URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
March 22-March 29, 2010

<u>Monday, March 22</u>
No Meetings

<u>Tuesday, March 23</u>
Special Planning Committee Meeting………..………….......... …………......9:00 am
Council Chambers-2nd Floor Government Center

Partner Agency Oversight Committee Meeting……………..……………………11:00 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

Mayor's Youth Council Meeting………………………………………………………….5:30 pm
Conference Room-5th Floor Government Center

<u>Wednesday, March 24</u>
Noise Ordinance Task Force Meeting……..……………………………………........5:00 pm
Conference Room-5th Floor Government Center

<u>Thursday, March 25</u>
Mobile Home Park Quality of Life Committee Meeting………………………………..5:00 pm
Conference Room-5th Floor Government Center

Council Confirmation Hearing-Ethics Commission…………………………………….6:30 pm
Conference Room-5th Floor Government Center

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

<u>Friday, March 26</u>
Mayor's Bicycle Task Force Meeting……………………………………………………..11:30 am
Conference Room-5th Floor Government Center

<u>Monday, March 29</u>
No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

W O R K S E S S I O N A G E N D A

March 23, 2010

I. Public Comment – Issues on Agenda

II. Requested Rezonings / Docket Approval –Yes

III. Approval of Summary-Yes, March 16, 2010, pp.6-9

IV. Budget Amendments – Yes, pp.10-13

V. New Business, pp.15-52

VI. Continuing Business / Presentations

   A. Planning Committee, pp.53-55

   B. Severe Storms Preparedness
      Ms Shelly Bendall, Preparedness Coordinator
      Division of Emergency Management / 911

   C. Creative Cities Summit (CCS) Lexington
      Mr. Phil Holoubeck, President of Lexington's Real
      Estate Company & Co-Producer of CCS

   D. Kentucky League of Cities Update
      Mr. Temple Juett, KLC General Counsel &
      Mr. Douglas Goforth, KLC Chief Financial Officer

VII. Council Report

VIII. Mayor's Report – Yes

IX. Public Comment – Issues Not on Agenda

A D M I N I S T R A T I V E S Y N O P S I S

New Business Items

A. Authorization to Accept a Donation from the Friends of the Dog Park, Inc. for the Masterson Station Dog Park. (120-10) (Langston)
This request will authorize the acceptance of donated fencing materials by the Friends of the Dog Park, Inc. for the Masterson Station Dog Park. The fencing is valued at $18,775.**pp.15-18**

B. Authorization to Approve Change Order No. 4 to Contract with Strand Associates, Inc. Regarding the Legacy Trail Project. (111-10) (Rayan/Webb)
This request will approve Change Order No. 4 to increase contract amount by $55,000 with Strand Associates, Inc. regarding the Legacy Trail Project. This change order is for the design of a route of approximately 2,500 feet through Eastern State Hospital property to connect Legacy Trail Phase 2 to Legacy Trail Phase 3. Original contract amount was $496,000. Total of previous change orders is $882,100. New contract amount is $1,373,100. Funds are budgeted.**p.19**

C. Authorization to Approve an Agreement with the Lexington-Community Land Trust (LCLT) for the Newtown Pike Extension Project. (122-10) (P. King/Webb)
This request will authorize an agreement for $250,000 to LCLT with additional $250,000 for the next four (4) years for operation costs of the land trust for the Newtown Pike Extension Project. Funding is from the Kentucky Transportation Cabinet, Department of Highways for the extension project.**p.20**

D. Authorization to Accept an Amendment to Agreement Offered by the Kentucky Transportation Cabinet (KYTC) Regarding the Town Branch Trail Project – Phase II. (128-10) (P. King/Webb)
This request will authorize the acceptance of an amendment to agreement offered by KYTC to extend the Town Branch Trail Project – Phase II through June 30, 2011. This phase of the project connects Spicewood and Marehaven neighborhoods with McConnell's Trace. There are no other changes associated with this amendment.**p.21**

E. Authorization to Accept an Amendment to Agreement Offered by the Kentucky Transportation Cabinet (KYTC) Regarding Safe Routes to School Project. (129-10) (P. King/Webb)
This request will authorize the acceptance of an amendment to agreement offered by KYTC to extend the Safe Route to School Project through June 30, 2011. This project encourages children to bike and walk to school. There are no other changes associated with this amendment.**p.22**

F. Authorization to Approve a Letter of Agreement Amendment for Additional Funding Officer by the Kentucky Heritage Council on Behalf of the Department of Public Works and Development, Division of Historic Preservation. (130-10) (P. King/Webb)
This request will authorize the approval of a Letter of Agreement Amendment for additional federal funds in the amount of $2,032 offered by the Kentucky Heritage Council on behalf of the Division of Historic Preservation's Survey and

Planning Project. Funds will be used for the salaries of personnel in the Division. A local match of 40% ($1,355) is required and will come from the Division's General Fund budget for FY2010.**p.23**

G. Authorization to Submit an Application to the Kentucky Transportation Cabinet (KYTC) under the Scenic Byways and Highways Program for the Old Frankfort Pike Corridor Management Plan. (140-10) (P. King/Webb)
This request seeks authorization to submit an application for federal funds in the amount of $52,000 to KYTC under the Scenic Byways and Highways Program for the Old Frankfort Pike Corridor Management Plan. A local match of 20% ($13,000) is required and will be provided by the Lexington-Frankfort Scenic Corridor, Inc. The source of funds is the Federal Highway Administration's National Scenic Byways Program.**p.24**

H. Authorization to Approve a License Agreement with the Kentucky Bicycle and Bikeway Commission (KBBC) for Use of Copyright Art Work with LFUCG's "Share the Road" Educational Campaign. (131-10) (C. King/Webb)
This request will authorize the approval of a License Agreement for use of KBBC's copyright "Share the Road" art work with LFUCG's "Share the Road" Education Campaign to promote safe and courteous bicycle, pedestrian and motorist behavior. There is no budgetary impact.**pp.25-28**

I. Authorization of a Kentucky Internet Crimes Against Children Task Force Memorandum of Understanding (MOU) with Kentucky State Police (KSP) on Behalf of the Department of Public Safety, Division of Police. (124-10) (Bastin/Bennett)
This request will authorize a MOU with KSP on behalf of the Division of Police for continuation of the Kentucky Internet Crimes Against Children Task Force to deter, prevent, investigate and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers and the internet. There is no budgetary impact.**pp.29-36**

J. Authorization to Submit Application to the Kentucky Justice and Public Safety Cabinet (JPSC) on Behalf of the Department of Public Safety, Division of Police, for Continuation of the Street Sales Drug Enforcement Project – FY2011. (126-10) (P. King/Bennett)
This request seeks authorization to submit an application for federal funds in the amount of $270,000 from the Kentucky JPSC for continuation of the Street Sales Drug Enforcement Project on behalf of the Division of Police and the Fayette County Commonwealth Attorney's Office to arrest and convict street level drug dealers. The source of funding is the US Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. A local match of 25% ($99,000) is required and will be requested in the 2011 General Fund budget. Total project cost is $360,000.**p.37**

K. Authorization to Submit an Application to the Kentucky Justice and Public Safety Cabinet on Behalf of the Department of Public Safety, Division of Police, and Accept Award if Offered, for the Law Enforcement Service Fee Grant Program – FY2011. (127-10) (P. King/Bennett)
This request seeks authorization to submit an application for funds in the amount of $65,026 to the Kentucky JPSC on behalf of the Division of Police

and accept the award if offered, for the Law Enforcement Service Fee Grant Program. Funds will be used for overtime costs. for Traffic Alcohol Patrol. No matching funds are required.**p.38**

L. Authorization to Approve an Agreement with Spec Rescue International on Behalf of the Department of Public Safety, Division of Fire & Emergency Services, for Structural Collapse Training. (135-10) (P. King/Bennett)
This request will authorize the approval of an agreement in the amount of $37,300 with Spec Rescue International on behalf of the Division of Fire & Emergency Services to provide certified Structural Collapse Training. The training is federally funded through the Kentucky Office of Homeland Security.**p.39**

M. Authorization to Approve a Master Agreement and a Software Application Services Addendum with Previstar™, Inc. on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (139-10) (P. King/Bennett)
This request will authorize the approval of Master Agreement and a Software Application Services Addendum in the amount of $5,000 with Previstar™, Inc. on behalf of the Division of Emergency Management / 911, for purchase of Emergency Management Planning Software. The Kentucky Department of Military Affairs, Division of Emergency Management, has provided federal funds for LFUCG's Emergency Operations Plan to be updated to an Emergency Support Functions format.**p.40**

N. Authorization to Submit an Application to the US Department of Health and Human Services and Accept the Award if Offered, for the Operation of the MASH Drop Inn Facility – FY2011. (125-10) (P. King/Helm)
This request seeks authorization to submit an application for federal funds in the amount of $180,000 to the US Department of Health and Human Services and accept the award if offered, to continue the MASH Drop Inn facility. Funds will provide partial personnel and operating costs. A local match of 10% ($20,000) is required and will come from the facility's operating budget. Total project cost is $200,000.**p.41**

O. Authorization to Submit Application to the US Department of Justice, Office of Justice Program, under the Justice and Mental Health Collaboration Program – FY2010. (136-10) (P. King/Helm)
This request seek authorization to submit an application for funds in the amount of $50,000 to the US DOJ, Office of Justice Program, under the Justice and Mental Health Collaboration Program for the design of a strategic, collaborative plan to identify and treat system-involved youth with mental illness or mental health and substance abuse disorders. A local match of 20% ($12,500) is required and will come from existing personnel time from the Department of Social Services and the Circuit Court. Total project cost is $62,500.**p.42**

