBA/MPH, Commissioner of Health

This presentation was given by Dr. Rowe. Some CMs asked questions.

VII. Council Report

CM McChord-Announced tonight at 5:30 pm on the top floor of the Phoenix Building, there will be a 2nd Sunday meeting. Second Sunday this year will be on October 11, 2009.

CM Lawless-Thanked UK Fusion Project for their volunteer work within the 3rd District; reminded everyone to look at the government's website for S. Limestone St updates and to support the businesses located there; applauded Elizabeth St. NA for getting back up and running; announced Columbia Heights NA meeting tonight at 7 pm; also thanked Gov. Beshear for listening to the public's outcry about the buried power lines on Newtown Pike.

CM Gorton-A motion by CM Gorton to place on the docket an ordinance amending sections 11-15, 11-18, 11-20, 11-21, and 11-29 of the Code

of Ordinances, Lexington-Fayette Urban County Government, to provide the Commissioner of Health, Health Officer, and Officer of the Day the authority to issue and enforce orders; and amending section 11-15 of the Code of Ordinances, Lexington-Fayette Urban County Government to provide the Division of Police the authority to aid any member of the Health Department regarding enforcement, seconded by CM Blues, passed without dissent.

CM Blues-A motion by CM Blues to approve the NDF list for 8/25/09, seconded by CM Beard passed without dissent.

CM Ellinger-Mentioned the heroism from CM Gorton's son Clay, that occurred about three weeks ago while he was on a training mission in Afghanistan.

CM Martin is present.

VIII. Mayor's Report-Yes

Mayor Newberry announce the next Mayor's Night Out will be on 8/31/09 at 5- pm at the First Baptist Church Bracktown; stated that Brian Marcum was here to answer any questions about a contract from last week's work session; spoke about the diversity issue on the Lextran board.

There was a lengthy discussion about the Transit Authority Board and the makeup of other boards. CM Gorton asked the Mayor's Office representative if the makeup of each board could be given to them when the nominations come forward.

A motion by CM Gorton to remove the nominee for the Transit Authority Board, seconded by CM Blues, failed by a 3-10 vote.

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

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

Citizens, David Sams and Richard Lawrence, spoke.

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

Work session was adjourned at 4:08 pm.

BUDGET AMENDMENT REQUEST LIST

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JOURNAL	36467-68	DIVISION	Traffic Engineering	Fund Name	Misc. Revenue Fund
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide additional funds for traffic signal at Rose and Euclid by recognizing revenue received for this purpose.

JOURNAL	36469	DIVISION	Traffic Engineering/ Streets Roads Forestry	Fund Name	2010 Bond Fund
				Fund Impact	45,000.00
					45,000.00CR
					.00

To transfer 1.5% of resurfacing funds to Traffic Engineering to allow for installation of vehicle detection.

JOURNAL	36459	DIVISION	Community Development	Fund Name	US Dept HUD
				Fund Impact	2,534.00
					2,534.00CR
					.00

To reallocate funds in the Homelessness Prevention and Rapid Re-Housing Program to provide for local mileage and computer/software for the New Client Assessment Counselor.

JOURNAL	36464-65	DIVISION	Community Development	Fund Name	US Dept HUD
				Fund Impact	640.00
					640.00CR
					.00

To reduce expense and revenue for Emergency Shelter Grant 2010 in accordance with actual grant award (2009 Consolidated Plan.)

JOURNAL	36466	DIVISION	Community Development	Fund Name	US Dept HUD
				Fund Impact	8,619.36
					8,619.36CR
					.00

To amend Homelessness Prevention and Rapid Re-Housing Program to provide for administrative costs in the Division of Community Development and to support costs of travel/training for Director of Adult and Tenant Services for implementation of new project.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1141	Miscellaneous Special Revenue Fund	.00
Fund	2600	2010 Bond Projects Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

Budget Journal Number 36459
Requesting Division Community Development
Fund Name US Department of Housing and Urban Development
Fund Number 3120
Contact for Additional Information Irene Gooding--3079

Description

Budget amendment reallocates funds in the amount of \$1,000 for Business Travel (74201) for Client Assessment Counselor. This will fund approximately 1800 local miles over a three year period. Client Assessment Counselor will make home visits to clients who are in the Homelessness Prevention Program and in the Rapid Rehousing Program. Funds in the amount of \$1,534 are also requested for purchase of a computer (96203) for use by Client Assessment Counselor. This is a new position in the Division of Adult and Tennant Services—there is no other computer for use by this employee. Funds for Business Travel and computer are taken from the Indirect Cost Account (78264).



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

Budget Journal Number 36466
Requesting Division Community Development
Fund Name US Department of Housing and Urban Development
Fund Number 3120
Contact for Additional Information Irene Gooding--3079

Description

A portion of the federal funds awarded (\$7940) are to be used in the Division of Community Development to offset administrative costs of the program. To facilitate use of Time Management module in PeopleSoft these funds are being moved to the same Dept. ID as the employee whose time is being used for administration of this grant. These funds are budgeted in Account 63111 (Civil Service Salaries) in the amount of \$5,700, Account 63511 (Pension) in the amount of \$920, Account 63615 (Life-Health-Dental-Vision) in the amount of \$880, Account 63621 (FICA) in the amount of \$430, and Account 63622 (Unemployment Insurance) in the amount of \$10.00. These funds will be used over a three year period.