P. Authorization of Change Order No. 1 to Contract with MACTEC Engineering & Consulting, Inc. Regarding the Landfill Water Quality Monitoring & Consulting Project. (132-10) (Taylor)
This request will authorize Change Order No. 1 to increase contract amount by $60,000 with MACTEC Engineering & Consulting, Inc. regarding the Landfill Water Quality Monitoring & Consulting Project to expand the Compost Pad for

the World Equestrian Games at Haley Pike Landfill and Compost Pad. Funds are budgeted.**pp.43-45**

Q. Authorization to Accept Proposal from Veolia ES Technical Solutions, LLC, on Behalf of the Department of Environmental Quality, Division of Waste Management, for the Spring Clean Household Hazardous Waste (HHW) Collection Event. (133-10) (P. King/Taylor)
This request will authorize the acceptance of a proposal in the amount of $110,702.50 from Veolia ES Technical Solutions, LLC, for the disposal of HHW for LFUCG's Spring Clean Collection Event. The source of funds is the Kentucky Energy and Environment Cabinet under the Kentucky Household Hazardous Waste Management Grant Program. Funds are budgeted.**p.46**

R. Authorization of Change Order No. 1 to Contract with Team Contracting, LLC Regarding the Town Branch Waste Water Treatment Plant (WWTP) Primary Effluent Pump Station Pumps Replacement Project. (134-10) (Martin/Taylor)
This request will authorize Change Order No. 1 to increase contract amount by $188,192 with Team Contracting, LLC regarding the Town Branch WWTP Primary Effluent Pump Station Pumps Replacement Project for removal of old concrete. Original contract amount was $1,340,000. New Contract amount is $1,528,192. Funds are budgeted.**pp.47-50**

S. Authorization to Submit Application to the Office of the Governor, Department for Local Government (DLG), for the Hisle Farm Park Project. – FY2010. (138-10) (P. King/Cole)
This request seeks authorization to submit an application for federal funds in the amount of $75,000 to the Office of the Governor, DLG, under the Land and Water Conservation Fund for the Hisle Farm Park Project. The source of funding is the US Department of Interior, National Park Service. A local match of 50% ($83,875) is required and will come from existing personnel costs for labor ($8,500) and from bond revenue funds ($75,375). Total project cost is $158,875. **Public meeting required and scheduled for March 25, 2010 at 7pm.p.51**

T. Authorization to Accept Award from the Kentucky Justice and Public Safety Cabinet (JPSC) under the Safe Havens: Supervised Visitation Program and Execute a Subrecipient Agreement with Sunflower Kids (SFK), Inc. (141-10) P. King/Helm)
This request will authorize the acceptance of federal funds in the amount of $70,059 from the Kentucky JPSC, Violence Against Women Act under the Safe Havens: Supervised Visitation Program and execute a subrecipient agreement with SFK, Inc. for a supervised visitation and monitored exchange program. The source of funds is the American Recovery and Reinvestment Act of 2009, Violent Crime Control and Enforcement Act 1994. A local match of 25% ($23,354) is required and will come from SFK. Total project cost is $93,413.**p.52**

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

March 16, 2010

Mayor Newberry chaired today's work session meeting. All Council Members were present.

I. Public Comment – Issues on Agenda-Yes

Several citizens, along with Comm. Askew, spoke about being close to a solution to the text amendment issue. Several CMs asked questions and made comments.

II. Requested Rezonings / Docket Approval-None

III. Approval of Summary-Yes

A motion by CM Beard to approve the summary from March 9, 2010, seconded by CM Crosbie, passed without dissent.

IV. Budget Amendments-None

V. New Business

A. Authorization of a Subrecipient Agreement with the Owensboro Police Department under LFUCG Agreement with the Kentucky Office of Homeland Security (KOHS) for Improvised Explosive Devices (IED) Training. (108-10) (P. King/ Bennett)

B. Authorization of a Professional Services Agreement with Jessica Barker, Sexual Assault Nurse Examiner (SANE), for Performance of Forensic Examinations. (109-10) (P. King/Bennett)

C. Authorization of Amendment No. 1 to Lease Agreement with WDKY, Inc. for Space on a Multi-Unit Broadcast Tower for the 800MHz Radio System. (112-10) (Hendricks/Bennett)

D. Authorization to Accept Donation from Cloud Concrete Products on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (113-10) (Hendricks/Bennett)

E. Authorization to Submit Applications to the Kentucky Transportation Cabinet (KYTC) under the Congestion Mitigation and Air Quality (CMAQ) Program for FY2011 Projects. (110-10) (P. King /Webb)

F. Authorization to Approve Change Order No. 4 to Contract with Strand Associates, Inc. Regarding the Legacy Trail Project. (111-10) (Rayan/Webb)

G. Authorization of an Amendment to Agreement Offered by the Kentucky Transportation Cabinet (KYTC) Regarding the Old Frankfort Pike / Alexandria Drive Stone Fence Project. (115-10) (P. King/Langston)

H. Authorization to Accept Donation of Concrete Planters from CMW Real Estate on Behalf of the Department of General Services, Division of Parks & Recreation. (119-10) (Hancock/Cole)

A motion by CM James to table item F this week and have it placed automatically under New Business next Tuesday, seconded by CM Crosbie, passed without dissent.

A motion by CM Ellinger to approve all New Business items except item F, seconded by CM Blues, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Special Planning Committee Report

This report was given by Chair CM Gorton.

A motion by CM Gorton to postpone passing forward text amendment #s 3, 4, and 5, seconded by VM Gray, passed without dissent.

A motion by CM Gorton to advance all text amendments forward in order to go to the Planning Commission, except #s 3, 4, and 5, seconded by CM Beard, passed without dissent.

B. Inter Governmental Committee Report

This report was given by Chair CM James.

A motion by CM James to place back on the docket the creation of the position of Administrative Officer in Youth Services, seconded by CM Myers, passed without dissent.

C. Corridors Commission Report

This report was done by Vice Chair CM Beard.

D. Enterprise Resource Planning Update

This update was given by CIO Rama Dhuwaraha. Several CMs asked questions.

VII. Council Report

CM Stinnett-Announced the next Building Inspection Task Force meeting will be on 4/8 at 3 pm in the 5th floor conference room; Eastland NA will meet next Tuesday at 6:30 pm at Christ Center Church.

CM Blues-Announced that tonight at 7 pm at Bracktown Baptist Church there will be a property forum community session-sponsored by Community Action Council; on 3/18, Speigle Heights NA will meet at 7 pm at Antioch Baptist Church and on 3/22 Radcliffe-Marlboro NA and Oakwood NA will meet at 7 pm.

CM McChord-Thanked Mayor Newberry for coming by his daughter's school, Clays Mill Ele.-sure she will receive extra credit for his visit; announced tonight at 7 pm at Stonewall Ele. The Stonewall NA meeting; reminded everyone of the beginning of the Sweet Sixteen tournament on Wednesday; a week from this Sunday, Lexington will hosts its first Half Marathon.

CM Martin-Announced the Southland Assoc. meeting tonight at 6 pm at the Oleika Shrine building on Southland Dr.

CM Feigel-Expressed gratitude to Christ the King Cathedral for including the community in the discussion about their addition to their building; mentioned that this Wednesday morning at 11:45 am there will be a Boy Scout luncheon celebrating 100 years of scouting at the Keeneland Barn; last week the International Congress of Little League was here in town.

<u>A motion by CM Feigel to place into the Planning Committee the ND-1 Process and solicit input on the ones already there, seconded by CM James, passed without dissent.</u>

CM Henson-Put in her pitch for the Census 2010.

CM Gorton-Reminded everyone of the confirmation hearing on 3/25 at 6:30 pm and two zoning ordinance text amendments.

<u>A motion by CM Gorton to schedule a Special Planning Committee meeting on 3/23/10 at 9:00 am, seconded by CM Beard, passed without dissent.</u>

CM Crosbie-Thanked Police and Traffic Eng. for their help with the St. Elizabeth Ann Seton traffic flow issues at their upcoming festival; mentioned the Little League conference and congratulated the UK Men and Women's Basketball teams.

CM Lawless-Asked Jack Burch, Community Action Council, a question about training volunteers for the census and poverty forum.

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

CM Lane-Wished everyone a Happy St. Patrick's Day on behalf of his great Granddaddy, William McMurray Hogan.

VIII. Mayor's Report-None

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

A motion by CM McChord to go into closed session pursuant to KRS 61.810 (1)(c) to discuss a matter involving pending litigation, seconded by CM Henson, passed with a 13-1 vote.

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

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

Work session was adjourned at 5:33 pm.

JOURNAL	41090-91	**DIVISION**	Purchase of Development Rights	**Fund Name** **Fund Impact**	General Fund 1,156.50 1,156.50CR .00

To provide funds for legal services by recognizing a escrow payment.

JOURNAL	41254	**DIVISION**	Youth Services	**Fund Name** **Fund Impact**	General Fund 919.50 919.50CR .00

To provide funds for operating supplies and staff travel/training by decreasing funds remaining from copier purchase.

JOURNAL	41339	**DIVISION**	Parks and Recreation	**Fund Name** **Fund Impact**	General Fund 48,937.64 48,937.64CR .00

To provide funds for overtime in the Division of Facilities and Fleet Management by decreasing funds for overtime in Parks and Recreation. This is for hours worked by Masterson Station Base employees through February.

JOURNAL	41502-03	**DIVISION**	Streets, Roads, and Forestry	**Fund Name** **Fund Impact**	General Fund 11,868.63 11,868.63CR .00

To reimburse salt maintenance account by recognizing reimbursement from University of Kentucky.

JOURNAL	41504-05	**DIVISION**	Streets, Roads, and Forestry	**Fund Name** **Fund Impact**	General Fund 578.10 578.10CR .00

To provide funds for minor equipment by recognizing money earned from salvage iron and metal.

JOURNAL	41452	**DIVISION**	Community Development	**Fund Name** **Fund Impact**	Urban Services Fund 40,880.00 40,880.00CR .00

To establish grant match and personnel recoveries for the Urban Services budget for the Wolf Run project.

JOURNAL	41255	**DIVISION**	Water Quality	**Fund Name** **Fund Impact**	Stormwater Bond Fund 26,193.61 26,193.61CR .00

To appropriately place funds for ongoing flood mitigations projects in the correct account number.

JOURNAL	41257	**DIVISION**	Water Quality	**Fund Name**	2008 Bond Projects
				Fund Impact	12,060.98
					12,060.98CR
					.00

To appropriately place funds for ongoing flood mitigations projects in the correct project name and accounts.

JOURNAL	41536	**DIVISION**	CIO	**Fund Name**	2009 Bond Projects
				Fund Impact	300,000.00
					300,000.00CR
					.00

To provide funds for Professional Services to cover additional project implementation/support services related to Peoplesoft.

JOURNAL	41450-10	**DIVISION**	Community	**Fund Name**	US Dept HUD
				Fund Impact	30.00
					30.00CR
					.00

To reduce revenue and expense in Land Banking program to match actual award.

JOURNAL	PCG41391-92	**DIVISION**	Community Development	**Fund Name**	US Dept HUD
				Fund Impact	285,489.41
					285,490.20CR
					0.79CR

To correct budgets for CDBG based on Project/Grants implementation in Peoplesoft.

JOURNAL	41500-01	**DIVISION**	Community Development	**Fund Name**	US Dept of Transp
				Fund Impact	1,295,000.00
					1,295,000.00CR
					.00

To eliminate LFUCG grant budget for Vine Street project that will now be manged by the State.

JOURNAL	41508-09	**DIVISION**	Community Development	**Fund Name**	US Dept of Transp
				Fund Impact	10,000.00
					10,000.00CR
					.00

To recognize the receipt of $10,000 from Jessamine County Fiscal Court for support of Lexington Area Metropolitan Planning Organization for Transportation Planning Activites.

JOURNAL	41334	**DIVISION**	Community Development	**Fund Name**	US EPA
				Fund Impact	57,678.67
					57,678.67CR
					.00

To move funds from professional services to construction for the McConnell Springs project.

JOURNAL	41459	**DIVISION**	Community Development	**Fund Name**	Grants State
				Fund Impact	12,652.99
					12,652.99CR
					.00

To realign accounts for KY Pride for actual expenditures.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1115	Urban Service District Fund	.00
Fund	2501	Stormwater Bond Fund	.00
Fund	2517	2008 Bond Fund	.00
Fund	2518	2009 Bond Fund	.00
Fund	3120	US Department of Housing and Urban Development	.79CR
Fund	3160	US Department of Transportation	.00
Fund	3170	US Environmental Protection Agency	.00
Fund	3400	Grants – State	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

March 23, 2010 Work Session

If the New Business item listed below is on the Agenda, approval 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		
125-10	TBD	Community Development	To establish grant budget for M.A.S.H. Drop Inn Facility – FY 2011.		
N				3190	200,000
				3190	200,000CR
					0*
130-10	41506-07	Community Development	To budget additional federal funds and match for the Historic Preservation Grant – FY 2010.		
F				3130	3,387
				3130	3,387CR
					0*
130-10	41499	Community Development	To establish additional local match and personnel recovery for Historic Preservation Grant – FY 2010.		
F				1101	1,355
				1101	3,387CR
					2,032CR*
127-10	TBD	Community Development	To establish funds for Law Enforcement Service Fee grant program – FY 2011.		
K				3400	65,026
				3400	65,026CR
					0*
141-10	BA 2814	Community Development	To establish grant budget for the Safe Haven Project – FY 2010.		
T				3140	93,413
				3140	93,413CR
					0*

EFFECT ON FUND BALANCES

FUND 1101	**2,032***	**INCREASE TO:**	**GENERAL SERVICES DISTRICT**
FUND 3130	**0***	**NO IMPACT TO:**	**US DEPARTMENT OF INTERIOR**
FUND 3140	**0***	**NO IMPACT TO:**	**US DEPARTMENT OF JUSTICE**
FUND 3190	**0***	**NO IMPACT TO:**	**US DEPARTMENT OF HEALTH & HUMAN SERVICES**
FUND 3400	**0***	**NO IMPACT TO:**	**GRANTS - STATE**

Budget Information For New Business Items

March 23, 2010 Work Session

Item	Number	Amount	Fund	Name / Description
A	120-10	NA		
B	111-10	55,000	2517	2008 Bond Projects
C	122-10	1,250,000	3160	US Department of Transportation
D	128-10	NA		
E	129-10	NA		
F	130-10	3,387 2,032	3130 1101	US Department of Interior General Fund Budget Journals
G	140-10	NA		
H	131-10	NA		
I	124-10	NA		
J	126-10	NA		
K	127-10	65,026	3400	Grants - State Budget Journal
L	135-10	37,300	3200	US Department of Homeland Security
M	139-10	5,000	3200	US Department of Homeland Security
N	125-10	200,000	3190	US Department of Health and Human Services Budget Journal
O	136-10	NA		
P	132-10	60,000	4121	Landfill Fund
Q	133-10	110,702	3400	Grants - State
R	134-10	188,192	4003	Sanitary Sewer Construction Fund
S	138-10	NA		
T	141-10	93,413	3140	US Department of Justice Budget Journal

THE OFFICE OF LINDA GORTON, RN

COUNCIL MEMBER – AT-LARGE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

MEMORANDUM

TO: Mayor Jim Newberry
Council Members

FROM: Linda Gorton
Linda Gorton
Council Member At-Large

RE: Friends of the Dog Park Donation

DATE: March 9, 2010

This is a request to execute a Resolution authorizing the Mayor to accept a donation of fencing in the amount of $18,775 from Friends of the Dog Park, Inc. for the Masterson Station Dog Park.

There is no budgetary impact.

Lexington-Fayette Urban County Government 200 East Main Street Lexington, KY 40507 (859) 258-3200
FAX (859) 258-3838

111-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: **MARCH 1, 2010**

SUBJECT **REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 4 TO ENGINEERING SERVICES AGREEMENT WITH STRAND ASSOCIATES, INC., FOR DESIGN OF TEMPORARY ROUTE THROUGH EASTERN STATE HOSPITAL PROPERTY AS PART OF THE LEGACY TRAIL PROJECT**

On October 2, 2008 (Resolution No. 573-2008), Council accepted proposal submitted by Strand Associates, Inc., in the amount of $496,000 in response to RFP 28-2008, for the feasibility study and engineering design of the Legacy Trail Project. The Legacy Trail is a shared-use greenway trail that will connect downtown Lexington with area neighborhoods, parks, and historic sites as it follows a northward course to the Kentucky Horse Park.

Chance Order No. 1 in the amount of $573,300 was approved by Council on June 25, 2009 (Resolution No. 450-2009).

Change Order No. 2 in the amount of $40, 700 was approved by Council on November 5, 2009 (Resolution No. 693-2009).

Change Order No. 3 in the amount of $208,100 is in process of being approved by Council

Change Order No. 4 in the amount of $55,000 is proposed for the design of the temporary route through Eastern State Hospital property, which will connect the Legacy Trail Phase 2 at the Northside YMCA to Legacy Trail Phase 3. The trail extension is approximately 2,500 feet and goes from Loudon Avenue to Fourth Street. New total will be $1,373,100.

Funds for Change Order No. 4 in the amount of $55,000 are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
2517	707601	7211	90311	PARKPROJ_2009A	2008	BRIDGETRL	$55,000

Council authorization to execute Change Order No. 4 is hereby requested.

Paula King, Director

Xc: Mike Webb, Commissioner, Department of Public Works and Development

CONTRACT HISTORY FORM

Project Name: **Legacy Trail Project**

Contractor: **Strand Associates Inc**

Contract Number and Date: 6252 **October 2, 2008**

Responsible LFUCG Division: **Engineering**

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	$	**496,000.00**	
Next Lowest Bid Amount: **NA**			
B. Amount of Selected Alternate or Phase:	$		
C. Cumulative Amount of All Previous Alternates or Phases:	$	**496,000.00**	
D. Amended Contract Amount:	$	**496,000.00**	
E. Cumulative Amount of All Previous Change Orders:	$	**822,100.00**	**165.7%** *(Line E / Line D)*
F. Amount of This Change Order:	$	**55,000.00**	**11.1%** *(Line F / Line D)*
G. Total Contract Amount:	$	**1,373,100.00**	

SIGNATURES

Project Manager: Keith Lovan Date: 2/18/10

Reviewed by: RA Bayert Date: 2/18/10

Division Director: [signature] Date: 2/19/10

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		
	Date:	February 17, 2010
	Project:	Legacy Trail Project
	Location:	Legacy Trail Temp Route
To (Contractor): **Strand Associates, Inc.**	Contract No.	6252
	Contract Mod No.	4

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

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price
	design of temporary route		$55,000.00
	through Eastern State Hospital property		
	connects to Legacy Trail Phase 3		
	Total decrease		
	Total increase		$55,000.00
	Net increase ~~(decrease)~~ in contract price		$55,000.00
	Current total contract price		**$1,318,100.00**

The sum of $ **$55,000.00** is hereby added to the total contract price, and the new total contract price thereby is **$1,373,100.00**