Funds in the amount of \$679.36 are also being budgeted into Account 74102 (Conferences and Training) to support costs of travel and training for implementation of this new program.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

Budget Journal Number 36464-65
Requesting Division Community Development
Fund Name US Department of Housing and Urban Development
Fund Number 3120
Contact for Additional Information Irene Gooding--3079
Description

Actual federal award was \$320 less than originally estimated and budgeted. Account 44010 (Intergovernmental Revenue/Federal) is decreased by \$320. Decrease in federal funds also decreases the amount of local match required. The decrease in match in the amount of \$320 was taken from account 46720 (Miscellaneous). Most Emergency Shelter Grant funds are allocated to outside agencies who also provide the required 50% local match. Hope Center's (the agency with the largest allocation) budget was decreased by the amount of federal funds (\$320) and also by the amount of match required (\$320).

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

September 1, 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
526-09 B	BA 2418	Community Development	To establish grant budget for the 2008 Fire Prevention Safety Grant – FY 2010. 3200 16,965 3200 16,965CR 0*
529-09 G	BA 2436	Fire Administration	To increase operating supplies in Risk Watch for public education by recognizing a donation received from Columbia Gas. 1101 250 1101 250CR 0*
530-09 D	BA 2423	Community Development	To budget additional Federal Funds and Local Match for the TACT – 2009 Project. 3160 31,250 3160 31,250CR 0*
530-09 D	BA 2425	Community Development	To budget grant Match and Personnel Recovery for the TACT- 2009. 1101 6,250 1101 6,250CR 0*
534-09 L	CB 0031	Water Quality	To provide funds for one new position of Administrative Specialist Principal (grade 114E) and five new positions of Administrative Specialist (grade 110N) for one year terms. 4002 200,330 200,330*

EFFECT ON FUND BALANCES

FUND 1101	0*	NO IMPACT TO:	GENERAL SERVICES DISTRICT – GENERAL FUND
FUND 3160	0*	NO IMPACT TO:	US DEPARTMENT OF TRANSPORTATION
FUND 3200	0*	NO IMPACT TO:	US DEPARTMENT OF HOMELAND SECURITY
FUND 4002	200,330*	DECREASE TO:	SANITARY SEWER REVENUE AND OPERATING FUND

Budget Information For New Business ItemsSeptember 1, 2009 Work Session**18**

Item	Number	Amount	Fund	Name / Description
A	525-09	100,000	3120	US Department of Housing and Urban Development
B	526-09	16,965	3200	US Department of Homeland Security Budget Journal
C	527-09	57,600 960	3140 1131	US Department of Justice Police Confiscated Federal
D	530-09	31,250 6,250	3160 1101	US Department of Transportation General Service District – General Fund Budget Journal
E	532-09	NA		
F	528-09	NA		
G	529-09	250	1101	General Service District – General Fund Budget Journal
H	531-09	NA		
I	535-09	300,000	1141	Miscellaneous Special Revenue Fund
J	536-09	16,313	2518	2009 Bond Projects Fund
K	533-09	NA		
L	534-09	200,330	4002	Sanitary Sewer Revenue and Operating Fund Budget Journal



525-09

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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: AUGUST 13, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AN
AMENDMENT TO FIRST-TIME HOME BUYERS PROGRAM
AGREEMENT WITH REACH, INC.**

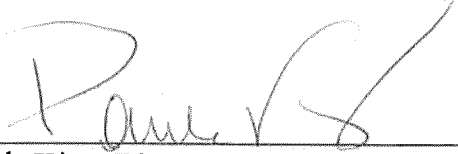
On April 24, 2008 (Ordinance No.79-2008), Council authorized submission of the 2008 Consolidated Plan to the U.S. Department of Housing and Urban Development, and acceptance of federal funds for Community Development Block Grant Program, HOME Investment Partnerships Program, and Emergency Shelter Grants Program. The same ordinance also provided for the execution of agreements with the entities named in the plan. Subsequently, an agreement was executed with REACH, Inc., for the use of \$300,000 for the operation of the First-Time Homebuyers Program. During the past year REACH has seen an increase in participation for the homebuyer program and has requested that the \$100,000 allocated for Community Housing Development Organization (CHDO) activities be reprogrammed for use in the First-Time Homebuyers Program in order to meet this need.

The proposed Amendment to First-Time Homebuyers Program Agreement provides REACH with an additional \$100,000 to operate the First-Time Homebuyers Program and provides for an increase of households assisted from a minimum of 15 to a minimum of 20.