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

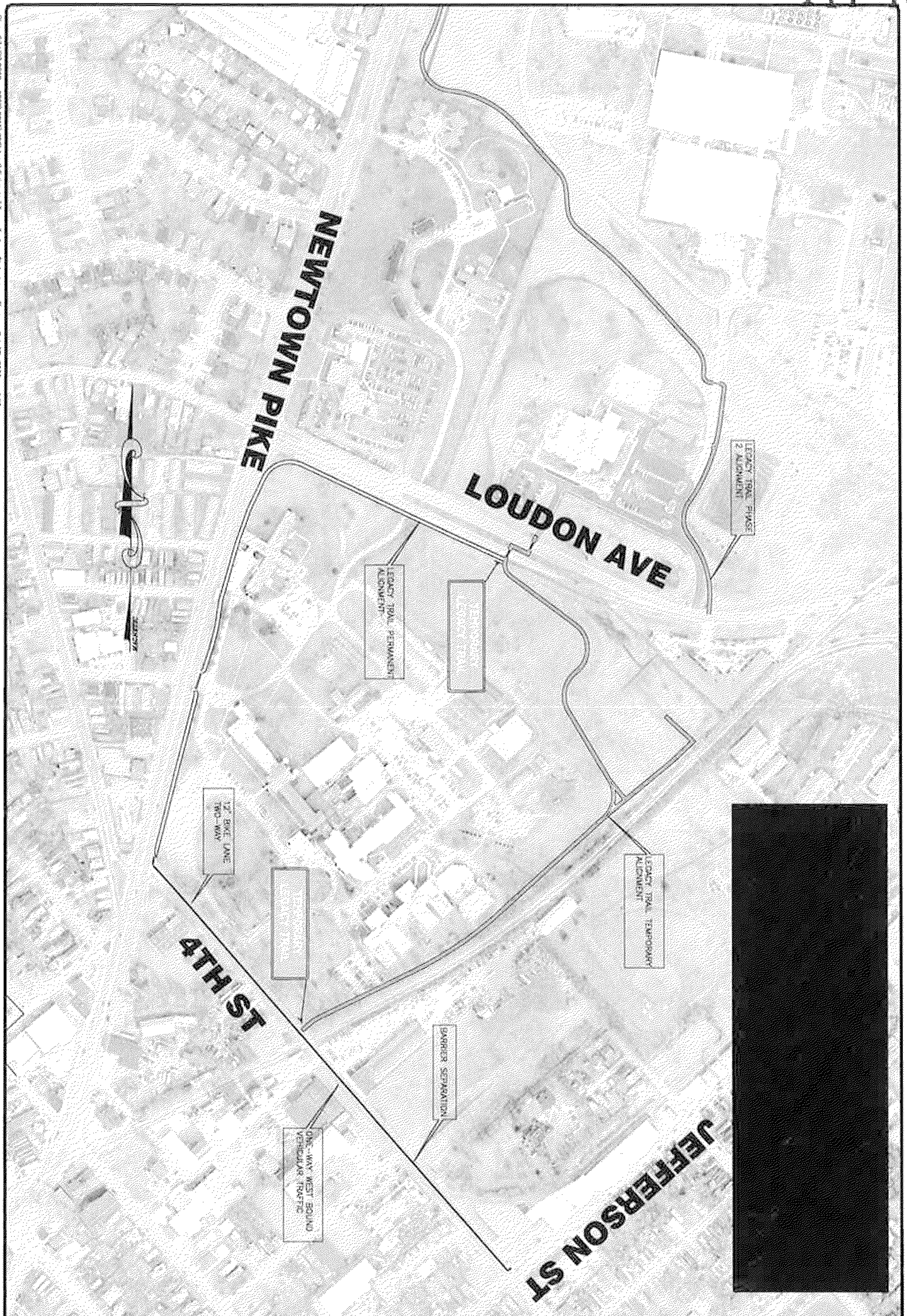
Recommended by Keith Lovan RAB 2/18/10 (Proj. Engr.) Date 2/18/10

Accepted by Theodore J Rutland (Contractor) Date 2-18-2010

Approved by M A Cain (Urban Co. Engr.) Date 2/19/10

Approved by James M. Wallace (Commissioner) Date 2/19/10

Approved by ____________________ (Mayor or CAO) Date ________



JOB NO. / SHEET	STRAND ASSOCIATES, INC. ENGINEERS	LEGACY TRAIL EXHIBIT TEMPORARY EASTERN STATE HOSPITAL ALIGNMENT	DATE: DES BY: CHK BY:	NO.	REVISIONS	DATE:

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 9, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH LEXINGTON-COMMUNITY LAND TRUST, INC., FOR NEWTOWN PIKE EXTENSION PROJECT

The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). Council approved project agreement on November 9, 2000 (Ordinance # 344-2000). The Final Environmental Impact Statement signed June 12, 2007 and entered into the Record of Decision signed on October 11, 2007, includes mitigation for the environmental justice impacts on the Southend Park Neighborhood. The LFUCG has been awarded funds from the Kentucky Transportation Cabinet in Supplemental Agreement No. 1 (Ordinance No. 24-2009, February 26, 2009) for mitigation services that include establishing and operating a Community Land Trust (CLT). The CLT was created for the purpose of protecting the integrity and viability of the Southend Park Urban Village and its housing stock and neighborhood amenities against unwanted and/or detrimental neighborhood impacts from the Newtown Pike Road Extension Project.

In accordance with the Record of Decision (ROD), KYTC Item 7-593.00, FHWA-KY-EIS-03-01-F, the proposed agreement provides for the advance payment of $250,000 to the CLT for operation of the Land Trust. The ROD provides for an additional $250,000 for each of the next four years to the CLT for operating costs. As these funds are approved by the Kentucky Transportation Cabinet, the Agreement will be amended in writing and subject to the approval of the Urban County Council.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	303202	3211	91715	NEWTOWNPK_2009	2009	FED_GRANT

Council authorization to execute agreement with Lexington-Community Land Trust, Inc., is hereby requested.

Paula King, Director

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

128-10 21

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR THE TOWN BRANCH TRAIL PHASE II PROJECT

On April 17, 2003 (Ordinance No. 71-2003), Council approved acceptance of federal funds from the Kentucky Transportation Cabinet for the construction of Town Branch Trail-Phase II. Town Branch Trail Phase II, approximately 2400 feet long, connects the Spicewood and Marehaven neighborhoods with McConnell's Trace.

The source of federal funds ($180,000) is the Transportation Enhancement Program, as authorized by the Transportation Equity Act for the 21st Century (TEA-21). Match of $45,000 is currently budgeted. Total cost is $225,000.

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to the Agreement extending this project through June 30, 2011.

Council authorization to execute the Amendment to Agreement is hereby requested.

Paula King
Director

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

129-10 22

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR THE SAFE ROUTES TO SCHOOL PROJECT

On June 22, 2006 (Ordinance No. 184-2006), Council approved acceptance of federal funds from the Kentucky Transportation Cabinet for a Safe Routes to School pilot program. This project included the development of a partnership among the LFUCG, Fayette County Public Schools, and the Fayette County Health Department to encourage children to bike and walk to school.

The source of federal funds ($64,000) is the Transportation Enhancement Program, as authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Match of $16,000 is currently budgeted. Total cost is $80,000.

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to the Agreement extending this project through June 30, 2011.

Council authorization to execute the Amendment to Agreement is hereby requested.

Paula King
Director

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

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE LETTER OF AGREEMENT AMENDMENT, ACCEPTING ADDITIONAL FEDERAL FUNDS FROM THE KENTUCKY HERITAGE COUNCIL FOR THE DIVISION OF HISTORIC PRESERVATION'S SURVEY AND PLANNING PROJECT – FY 2010

On June 25, 2009 (Ordinance # 106-2009), Council approved the acceptance of federal funds from the Kentucky Heritage Council for the purpose of supporting Certified Local Government historic preservation administrative activities in the Division of Historic Preservation.

The Kentucky Heritage Council has offered the LFUCG additional federal funds in the amount of $2,032. A 40% match in the amount of $1,355 is required. Total project cost is now $20,000 ($12,000 federal and $8,000 local). Matching funds will come from existing personnel costs in the Division of Historic Preservation's general fund budget for Fiscal Year 2010. Funds will be used for the salaries and benefits of existing personnel in the Division of Historic Preservation.

Council authorization to execute the Letter of Agreement Amendment and accept additional federal funds is hereby requested.

Paula King
Director

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

140-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 16, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET REQUESTING FEDERAL FUNDS FROM THE SCENIC BYWAYS AND HIGHWAYS PROGRAM FOR THE OLD FRANKFORT PIKE CORRIDOR MANAGEMENT PLAN

The Lexington-Frankfort Scenic Corridor, Inc., has prepared an application for submission to the Kentucky Transportation Cabinet requesting federal funding under the Federal Highway Administration's National Scenic Byways Program to support the cost of development of the Old Frankfort Pike Corridor Management Plan. The amount requested is $52,000. A 20% match in the amount of $13,000 will be provided by the Lexington-Frankfort Scenic Corridor, Inc. Total cost of the project is $65,000. If approved, an agreement will be entered into with Lexington-Frankfort Scenic Corridor, Inc. for project management. The corridor management plan will encompass the entire 14.541 miles of the byway and will be developed, adopted and implemented in a manner that specifies actions, procedures, controls, operational practices, and strategies to maintain the archaeological, cultural, historic, natural, recreational, and scenic qualities that support the byway's designation.

Council authorization to submit application is hereby requested.

Paula King

Paula King, Director

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

131-10

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

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council Members
Joe Kelly, Senior Advisor for Management

From: Chris King, Director, Division of Planning

Date: March 9, 2010

Re: License Agreement for Share the Road Art Work

Please see the attached license agreement between the LFUCG and the Kentucky Bicycle and Bikeways Commission (KBBC). The agreement grants LFUCG use of the 'Share the Road' art work copyrighted by the KBBC. The LFUCG will use the art work in conjunction with Fayette County's 'Share the Road' educational campaign, the purpose of which is to promote safe and courteous bicycle, pedestrian and motorist behavior.

There is no budgetary impact.

Attachment

C: Mike Webb, Commissioner
Max Conyers
Kenzie Gleason

131-10

LICENSE AGREEMENT

This License Agreement ("Agreement") is entered by and between the Kentucky Bicycle and Bikeway Commission ("Licensor") and the Lexington-Fayette Urban County Government ("Licensee") (collectively "the parties").

WHEREAS, Licensor is a Commission established by the Kentucky Legislature under KRS § 174.125 to represent the interests of bicyclists, bikeways and their use and promoting the interests of the bicycling public in Kentucky;

WHEREAS, Licensor owns the copyright of the "Share the Road" design for the Kentucky Transportation Cabinet's use as the art work for the "Share the Road" license plate under a Copyright Assignment Agreement with the artist ("Work");

WHEREAS, Licensee desires to use the Work in Licensee's "Share the Road" program to promote safe bicycling and pedestrian activities in Fayette County; and

WHEREAS, Licensor is agreeable to granting Licensee limited rights to reproduce the Work subject to the terms and conditions set forth below.

NOW THEREFORE, in consideration of the promises and mutual covenants herein contained and other good and valuable consideration, the parties agree as follows:

1. **Work**. The term "Work" means the following materials: the image, including any derivations thereof depicted in the Share the Road design depicted in Attachment A.

2. **Intellectual Property**. The term "Intellectual Property" means all rights arising from or in respect to the Work whether or not registered or protected by, created, or arising under the laws of any jurisdiction. Intellectual Property includes all graphic materials, designs, recordings, drawings, photographs and any other embodiment of the above, in any form, whether or not specifically listed.

3. **Ownership of Intellectual Property**. Licensor owns all Intellectual Property, including that licensed under this Agreement. Licensee agrees that nothing herein shall give it any right, title, or interest in the Intellectual Property (except the rights licensed in this Agreement), and that each and every part of the Intellectual Property is, and will remain, the sole property of Licensor.

4. **License Grant**. Subject to the terms and conditions of this Agreement and to the limitations set forth below, Licensor hereby grants to Licensee the perpetual, non-exclusive, non-transferable right to use and reproduce the Work for the purpose of the Share the Road program in Fayette County.

5. **Attribution**. Licensee agrees that the Artist's name "Erin Back" shall be acknowledged in print on all derivative works including prints and t-shirts. Licensee shall also include the web address "sharetheroad.ky.gov" within the derivative work in order to further promote the Share the Road program.

6. No Royalty. The rights licensed to Licensee under this Agreement shall be granted on a royalty-free basis.

7. Indemnification. Licensee shall indemnify and hold harmless Licensor against any and all damages, losses, costs, expenses, assessment, fines, and judgments (collectively "claim"), including reasonable costs and attorneys' fees incident to any claim, of any nature arising from or connected with Licensee's use of the Work.

8. Termination. Licensor may terminate this Agreement for any reason, at its sole discretion, without prior notice.

9. No Assignment or Sublicense. Neither this Agreement nor any rights granted herein may be assigned or sublicensed, directly or indirectly, by Licensee without the prior written consent of Licensor, which may be denied in Licensor's sole discretion.

10. Severability. If any clause, provision or term of this Agreement is declared illegal, invalid, or unenforceable under applicable present or future laws, then the parties intend that the remainder of this Agreement shall not be affected and shall remain in full force and effect.

11. Integration and Amendments. This Agreement sets forth the entire Agreement and understanding of Licensee and Licensor with respect to the subject matter contained herein. No amendment or modification of this Agreement shall be valid and binding upon the parties unless made in writing and signed by the parties.

12. Execution in Counterpart. For the convenience of the parties, this Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the last day and year written below.

KENTUCKY BICYCLE AND BIKEWAY COMMISSION	**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**
By: ______________________	**By:** ______________________
______________________ **Name**	______________________ **Name**
Commissioner **Title**	______________________ **Title**
______________________ **Date**	______________________ **Date**

ZZ995:99931:343534:1:LEXINGTON

LEXINGTON DIVISION OF POLICE

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

124-10

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: March 9, 2010

RE: Memorandum of Understanding – Kentucky State Police, Kentucky Internet Crimes Against Children Task Force

Please find attached Memorandum of Understanding between the Kentucky State Police, Kentucky Internet Crimes Against Children Task Force and the Lexington-Fayette Urban County Government.

This MOU allows for the continuation of the Kentucky Internet Crimes Against Children Task Force. The mission of the task force is to deter, prevent, investigate and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers and the Internet. 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.

R. Bastin
Ronnie Bastin
Chief of Police

Attachment

cc: Tim Bennett, Commissioner of Public Safety

KENTUCKY INTERNET CRIMES AGAINST CHILDREN TASK FORCE

MEMORANDUM OF UNDERSTANDING

February 26, 2006

Parties

The Internet Crimes Against Children (ICAC) Task Force is a multi-agency, multi-jurisdictional initiative, funded with a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). This Memorandum of Understanding (MOU) is entered into, by, and between the Kentucky State Police and the various federal, state and local law enforcement agencies that have signed this document. No part of this MOU shall be viewed as limiting or impeding the spirit of cooperation that exists among the agencies.

Mission

The mission of the Task Force is to deter, prevent, investigate, and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers and the Internet. The Task Force will engage in reactive and proactive investigations targeting those offenders who are actively involved in this type of criminal activity. Additionally, the Task Force will participate in a statewide effort to educate the public on issues regarding Internet safety for children. Training opportunities will be made available to Task Force members so they can become familiar with the most current trends and developments in the area of on-line child exploitation.

Purpose

The purpose of this MOU is to outline the relationship between all participating agencies in order to ensure that each understands and agrees to guidelines concerning policy, supervision, planning, training, and public relations. This document is devised to formalize the association between agencies and to foster an understanding of each agency's role within the Task Force. The goal of this MOU is to promote efficiency in operations and provide guidelines necessary to ensure standardization in policies and procedures among Task Force participants.

Organizational Structure

The Task Force is composed of representatives from all participating agencies whose chief law enforcement officer in the state has signed this MOU.

A Board of Directors for the Kentucky Task Force will be established, with the commander of the Kentucky State Police Computer Technologies Branch—or his designee—as chairman.

The chairman's primary responsibility will be to preside over meetings of the Board. The chairman and one member from each of the participating agencies, including the state police, will constitute the Board. Each agency participating in the Task Force shall designate one of its officers or representatives participating in the Task Force as that agency's representative to the Board. Each Board member shall have one vote. Two Board members, a vice-chairman and a secretary, shall be elected from the membership by a simple majority vote of the Board members present.

The Board will create by-laws formalizing its duties and responsibilities. The lengths of terms for vice-chairman and secretary shall be decided by the Board and formalized in the by-laws. These three members—the chairman, vice-chairman, and secretary—shall constitute the Executive Committee. Other specialized committees and positions may be established as the Board sees fit.

Direction

This Task Force is a joint endeavor with all participating agencies acting as partners. Because of its grant oversight responsibility, the Kentucky State Police Electronic Crime Section will act as the lead law enforcement agency and will be responsible for coordinating the day-to-day operations of the Task Force, as well as ensuring compliance with the policies and procedures issued by the United States Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (OJJDP). Ultimately, all Task Force activities are governed by these operational and investigative standards. A copy of these guidelines shall be issued to each agency upon acceptance of this MOU.

As the lead law enforcement agency, the Kentucky State Police Electronic Crime Section will be responsible for compiling and reporting Task Force activities to the ICAC program manager at OJJDP. Information on the activities of participating agencies will be collected in a prescribed format and reported in a timely fashion to the Kentucky State Police ICAC program coordinator.

The ICAC program coordinator will handle all ICAC grant administrative functions, with oversight and approval from the state police ICAC program director. The ICAC program coordinator will regularly contact participating agencies to keep them apprised of new developments, training opportunities, problems, and successes within the Task Force.

Investigator Selection Criteria

Each agency will identify specific officers who will be assigned to the Task Force. Only these officers will be permitted to conduct ICAC online investigations or perform forensic examinations pursuant to (1) this agreement, (2) ICAC operational and investigative standards, and (3) applicable policies or procedures formulated by the Kentucky ICAC Board of Directors.

Potential ICAC investigators should be evaluated for assignment to the Task Force based upon their work history and prior investigative experience, familiarity with computers and networks, court testimony skills, ability to handle sensitive information prudently, and a genuine interest in the protection of children. Each officer assigned to the Kentucky ICAC Task Force must receive appropriate training prior to initiating online investigations.

Personnel

Personnel assigned to the Task Force will be evaluated by their respective agency heads/supervisors. The ICAC program coordinator will provide monthly activity printouts to each agency head/supervisor on the Task Force activities performed by their officers. Continued assignment to the Task Force will be dependent upon a satisfactory supervisory evaluation. At no time will the employees of a participating agency be deemed employees of another participating agency.

Supervision

The commander of the state police Electronic Crime Section, acting through the ICAC program coordinator, is responsible for assigning and coordinating daily operational and administrative activities of the Task Force. The ICAC program coordinator will maintain regular contact with ICAC officers in participating agencies to determine the status of investigations, provide supporting investigative and analytical information, and to identify and address issues pertaining to the overall operation of the Task Force. Each agency is responsible for the personal and professional conduct of its Task Force personnel.