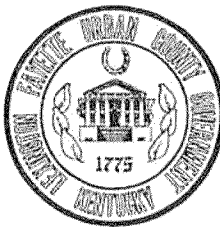
Funds for this amendment are budgeted as:

FUND	DEPT ID	SECT	ACCOUNT	BUD REF	ACTIVITY	PROJECT
3120	900202	0001	78107	2009	H01	HOME 2009

Council authorization to execute amendment to agreement is hereby requested.


Paula King, Director

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



526-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor
TO:

JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

William O'Mara
Acting Commissioner

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: AUGUST 13, 2009

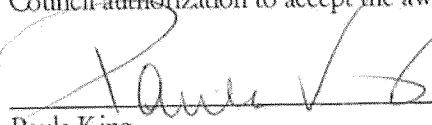
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE U.S. DEPARTMENT OF HOMELAND SECURITY UNDER THE
FEDERAL EMERGENCY MANAGEMENT AGENCY FOR A FIRE
PREVENTION AND SAFETY PROJECT

On January 22, 2009 (Resolution No. 21-2009), Council authorized submission of a grant application prepared by the Division of Fire and Emergency Services to the U.S. Department of Homeland Security/Federal Emergency Management Agency requesting federal funds for a Fire Prevention and Safety Project. The U.S. Department of Homeland Security has approved federal funding in the amount of \$13,572 for this project. A 20% local match (\$3,393) is required. The project includes two activities.

- "Juvenile Firesetter Program" will be operated by the Fire Prevention Program. Research has shown that juvenile fire setting is a growing problem within Fayette County, the surrounding counties, and the nation. This program is designed to be preventative as well as corrective. The Division of Fire and Emergency Services' public educator will work with several other fire service members in the Bluegrass region on this project. Funds in the amount of \$4,565 will be used for purchase of minor equipment, videos, educational material, and operating supplies for program operation.
- Purchase of a Fire Extinguishers Trainers Package Occupational Safety and Health Administration requires live fire, hands on training for employees at some manufacturing locations. The Division of Fire has been providing this training for many years, and wishes to continue to provide this service to the business community which includes manufacturing, service, and elderly/medical care facilities. This equipment will give the division the ability to provide this training to all groups in a safe manner that meets all regulations. Cost of training package is \$12,400.

Local match is budgeted in account 1101-505702-5717-78201.

Council authorization to accept the award is hereby requested.


Paula King
Director

Xc: Tim Bennett, Commissioner of Public Safety



527-09

21

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: AUGUST 17, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE ADDITIONAL
SOFTWARE LICENSE AGREEMENT WITH NEW WORLD SYSTEMS
CORPORATION IN THE AMOUNT OF \$58,560**

Lexington-Fayette Urban County Government has been awarded federal funds from the U.S. Department of Justice under the Justice Assistance Grant-Recovery Act. Acceptance of funds was approved by Council on July 7, 2009 (Ordinance No. 146-2009).

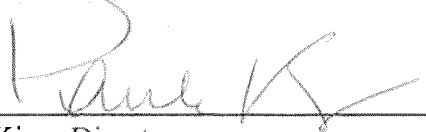
A component of the project is the purchase of additional New World Aegis Software licenses. New world software is used by the Lexington Division of Police for Computer Aided Dispatch (CAD), Records Management, Mobile Data, Reporting, Mapping, Imaging. The software integrates all areas of the police department to facilitate data entry, Property and Evidence, Field Investigation and CAD into one complete package.

This is proprietary software for which the LFUCG entered into an agreement with New World Systems Corporation on June 29, 2000 (Resolution # 397-2000).

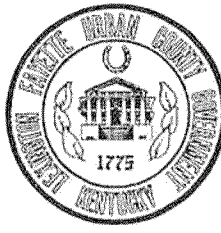
Additional Software License Agreement provides for 32 units of software at a total cost of \$58,560. Funds for this purchase are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	AMOUNT	PROJECT	ACTIVITY	BUD REF
3140	505502	5527	96202	\$57,600	JAG_REC_2010	FED_GRANT	2010
1131	505501	5511	96202	\$960			

Council authorization to execute the Additional Software License Agreement is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety



530-09

22

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**

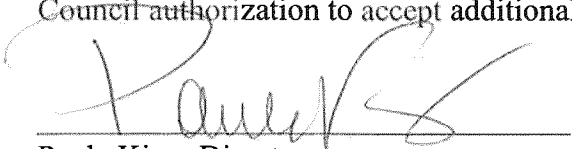
DATE: AUGUST 20, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
ADDITIONAL FEDERAL FUNDS FROM THE KENTUCKY JUSTICE
AND PUBLIC SAFETY CABINET, KENTUCKY STATE POLICE FOR
OPERATION OF A TICKETING AGGRESSIVE CARS AND TRUCKS
GRANT PROGRAM**

On September 19, 2008 (Ordinance 210-2008), Council approved acceptance to federal funds in the amount of \$60,000 from the Kentucky Justice and Public Safety Cabinet for implementation of TACT ("Ticketing Aggressive Cars and Trucks") Grant Program in Fayette County.