Investigations

All Task Force investigations will be conducted in the spirit of cooperation among agencies.

Proper execution and documentation of undercover operations provides the well-trained investigator with virtually incontrovertible evidence regarding a suspect's intent to exploit children. Investigations will follow ICAC operational and investigative standards, policies and procedures formulated by the Kentucky ICAC Board of Directors, and principles of law and due process.

Prosecution

When necessary, a case-by-case analysis will be performed on each potential prosecution to determine in which jurisdiction the case will be prosecuted. A preference will be given to the participating agency initiating the investigation. Those cases being considered for federal prosecution will be investigated pursuant to guidelines established by the appropriate United States Attorney.

Prevention and Education Activities
Public education and awareness are key components of the ICAC initiative. Task Force agencies will provide information and guidance to children, parents, educators, and any other individuals concerned with child safety issues, through public presentations. These presentations will not depict identifiable victims or use pornographic or sexually explicit images, nor will confidential investigative techniques be discussed. No member of the Task Force may endorse any product or service without the express consent of the OJJDP Program Manager.

Case Administration
As the lead law enforcement agency, the Kentucky State Police Electronic Crime Section will be responsible for compiling and reporting Task Force activities to the ICAC program coordinator at OJJDP. Information on the activities of participating agencies will be collected in a prescribed format and reported in a timely fashion to the Kentucky State Police ICAC program coordinator.

Cases will be handled in compliance with each agency's case management policies and procedures. However, each participating agency agrees that selected Task Force cases will be made available upon request to either the [Kentucky] ICAC program coordinator, or the [Kentucky] ICAC program director.

Information Sharing
All Task Force members shall contribute case information for inclusion into one or more common databases. Access to the ICAC investigative website is available only to ICAC members and serves as a pointer system to assist in investigations. Basic case information (submitting Task Force information, offender's screen name, identifiers, synopsis of investigation), as well as case update information (criminal proceedings, sentencing information, additional data on suspect) shall be submitted to the ICAC program coordinator on a timely basis for inclusion in the database.

If any common target is identified, the initiating ICAC agency is responsible for contacting the other law enforcement agency targeting the suspect. Initiating ICAC agencies should also consider contacting other local, state, and federal agencies, which may be involved in similar investigations.

Records, Reports, and Evidence
Task Force members will maintain their own agency records and reports. All necessary case information will be provided to the ICAC program coordinator on a timely basis for reporting purposes as outlined above.

Evidence will be impounded in the Evidence Room of the appropriate participating agency. Evidence will be handled by established rules of law regarding chain of custody and property release.

The storage, security, and destruction of investigative information shall be consistent with agency policy. At a minimum, information should be maintained in locked cabinets and under the control of Task Force personnel. Access to these files should be restricted to authorized personnel with a legitimate need to know.

Absent the availability of a trained and experienced forensic examiner in the investigator's agency, the state police ECB will conduct forensic examinations of computers and related evidence in ICAC cases. The Board may establish minimum qualifications—including training requirements—for ICAC examiners, and establish operational guidelines for conducting ICAC forensic examinations.

Absent the Board's action in this area, whenever a participating agency desires to conduct its own forensic examination, the participating agency is responsible for contacting the commander of the ECB for approval prior to beginning any forensic examination.

Media Relations and Releases

No information pertaining to Task Force operations will be released to the media without the prior approval of all agencies with an immediate investigative or prosecutorial interest in the case. Media releases may be made jointly by all agencies participating in the case. Media releases shall not include information regarding confidential investigative techniques.

Media releases relating to ongoing prosecutions, crime alerts, or other matters concerning ICAC operations shall be made in cooperation with the state police ICAC program coordinator.

Workspace and Equipment

Each participating agency agrees to make available its resources in support of a joint Task Force investigation. These may include, but are not limited to:

1. **Vehicles:** When appropriate, each agency will supply vehicles for its participating personnel.

2. **Communication Equipment:** Each agency will supply their personnel with two-way radios, pagers, and if available, cellular telephones. A list of current pager and cellular telephone numbers will be provided to the ICAC program coordinator.

3. **Safety Equipment:** Each agency will ensure its officers and agents assigned to the Task Force shall have all necessary equipment including, but not limited to, agency-authorized firearms, handcuffs, ballistic protective vests, tape recorders, and any other equipment judged to be essential by the Board.
4. **Dedicated Computer Hardware, Software, and Network Access Services:** Each agency shall provide or make available computer and peripheral hardware, software, and network access services dedicated to the exclusive use of its Task Force members. No personally owned equipment shall be used in ICAC investigations, and all software shall be properly acquired and licensed. The Board, in an effort to standardize certain investigative and forensic procedures, may formulate guidelines for the selection purchase and use of equipment and software. If sufficient funds are available, the purchase of some equipment and services may be made through the ICAC grant.
5. **Dedicated Work Space:** In lieu of establishing a centralized facility or regional locations, each agency shall make available to its Task Force personnel sufficient workspace and office equipment in a secure area. This space must allow officers, agents, and representatives to perform their duties away from public view and without undue distractions from personnel not assigned to the Task Force.

Compensation

Each participating agency agrees to provide wages and benefits for its personnel assigned to the Task Force. Payment of overtime expenses is the responsibility of each member agency. With the exception of the state police ICAC program coordinator's position, payment of salaries and overtime made available through the ICAC grant will be decided by the Board.

Training

Task Force members will be provided advanced training to improve and enhance the job skills required to combat Internet crimes against children. Grant funds may be used to finance the training, subject to the availability of funding for this purpose.

Liability

Each agency shall assume responsibility and liability for the acts and omissions of its own officers, agents or employees in connection with the performance of their official duties under this MOU. It is expressly understood and agreed that no agency or governmental entity executing this agreement in any way agree to alter or waive in whole or in part any privileges or immunities otherwise enjoyed by the agency or governmental entity executing this agreement.

124-10

36

Term of Agreement
It is agreed that this MOU will be in force for an 18-month period from the first day of the month following the date upon which the last required signature of acceptance is received, through the last day of the 18th month. Each MOU may be considered for renewal after a review process that is to begin prior to the expiration date of the MOU.

The MOU may be terminated at any time by a participating agency by delivering a written notice of termination to the commander of the Kentucky State Police Electronic Crime Section who will, in turn, notify all other participating agencies. Upon withdrawing from the Task Force, any state police equipment assigned to participants will be returned to the KSP. An agency's termination of its involvement in ICAC will not negate the remaining agencies' participation and agreement under the MOU.

Ronnie Bastin Signature	3-10-10 Date
RONNIE BASTIN Please Print Name Appearing as Signature	CHIEF OF POLICE Title (e.g., Chief, Resident Agent in Charge, etc.)
Lexington Division of Police Agency	(859) 576-3713 Pager or Cellular Telephone Number (with Area Code)
150 E. Main Street Street Address	(859) 258-3621 Agency Telephone Number (with Area Code)
Lexington, KY 40507 City, State, Zip Code	KY 0340200 ORI Identifier
Mayor, Lexington-Fayette Urban County Government	Date
Commissioner, Kentucky State Police	Date

FOR KSP ELECTRONIC CRIME SECTION ADMINISTRATIVE USE ONLY

EFFECTIVE DATE OF MOU: ____________ EXPIRATION DATE OF MOU: ____________

COPY TO KSP LEGAL OFFICE: ____________ TERMINATION DATE OF MOU: ____________

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR THE CONTINUATION OF THE STREET SALES DRUG ENFORCEMENT PROJECT FOR FY 2011

The Division of Police has prepared an application for submission to the Kentucky Justice and Public Safety Cabinet requesting federal funding for continuation of the Street Sales Drug Enforcement project fro Fiscal Year 2011. If approved, the project will continue the activities of the Lexington-Fayette Urban County Government's Division of Police and the Fayette County Commonwealth Attorney's Office in their attempts to arrest and convict the street level drug dealers. The amount of federal funds requested is $270,000. A local match of 25% ($90,000) is required. This match has been requested in the 2011 General Fund budget. Total project cost is $360,000.

The Division of Police will use funding for overtime and confidential funds in the Narcotics Unit. The Commonwealth Attorney's Office will use funds to support the cost of one full-time Assistant Prosecutor.

These federal funds come from the Edward Byrne Memorial Justice Assistance Grant Program in the U.S. Department of Justice.

Council authorization to submit application is hereby requested.

Paula King
Director

Xc: Tim Bennett, Commissioner of Public Safety

127-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO, AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR LAW ENFORCEMENT SERVICE FEE GRANT PROGRAM - FY 2011

The Division of Police has prepared an application for submission to the Kentucky Justice and Public Safety Cabinet requesting funding in the amount of $65,026 from the Law Enforcement Service Fee Program. If approved, these funds will be used to support overtime costs of approximately 2,000 police officer overtime hours for a Traffic Alcohol Patrol. No matching funds are required. The source of funds is the Law Enforcement Service Fee Fund.

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

Paula King, Director

Xc: Tim Bennett, Commissioner of Public Safety

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: **MARCH 16, 2010**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH SPEC.RESCUE INTERNATIONAL. FOR STRUCTURAL COLLAPSE TRAINING FOR THE DIVISION OF FIRE AND EMERGENCY SERVICES-RFP #3-2010**

On November 19, 2009 (Ordinance # 247-2009), Council approved acceptance of federal funds in the amount of $82,979 from the Kentucky Office of Homeland Security for structural collapse response mitigation certification training for the Division of Fire and Emergency Services.