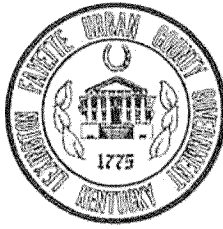
The Kentucky Justice and Public Safety Cabinet has offered LFUCG additional federal funds in the amount of \$25,000 for officer overtime in the performance of TACT activities. The additional local match of \$6,250 will come from existing budgeted staff salaries in the Division of Police. Total cost of the amended project is now \$106,250 (\$85,000 federal funds and \$21,250 local match).

Council authorization to accept additional funds is hereby requested.



Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety



532-09

23

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**

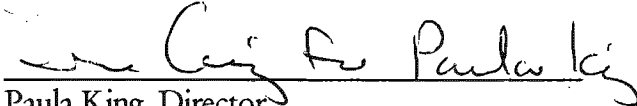
DATE: AUGUST 25, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE KENTUCKY EMERGENCY
MANAGEMENT AGENCY REQUESTING FEDERAL FUNDS
FROM THE HAZARD MITIGATION GRANT PROGRAM FOR
THE LEXINGTON-FAYETTE COUNTY COMPREHENSIVE
HAZARD MITIGATION PLAN**

The Division of Emergency Management/911 has prepared an application for submission to the Kentucky Emergency Management Agency requesting federal funding from FEMA's (Federal Emergency Management Agency) Hazard Mitigation Grant Program for the Lexington-Fayette County comprehensive Hazard Mitigation Plan. The amount of federal funds requested is \$108,750 (75%) and the amount of state funds is \$17,400.00 (12%). A 13% local match (\$18,850) is required. The local match will be documented from personnel costs of existing urban county staff members who will devote time to the hazard mitigation plan. Total project cost is \$145,000.

The current adopted Hazard Mitigation Plan expires on August 13, 2011. The purpose of this project is to re-evaluate the risk and impacts to the community and to update the plan as identified by this review in order to have an approved revised plan in place by the expiration date of the current plan. Federal regulations require that Hazard Mitigation Plans be updated every five years. Federal funds will be used to support a contract with a consultant to manage the planning process.

Council authorization to submit the application is hereby requested.


Paula King, Director

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

**LEXINGTON DIVISION OF POLICE**

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: August 13, 2009

RE: Memorandum of Understanding – Department of Veterans Affairs

Please find attached documentation and blue sheet requesting approval of the attached Memorandum of Understanding between the Lexington-Fayette Urban County Government and the Department of Veterans Affairs.

The attached MOU states that while the FBI retains primary jurisdiction on this federal property, the Division of Police would be the primary response agency in "emergency tactical situations" due to the close proximity and response time of the response team. The MOU further states that following consultation with the FBI and U.S. Attorney's Office, the Division of Police could be notified to request assistance and to take primary response for an investigation. The MOU also notes Phillip A. Wright as Chief of Police Service for the Department of Veterans Affairs. The attached agreement requires the Mayor's signature.

Upon approval and signing, please forward a copy of the agreement to the Chief's Office. There will be no budgetary impact.

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

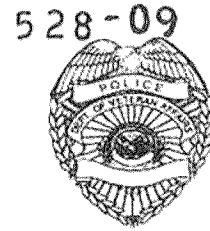
Ronnie Bastin
Chief of Police

Attachment

cc: Tim Bennett, Commissioner of Public Safety



DEPARTMENT OF VETERANS AFFAIRS
Police Service
1101 Veterans Drive
Lexington, KY 40502



25

Date: June 2, 2009

Jim Newberry, Mayor, Lexington Fayette Urban County Government
Audra JoliCoeur, Supervisory Senior Resident Agent, FBI
Ronnie Bastin, Chief of Police, Lexington Fayette Urban County Government

RE: Memorandum of Understanding

Dear Mayor Newberry:
Agent JoliCoeur:
Chief Bastin:

This support agreement replaces the support agreement signed and dated April 29, 2008 due to the selection of Phillip A Wright as Chief of Police Service for the Department of Veterans Affairs.

The Federal Bureau of Investigation has primary jurisdiction and is considered the principal law enforcement agency to conduct major criminal investigations of Department of Veterans Affairs property. Is also a matter of record that the Lexington Fayette Urban County Government, Division of Police and the Department of Veterans Affairs share concurrent jurisdiction in law enforcement matters.

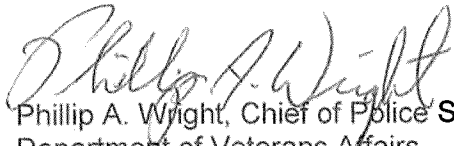
The FBI shall be notified when, but not limited to, the following major crimes occur on Department of Veterans Affairs Controlled property: Homicide, Suicide, unexplained discovery of human remains, Arson, Manslaughter, Assault on a Federal Police Officer, Kidnapping, Extortion, Rape, Hostage or Barricade Situation, Theft/Fraud in excess of \$10,000, and when a VA Police Officer is involved in a firearms shooting incident that results in either death or injury.

As the on site law enforcement agency, life threatening incidents dictate that the VA Police take immediate and judicious actions to resolve criminal acts with necessary actions. In serious cases, should the events dictate, VA Police will secure and protect the affected area or crime scene until the appropriate law enforcement agency assumes the investigation. Preliminary reports will be completed by the VA Police and will be made available to the agency assuming primary jurisdiction.

It is recognized at this time that the Lexington Fayette Urban County Government Division of Police has a rapid response capability for "Emergency Tactical Situations" and because of this, would be the primary emergency response team in situations that would require such response. LFUCG Division of Police would assume "on-the-scene" command of the event with support from the VA Police until such time that FBI resources arrive, at which time on-scene commanders will determine which agency would take command of the situation.

Except for the emergency response teams of the LFUCG Division of Police, the FBI, upon being notified of a major crime on VA property, may determine, through counsel with the U.S. Attorney's Office, that the investigation and prosecution of a case should be referred to the jurisdiction of the LFUCG Division of Police. At that point their agency would be notified for assistance and assume the investigation.

Serious incidents as described above may involve the cooperative efforts and support of all listed agencies to resolve matters of mutual interest until signed Officials are no longer available. A support agreement will be replaced with current representative for the Mayor of Lexington, FBI representative, Chief of LFUCG or Chief of VAMC.



Phillip A. Wright, Chief of Police Service (07B-LD)
Department of Veterans Affairs
1101 Veterans Drive
Lexington, KY 40502

Concur: 

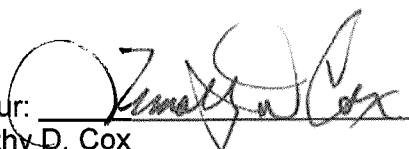
Audra JoliCoeur,
Supervisory Senior Resident Agent
Federal Bureau of Investigation
Lexington, KY

Concur: 

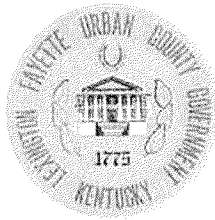
Ronnie Bastin, Chief of Police
Lexington Fayette Urban County Government
Lexington, KY

Concur: _____

Jim Newberry, Mayor
Lexington Fayette Urban County Government
Lexington, KY

Concur: 

Timothy D. Cox
Special Agent in Charge
Federal Bureau of Investigation
Louisville, KY



529-09 27

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Newberry
Mayor

Robert Hendricks
Chief

To: Jim Newberry, Mayor

Jim Kelley, Senior Advisor

LFUCG Councilmembers

From: Robert Hendricks, Fire Chief

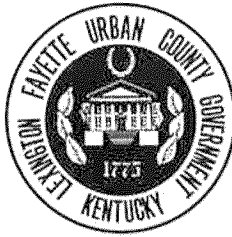
Date: August 12, 2009

Re: Approval of Donation

The Division of Fire & Emergency Services is requesting approval from Council for acceptance of a donation from Columbia Gas. The amount of the donation is \$250.00 and has been deposited in 1101-505701-5701-46720, the division's Miscellaneous Revenue account. The funds will then be transferred by budget amendment, at a later date, to the Community Services section of the Fire Department for use in public education programs.

If you have any questions, please contact me at extension 5660.

Thank you.



531-09

28

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Commissioner's Office

Department of Public Works

TO: Mayor Jim Newberry
Urban County Council

FROM: Kevin Wentz 
Administrative Officer
Department of Public Works and Development

DATE: August 24, 2009

SUBJECT: Annual Urban Service Legal Process Schedule

The Department of Public Works and Development requests your approval, of the attached schedule, to proceed through the annual Urban Service Legal Process for 2009.

Before properties are developed within the Fayette County Urban Service boundary, they are generally taxed solely for Police and Fire protection (Tax District 02 - General Services). However, once a property is recorded, divided and platted for new development, the new properties are moved to the appropriate tax district for other provided services. For example, properties on public streets are placed in the full service (01) tax district that provides refuse collection, streetlights, and street sweeping. Private streets are placed within the 03 tax district, which only includes refuse collection given that property owners maintain their own streets and provide their own streetlights if desired.

Kentucky Law requires that the Urban County Government notify each property owner by certified mail of a proposed increase in property tax and hold a public hearing. Per the attached schedule, the public hearing will be held at 1:30 p.m. on Tuesday, October 27, 2009, during Council Work Session, should anyone wish to comment.

Should you have any questions, please feel free to contact me. Thank you for your time and consideration regarding this matter.