In response to RFP # 3-2010-Training-Structural Collapse Technician Course, two proposals were received. The Division of Fire and Emergency Services has selected Spec.Rescue International to provide this training. Selection was based upon quality of services and cost. Total cost of these services is $37,300.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3200	505702	5714	71299	STHO_TR_2010	2010	FED_GRANT

Council authorization to execute agreement is hereby requested.

Paula King

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

139-10 40

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 16, 2010

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

The Kentucky Department of Military Affairs/Division of Emergency Management has provided the Lexington-Fayette Urban County Government federal funds for the support of emergency preparedness activities in Fayette County. Council accepted award of these funds on December 8, 2009 (Ordinance No. 265-2009).

In the previous year, the Kentucky Division of Emergency Management required that the LFUCG update its Emergency Operations Plan to an Emergency Support Functions format. Emergency Planning Software was purchased from Previstar, Inc., providing the Division of Emergency Management/911 with the capability to perform this function. The annual subscription cost of this software is $5,000. Funds for this subscription are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3200	505204	5291	71304	EMERG_MGMT_2010	FED_GRANT	2010

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

Paula King, Director

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

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT: AUTHORIZATION TO SUBMIT, AND ACCEPT AWARD IF OFFERED, A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR OPERATION OF THE M.A.S.H. DROP INN FACILITY--FY 2011

The U. S. Department of Health and Human Services is accepting applications for continuation funding of community based centers that address the immediate needs of runaway and homeless youth and their families.

The application for funding requests $180,000 in federal funds to provide partial personnel and operating costs. The 10% required local match of $20,000 will be provided by the M.A.S.H. Drop Inn operating budget which is derived from private contributions, Kentucky Cabinet for Health and Family Services allocation, and other sources. Total project cost is $200,000.

The purpose of the project is to provide for emergency shelter, counseling services and outreach programs for male and female runaway and homeless youth from birth to 17 years of age. M.A.S.H. Services of the Bluegrass, Incorporated, was established in 1976 with the goal of providing structured family environments for adolescents who must be removed from their homes because of abuse and neglect. In 1979, M.A.S.H. Services of the Bluegrass, Incorporated established M.A.S.H. (Metro Alternative Shelter House) Drop Inn as an emergency shelter designed to address the problems of homeless and runaway youth.

M.A.S.H. Drop Inn services alleviate problems of runaway/homeless youth, youth development, reunite youth with their families, encourage the resolution of interfamily problems, strengthen family relationships, encourage stable conditions for youth, and has at least a 95% safe exit rate among homeless youth.

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

Paula King
Director

Xc: Marlene Helm, Commissioner of Social Services

136-10 42

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 16, 2010

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE/OFFICE OF JUSTICE PROGRAMS REQUESTING FEDERAL FUNDS UNDER THE FY 2010 JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM**

Partners for Youth has prepared an application for submission to the U.S. Department of Justice/Office of Justice Programs for a Planning Grant under the Justice and Mental Health Collaboration Program. The purpose of this project is to design a strategic, collaborative plan to initiate systemic change for the identification and treatment of system-involved youth with mental illness or co-occurring mental health and substance abuse disorders. If approved for funding, the project will provide for the development of an effective collaboration representing support from state and local government, justice, mental health and substance abuse treatment services. This collaboration will form the basis for a strategic plan to intercept individuals from the system at the earliest point possible while promoting public safety. This plan will form the basis for the next level of grant application which will be implementation.

Federal funds in the amount of $50,000 will be requested. A 20% match in the amount of $12,500 will be required. This match will be in the form of existing personnel time from the LFUCG Department of Social Services and the Circuit Court. Total project cost is $62,500.

Council authorization to submit the application is hereby requested.

Paula King, Director

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

200 East Main Street • Lexington, KY 40507 • (859) 425-2255 • www.lexingtonky.gov
HORSE CAPITAL OF THE WORLD

F:\WP51\HCD\GRANTS\FEDERAL\US DEPT OF JUSTICE\JUSTICE AND MENTAL HEALTH\10-000.DOC

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

TO: Jim Newberry, Mayor
Urban County Council

FROM: Cheryl Taylor, Commissioner

DATE: March 16, 2010

RE: Request Authorization for Change Order No. 1 for Landfill Water Quality Monitoring and Consulting with MACTEC Engineering & Consulting, Inc.

The Department of Environmental Quality is requesting approval of a Change Order No. 1 to Resolution No. 73-2009 with MACTEC Engineering & Consulting, Inc.

The bid adjustment is necessary because the expansion of the Compost Pad for the WEG will alter the surface water flow and storm water run-off at the Haley Pike Landfill and Compost Pad. The additional scope of work is proactively evaluating possible discharge scenarios for compliance with the current KDPES permit issued by the Kentucky Division of Water.

The Department of Environmental Quality recommends approval.

Fund	Dept ID	Section	Account	Amount
4121	303102	3061	90316	$60,000

CONTRACT HISTORY FORM

132-10

Contractor: MACTEC Engineering & Consulting, Inc.

Project Name: Landfill Water Quality Monitoring and Consulting

Contract Number and Date: Resolution 73-2009

Responsible LFUCG Division: Waste Management

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date		Dollar Amount	Percent Change to Original Contract	
A. Original Contract Amount:	$	76,600.00		
B. Cumulative Amount of Previous Change Orders:	$	0.00	0% (Line B / Line A)	%
C. Total Contract Amount Prior to this Change Order:	$	76,600.00		
Current Change Order				
D. Amount of This Change Order:	$	60,000.00	78% (Line D / Line A)	%
E. New Contract Amount Including this Change Order:	$	136,600.00	178% (Line E / Line A	%

SIGNATURE LINES

Project Manager: Tammi Hudson Date: 3/16/10

Reviewed by: ______ Date: ______

Division Director: ______ Date: ______

45

LEXINGTON -FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date: 3/16/2010 132-10 Project: Landfill Water Quality Monitoring and Location:
To: MACTEC Engineering & Consulting, Inc.	Contract No: 73-2009 Change Order No. 1

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	The expansion of the Compost Pad for the WEG will alter the surface water flow and storm water run off at the Haley Pike Landfill and Compost Pad		$60,000.00
2			
3			
4			
5			
6			
7			
	Change in contract price due to this Change Order:		
	Total decrease	$0.00	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXXX	$60,000.00
	Net (increase) contract price		$136,600.00

The sum of $60,000.00 is hereby added to the total contract price, and the total adjusted contract price to date thereby is:
The time provided for completion in the contract and all provisions of the contract will apply hereto.

Recommended by Tammi Hudson (Project Mgr) Date 3/16/10

Accepted by ____________ (Contractor) Date ________

Approved by ____________ (Director) Date ________

Approved by ____________ (Commissioner) Date 3-16-10

133-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 17, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO ACCEPT PROPOSAL FROM VEOLIA ES TECHNICAL SOLUTIONS FOR SERVICES AS OUTLINED IN RFP 8-2010 FOR THE DIVISION OF WASTE MANAGEMENT'S SPRING CLEAN HOUSEHOLD HAZARDOOUS WASTE COLLECTION EVENT

On July 7, 2009 (Ordinance No. 153-2009), Council approved the acceptance of an award from the Kentucky Energy and Environment Cabinet under the Kentucky Household Hazardous Waste Management Grant Program for implementation of the Division of Waste Management's Spring Clean Household Hazardous Waste Collection Event. RFP # 8-2010 was issued to solicit proposals from qualified firms for collection and disposal of hazardous wastes. Six proposals were received and reviewed by a selection committee. Veolia ES Technical Solutions, LLC was selected as being the firm with the lowest cost for a standard/specific list of materials and quantities. Cost of service is $110,702.50.

Funds are budgeted as:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY
3400	303505	3572	71299	2010	KYHOHAZWA_2010	STA_GRANT

Council authorization to accept proposal from Veolia ES Technical Solutions, LLC, is hereby requested.

Paula King, Director

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

47

134-10

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Newberry
Mayor

Cheryl Taylor
Commissioner

TO: Mayor Jim Newberry
Urban County Council

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

DATE: March 9, 2010

SUBJECT: Change Order #1 for TEAM Contracting
Town Branch WWTP Primary Effluent Pump Station Pump Replacement

The Division of Water Quality requests approval of Change Order #1 for TEAM Contracting for additional work to the Town Branch WWTP Primary Effluent Pump Station Pump Replacement project. Change Order #1 is for a total amount of $188,192.00.

The amount of the change order includes additional funds for unforeseen concrete removal due to inaccurate as-builts from the construction to the plant in the late 80's, a deduct for some equipment change outs for gates and actuators, and replacement of some stairs at the gravity thickeners at Town Branch WWTP.

The change order is fully budgeted and funds are located in two different accounts.

4003-303401-3421-92711 UPGRADETB_2008/CONSTRUCT	$ 38,293.99
4003-303401-3421-92711 TBSCRWPMP_2009/CONSTRUCT	$149,898.01

Should you have any questions, please call.