HORSE CAPITAL OF THE WORLD

101 East Vine Street 4th Floor Lexington, KY 40507 Ph: (859)258-3410 Fax: (859)258-3458 www.lfucg.com



531-09

29

Mayor Jim Newberry

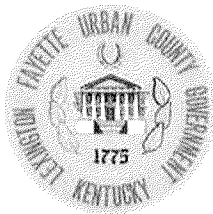
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Commissioner's Office

Department of Public Works

2009 URBAN SERVICES SCHEDULE

Administrative Review Form (Blue Sheet)	August 24, 2009
Work Session Discussion	September 1, 2009
Resolution First Reading	September 3, 2009
Resolution Second Reading	September 17, 2009
Publish	September 24, 2009
Publish	October 1, 2009
Publish	October 8, 2009
Certified Mail	Week of October 12, 2009
Neighborhood Information Meetings	October 19, 2009 through November 23, 2009
Pre-Work Session Meeting Public Works Conference Room	October 27, 2009 1:00 p.m. to 3:00 p.m.
Work Session Public Hearing	October 27, 2009 3:00 p.m.
Documents due to Law Department	November 2, 2009
Ordinance First Reading	November 19, 2009
Ordinance Second Reading	December 3, 2009

HORSE CAPITAL OF THE WORLD



535-09

30

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

Jim Newberry
Mayor

Mike Webb
Commissioner

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Urban County Council

FROM: Ron Herrington, P.E., PLS *RH*
Director Traffic Engineering

DATE: August 19, 2009

SUBJECT: Memorandum of Agreement for the Operations and Maintenance of Traffic Signals and Electrical Traffic Control Devices on the State Primary Road System

Through this Memorandum of Agreement the Lexington Fayette Urban County Government (LFUCG), Division of Traffic Engineering, will assume certain specific obligations and responsibilities with regard to the operations and maintenance of traffic signals and electrical traffic control devices on the Kentucky Transportation Cabinet (KTC), Department of Highways, State Primary Road System in Fayette County.

The LFUCG is obligated to provide adequate staffing and services related to the safe and efficient operation of the computerized traffic signal control system and the timely and necessary maintenance of the Fayette County traffic signals and electrical control devices. In addition, the LFUCG will be responsible for all media and citizen inquiries and all public relations regarding the State Primary Route traffic signals.

This Agreement obligates the KTC to provide the LFUCG Division of Traffic Engineering funding not to exceed \$300,000 per state fiscal year for the purpose of operating and maintaining traffic signals and electrical traffic control devices.

The division requests approval of the MODIFICATION Agreement to add \$300,000.00 to contract and extend from July 1, 2009 to June 30, 2010.

Approved by:

James M. Webb
James M. Webb, Commissioner of Public Works

Attachment



536-09

31

Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Newberry
Mayor

August 25, 2009

TO: Mayor Jim Newberry and Urban County Council

FROM: Charlie Milward, Lyric Construction Project Manager

VIA: Shaye Rabold, Mayor's Chief of Staff

This request is to authorize the Mayor to approve Change Order Number 1 to the existing contract with Denham-Blythe LFUCG, Inc. for construction of the Lyric Theatre and Cultural Arts Center.

This change is for five items described below.

GENERAL CONTRACT CHANGES

Item 1: Relocation of Wheelchair Lift from Wing 'B', to new location, Wing 'A', 108A. relocation of Floor Access Hatch at Stage 108, and Addition of one (1) wall mounted fire extinguisher at Stage 108. Cost: \$13,815.13.

Item 2: OMIT One (1) Window Type 'A' and associated cut stone sill form Room 209, Storage/Workroom and ADD Two (2) Window Type 'B' and associated stone sill to Room 209, Storage/Workroom. Cost: \$943.54.

Item 3: Addition of Planting @ entrance of Lobby 110 and revise location and length of trench drain at entrance of Lobby 110. Cost: \$417.45.

SUB TOTAL GENERAL CONTRACT CHANGES: \$15,176.12

DIRECT PURCHASE ORDER CHANGES

Item 4: Revise size of Entrance Floor Mats as Specified in Specification Section 12 48 13 in Outside LOBBY 110 and Outside HISTORIC LOBBY 100. Cost: \$973.00.

Item 5: Addition to DPO for Two Windows added to Room 209. Materials const: \$164.

SUB TOTAL DIRECT PURCHASE ORDER CHANGES: \$1,137.00

The total amount of Change Order Number 1 is \$16,313.12, which is fully budgeted.

The following documents are attached:

- Administrative review form (Blue Sheet)
- Contract History Form
- Change Order Form from the Architect
- Supporting descriptive documents.

I am available for questions.

CONTRACT HISTORY FORMContractor: Denham-Blythe Company, Inc.Project Name: Lyric TheatreContract Number and Date: 143-2009, July 2, 2009Responsible LFUCG Division: Mayor's Office**CHANGE ORDER DETAILS**

	<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A.	Original Contract Amount:	\$ <u>5,560,322.66</u>	
B.	Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	\$ <u>5,560,322.66</u>	
	<u>Current Change Order</u>		
D.	Amount of This Change Order:	\$ <u>16,313.12</u>	<u>0.29</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order :	\$ <u>5,576,635.78</u>	<u>100.29</u> % (Line E / Line A)

SIGNATURE LINES

Project Manager: _____

Date: _____

Reviewed by: _____

Date: _____

Division Director: _____

Date: _____



533-09

34

Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Newberry
Mayor

Tuesday, August 25, 2009

TO: Mayor Jim Newberry and Urban County Council

FROM: Charlie Milward, Project Manager for Lyric Construction

VIA: Shaye Rabold, Mayor's Chief of Staff

SUBJECT: Change Orders for Denham-Blythe Company's Contract #143-2009.

On July 2, 2009 the Urban County Council passed Resolution Number 476-2009, accepting the bid amount of \$5,560,322.66 to Denham-Blythe Company, Inc. for the Lyric Theatre Renovation and Addition, for the Mayor's Office. That amount includes the construction contract amount of \$3,721,658.66 and Direct Purchase Orders amount of \$1,838,664.00.

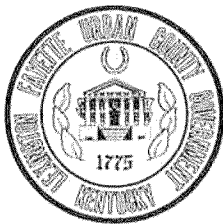
Construction has begun, and the date set for substantial completion is August 31, 2010. In order to maintain the progressive construction schedule necessary, the administration requests that the Council authorize the Mayor to execute change orders to the contract subject to the following conditions:

- No individual change order increase exceeds Fifteen Thousand Dollars (\$15,000) (0.27% of the original bid amount),
- No change order materially changes the scope of the project or contract,
- The cumulative total increase for all change orders executed pursuant to this Resolution does not exceed One Hundred Fifty Thousand Dollars (\$150,000) (2.7% of the original bid amount),
- Budgeted funds are available to cover change order increases,
- Any and all change order decreases are authorized,
- A summary of all change orders executed by this arrangement will be furnished to the Urban County Council quarterly, unless more frequent reporting is requested.

All change orders that fall within these conditions will be reviewed and recommended by the consulting architect (Tate-Hill-Jacobs) and their sub-consultants, by the Urban County Government's Project Manager, and by the Mayor's Chief of Staff to assure need, appropriateness and accuracy. The reviews will be conducted prior to submittal of such change orders to the Mayor for signature. Any change orders that do not comply with these conditions will be submitted to the Council for authorization by the normal blue-sheet process.

Council authorization of this conditional change order process will help to prevent costly time delays in a project that is on a critical time schedule and is of high importance to the community.

c: Shaye Rabold, Mayor's Chief of Staff
Brian Marcum, Director, Purchasing
Bill O'Mara, Acting Director, Budgeting
Logan Askew, Commissioner, Law Department



534-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

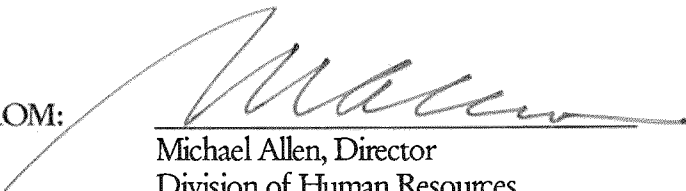
Jim Newberry
Mayor

William O'Mara
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Council Members

FROM:


Michael Allen, Director
Division of Human Resources

DATE: August 25, 2009

RE: Create Positions— Division of Water Quality

The attached action amends Section 22-5 of the Code of Ordinances, creating one (1) position of Administrative Specialist Principal (Grade 114E) and five (5) positions of Administrative Specialist (Grade 110N) all in the Division of Water Quality for a one (1) year term effective upon passage of Council.

The Division requests this action in order to better support LexCall with the volume of calls anticipated regarding the first phase of fee collection of the Water Quality Management fee. This call center will be better able to help taxpayers to further understand the details of the fee. Non-residential accounts for which the ERU's are being measured and calculated will generate an unknown number of calls requiring some research to answer questions appropriately. Databases and maps are being developed and will be available to the call center to assist those callers who question the impermeable surface calculated for their property.

The fiscal impact for FY2010 is \$200,334.88 (19 pay periods) and includes benefits. This will be funded by Sewer Fund Balance.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Administrative Specialist Pri	\$0	\$41,921.36	\$41,921.36
Vacant	Administrative Specialist (Five positions)	\$0	\$30,155.32	\$150,776.60
Total Annual Impact/ Salary and Benefits \$274,142.47				

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.
Attachment

cc: Cheryl Taylor, Commissioner of Environmental Quality
Charlie Martin, Director, Division of Water Quality
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 10-0019

BUDGET & FINANCE COMMITTEE MEETING 8-25-2009 SUMMARY

All committee members were present except James. The meeting was called to order at 1:00 pm

1. Review and Discussion of Revenues – O'Mara-Final revenues for June, 2009, Revenues for July 2009

Gray asked for clarification on OLT net profit Jan.-July 09 numbers and if there was a historical trend regarding net profit and payroll withholdings.

O'Mara showed relationship between the two, pointing out net profits is not as stable as payroll withholdings.

Ellinger referred to the revenue increase that was added in order to balance the budget and wanted to know plans to monitor predictions for revenue and if there were alternatives in place in the event we do not make the numbers. He expressed concern about the assumption and any risk associated with these predictions. He asked O'Mara for advice in looking at cuts if need be.

O'Mara acknowledged this was a very challenging time and any predictions were volatile.

Beard commented about recent incentive programs meant to stimulate the economy and wanted to take a look at the expense side, asking O'Mara if and when council could get that info.

Myers asked how revenue numbers might effect hiring new positions, adding, this is an item that should already be under consideration. He asked for the proposed number for new hires and which of those were critical hires.

Stinnett asked Myers to clarify the requirement, was his request regarding the process of hiring or the numbers being hired.

Myers confirmed he would like to see the number of new hires being considered.

Stinnett asked O'Mara if it would be possible to present an update on the expenditure side of the house at the next Budget & Finance meeting.

O'Mara responded he would provide a report tracking actual to budget.

2. Discussion on Landfill User Fee - Stinnett asked O'Mara to give the presentation on landfill user fees before Urban Service District Fund.

Lane asked about operating expense and what makes up the fund balance of \$25.545.

Stinnett asked about the timeline for plans to close the Old Frankfort Pike Landfill and is the user fee of \$4.50 still necessary.

Beard also questioned what was happening on Old Frankfort Pike.

Comm. Taylor told the committee that landfill is not closed saying the water system is not in compliance and there are a couple of capital projects planned in order to address the problem before it's closed.

3. Presentation on Urban Service District Fund- O'Mara- Solid Waste, Street Cleaning and Street Light Statistics

Comm. Taylor distributed a handout showing where the fund is used, how it is managed and historical data showing a 10 year snapshot of spending, breakout of operating capital and other program expenditures. She talked about vacant positions, gave projections and data to year 2015, explaining the forecast. She said the predictions are recycling revenue to increase plus lower debt service and indirect cost. Taylor said there are opportunities with \$1.4 million savings predicted regarding labor costs for new recycling center, changing out trucks that are over 10 years old. Replacing heavy equipment will be in the picture in the next couple of years, along with new GPS tracking systems which will improve fuel costs.

Blues asked how tax payer savings were calculated and was told it's based on a medium home price of \$250K. Blues discussed other choices/options for use of those savings, adding use of those funds is the choice of the community.

Taylor agreed, saying her proposal is only one option.

Gorton agreed with Blues regarding concerns about options for use. She mentioned a street sweeping study, asking Taylor for an update. She also wanted to know about funded positions and how many are temporary. Taylor estimated the number around 60. Gorton asked for a breakdown on how temporary positions are used in waste management.

Myers asked Taylor if the same model used in today's presentation could also be used for solid waste and how much work would it take to keep this model. Taylor said this was an analysis that would need refining, an involved study and expertise.

Motion by Myers directing Commissioner Taylor to pursue a study and analysis of fee based services in waste management, seconded by Lane, passed without dissent.

Stinnett inquired about time frame for reporting status of the motion, Myers suggested the October B/F meeting.

Stinnett asked Taylor for details on vacancies and how soon they would be filled. She told the committee there is a priority list of hires which includes 17 positions and several others already advertised. She said the plan is to increase the skill level and reduce personnel numbers. Stinnett expressed concern with 20% vacancy rate. He remarked about \$6K per year dumpster cost if was feasible or is the cost actually more. He commented on \$44 million surplus concern is we going to continue adding this surplus. He wanted to know what happened in the last two fiscal years to account for an almost \$13 million increase and wanted to know who was behind decisions to wait on investing in equipment and allowing the vacancy rate to go so high.

Taylor gave details on the street light and street cleaning surplus numbers.

Lane asked about employment standards and if compensation is paid for shift work. The incentive system of waste management was explained, and the reduction of overtime.

4. Update on Bond/Debt- O'Mara-Listing of Total Outstanding Bonds-Debt as % of General Fund Revenue

O'Mara explained this presentation is about general fund debt, showed current obligations, assumptions used and projections to FY2016.

Lane had a question about the police and fire pension fund.

Stinnett asked what rating agencies look at when bonding. O'Mara explained agencies look at all financial aspects of this government. There was discussion on revenue bonds and if we currently have any, about projections and assumptions and how they are used in regard to bonding. O'Mara reminded the committee they are merely projections which will vary.

Gorton asked about capital workshops.

5. Business Occupational License Fee Discussion – O'Mara- Ordinance No. 160-2008 Amending Sections 13-5 and 13-9 of the Code of Ordinances to Establish an Annual Minimum License Fee of \$100.

O'Mara explained how the ordinance applies. The business occupational license and tax business license fee is on all business activity in Fayette County, no matter the length of time. He presented statistics from last year, total active accounts, closed accounts, accounts paid and dollars collected.

Gorton asked if questions/concerns and phone calls from the public have continued in respect to this ordinance. He said it has subsided however there are still questions about home based businesses. She asked if there was a system in place to communicate details of the ordinance to the public.

Blues asked about net profit and if payments are general fund money, the fee is not some sort of processing fee. O'Mara explained purpose of the fee.

Beard asked about accounts payable and 30% difference and wanted to know how we address filing.

O'Mara said this is not the first year for business occupational license and a great job has been done educating the public about it.

Stinnett asked about the process and if there was an opportunity not to do a second mailing, suggested looking into a simpler method.

Motion to adjourn, passed, meeting adjourned at 2:58 pm