Approved by: 3-15-10

Cheryl A. Taylor, Commissioner
Department of Environmental Quality
Lexington-Fayette Urban County Government

CONTRACT HISTORY FORM

Contractor: T.E.A.M. Contracting, LLC

Project Name: Town Branch WWTP
Primary Effluent Pump Station Pump Replacement

Contract Number and Date: 147-2009 June 25, 2009

Responsible LFUCG Division: Water Quality

CHANGE ORDER DETAILS Summary of Previous Change Orders to Date:	**Dollar Amount**	**Percent Change to Original Contract**
A. Original Contract Amount:	$1,340,000.00	0% Line B/Line A
B. Pervious Change Order Total:	$0.00	
C. Current Contract Amount:	$1,340,000.00	
D. Amount of this Change Order:	$188,192.00	14% Line D/Line A
E. New Contract Amount:	$1,528,192.00	114% Line E/Line A

SIGNATURE LINES

REVIEWED BY: [signature] DATE: 3/9/10

DIVISION DIRECTOR: [signature] DATE: 3/9/10

134-10

Change Order No. 1
Resolution # 414-2009
Town Branch Waste Water Treatment Plant
Primary Effluent Pump Station Pump Replacement

Lexington-Fayette Urban County Government
Lexington, Kentucky

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

CONTRACTOR: T.E.A.M. Contracting, LLC
PO Box 237
Memphis, IN 47143

SUMMARY OF INFORMATION

Date of Change Order:	March 8, 2010
Date of Contract:	June 25, 2009
Date of Notice to Proceed:	July 22, 2009
Official Start Date:	July 17, 2009
Length of Contract (calendar days):	365
Date of Contract Completion (final completion date):	July 17, 2010
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	0
Change in Contract Time in CO #1 (calendar days):	49
Revised Contract Date (final completion date):	September 4, 2010
Original Contract Amount:	$1,340,000.00
Previous Change Order Total:	$0.00
Current Contract Amount:	$1,340,000.00
Change Order (1) Amount:	$188,192.00
Revised Contract Amount:	$1,528,192.00
Percent Change from Original:	14%

Review attached information for **General Description**

134-10

50

Summary Chart for Change Order #1

Project:	TB WWTP Primary Effluent Pump Station Replacement Lexington, Kentucky Contract # 147-2009		*Key* Ow = Owner Om = Omission A/E = Architect/Engineer C =				
No.	Date	Brief Description	Price	Change Requested by: Ow	A/E	C	Om	CO No.
1	12/03/2009	Additional material excavation and removal in the bottom of all three wet wells. This project called for excavating down a total of 9 feet from the existing floor of the wet well. Based on the best record drawings available, the floor thickness of the wet wells was expected to be 18" of concrete and the remainer should have been natural rock. However, when excavation started, it was discovered that the concrete floor of the wet well was approximately 6 1/2' thick. Therefore, due to this extra thickness, different methods of concrete excavtion and removal had to be used.	$176,388.00			X	X	1
2	02/17/2010	LFUCG asked the contractor to delete 4 actuators and 4 sluice gates and give us a price to install 1 gate with an actuator The project called for replacing 3 gates and 3 actuators on the influent wet wells and adding a new gate and actuator at the primary effluent channels. After the bids were received the LFUCG established a unit price contract with limitorque to supply actuators to replace old actuators around the plant. To maintain consitency within the plant we are asking for a deduct to the contract price so we can supply the same actuators that are on our unit price contract. Also, once the wet wells were pumped down it was found that our old gate were in very good shape and just need seal replacements. Therefore it is only necessary to continue with the installation of the new gate and not replace the existing 3 gates.	-$31,775.00	X				1
3	02/22/2010	Stair replacement for the 2 gravity thickeners at the Town Branch WWTP. After this harsh winter the stairs have continued to fall apart. Since Team is currently doing work for us in the general area we asked for a price to remove what is left of the old concrete stairs and replace them with new aluminum free standing stairs before an operator gets hurt.	$43,579.00					1
		Page TOTAL	$188,192.00					

138-10 51

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY DEPARTMENT FOR LOCAL DEVELOPMENT REQUESTING FEDERAL FUNDS FROM THE FY 2010 LAND AND WATER CONSERVATION FUND FOR HISLE FARM PARK. THIS PROJECT REQUIRES PUBLIC MEETING ON MARCH 25, 2010.

The Division of Parks and Recreation has prepared a grant application for submission to the Kentucky Governor's Development for Local Government, requesting federal funding in the amount of $75,000 for development of Hisle Farm Park. The application for Land and Water funds will include equestrian and hiking trails, fishing, wetland meadow habitat, and a new entrance.

This project requires a 50% local match. Local match in the amount of $83,875 will come from existing personnel costs ($8,500) in the form of labor for fencing and planting and bond revenue funds in the amount of $75,375. Personnel costs will come from existing staff members in the Parks Maintenance section. Bond revenue funds will come from 2517-707601-7211. Total project cost is $158,875.

The source of federal funds is the Department of Interior/National Park Service. Funds are authorized by the Land and Water Conservation Fund Act of 1965. **This project requires a public meeting scheduled for March 25, 2010.**

Council authorization to submit application is hereby requested.

Paula King, Director

Xc: Kimra Cole, Commissioner of the Department of General Services

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MARCH 15, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF FEDERAL FUNDS FROM THE KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR SAFE HAVENS AND SUPERVISED VISITATION AND TO EXECUTE SUBRECIPIENT AGREEMENT WITH SUNFLOWER KIDS, INC., FOR PROVISION OF SERVICES

The Lexington-Fayette Urban County Government has been offered an award of federal funds in the amount of $70,059 from the Kentucky Justice and Public Safety Cabinet for the Safe Havens and Supervised Visitation Program under the Violent Crime Control and Law Enforcement Act 1994, American Recovery and Reinvestment Act of 2009. Funds are awarded to the Commonwealth of Kentucky from the Office of Violence Against Women.

On March 12, 2009 (Resolution # 204-2009), council authorized Mayor to submit grant applications for funds arising from the American Recovery and Reinvestment Act. Application for these funds was prepared by the Executive Director of the Fayette County Domestic Violence Prevention Board and the Executive Director of Sunflower Kids, Inc. All funds will be used to contract with Sunflower Kids, Inc., for delivery of supervised visitation and monitored exchange program. These services are provided to families who are separated or divorced, have a history of domestic violence, and have children in common. The purpose of the program is to protect victims of abuse from further violence.

Federal funds are budgeted in contractual services. All funds will be subcontracted to Sunflower Kids, Inc., who will be responsible for provision of all services and for provision of a required local match (25%) in the amount of $23,354. Total project cost is $93,413.

Council authorization to accept the award and to execute agreement with Sunflower Kids, Inc., is hereby requested.

Paula King, Director

Xc: Marlene Helm, Commissioner, Department of Social Services

PLANNING COMMITTEE SUMMARY
3-16-2010

Chair Linda Gorton convened the meeting at 1:07pm after acquiring a quorum.

1. Encroachment Permitting Process - Stinnett

Stinnett explained the purpose of today's meeting is to review and explore other alternatives surrounding the encroachment permit process:

A. To review the actual permitting process
B. Enforcement

Charlie Martin, Director of Water Quality, told the committee one of the problems has been how to deal with structures/buildings "after the fact". He talked about who's responsible if situation calls for tearing down a structure and implications involved, who would bear the burden of these types of decisions.

Kevin Wente, Public Works, talked about routing of sign offs for encroachment permits. He covered some suggestions designed to perhaps stream line the process. He talked about a version of software that could expedite the process (Planned Tracking System). There was discussion if this process should move from Water Quality to Public Works.

Chair Gorton asked Commissioner Mike Webb to comment about work load concerns if Public Works took over encroachment permitting. He commented he did not see a real problem, it might be feasible.

James asked Charlie Martin about property owners and after the fact encroachment wanting to know if this tied in with PVA. She said this might be a method to let people know in advance that some type of encroachment permit exists. She referred to section of PVA's web site allowing for drawings & sketches. Martin answered it's difficult to tell where easements are and make any adjustments accordingly. He said he would look into James question about PVA. He reiterated the biggest issue happens "after the fact", for example, a sink hole area where swimming pools are not allowed. How do we hold individual property owners accountable?

Stinnett said there was a recommendation on the table to look at software that ties all divisions together. He asked Ed Garner about enforcement and feedback. Garner talked about surveys, checking plats, etc. Stinnett asked if agreement is enforceable, Garner talked about alternatives, fairness issues, liability of tearing down a structure. Stinnett asked how this ties in with the building permit.

Gorton asked what action is needed from council to act on these recommendations and added she would like to see this issue back in June's Planning Committee.

Charlie Martin said bringing the issue to this committee is a start. He talked about educating the public; clean up the routing of permits, and developing some type of accountability.

James added the council would like to see a presentation during work session on A11

2. Items Referred to Committee:

Liberty Rd. - bi- monthly update.
Newtown Pike. - Bi- monthly update.

Motion by James to remove Loudon Ave. Phase 1 from the Planning Committee, seconded by Ellinger, passed without dissent.

Motion by Blues to change fence regulations from sight distance issues to fence height regulations issue, seconded by James passed without dissent.

Gorton asked who/when this issue will be brought forward and was told it was tentative for the May agenda.

Mobile Home - keep in committee, have an intern working on this -tentative date of May. Gorton commented there is no Planning Committee for May, should plan for June.

Infill Redevelopment recommendations - Gorton asked Gray when he is expecting action. This item, along with the Downtown Master Plan & Residential Additions will be placed on April Planning agenda.

Gorton asked Paul Schoninger to contact Jim Miller in reference to the Tree Protection Ordinance. (NOTE – this item was removed, so don't know what this is about). Remove & we'll check with Paul & Vicki.

Motion by James to remove the Tree Protection Ordinance from the Planning Committee, seconded by Feigel passed without dissent.

Management Audit Recommendations – presentation will not be ready until June 2010.

Art 16 Zoning – Gorton to check with Henson on status.

Parks Master Plan - Feigel commented on the last meeting with parks conservancy and generating funds, there is a meeting on March 26 with Louisville.

James commented on other parts of the master plan that need to be addressed referring to funding and how it's spent.

McChord commented about funding, Parks Master Plan and Parks Advisory Board we should look at capital and maintenance.

Beard commented about keeping golf courses going and the drain on parks finances. Gorton made a suggestion about making a presentation and having discussion about all master plan issues, such as golf courses, advisory board, etc.

Feigel felt this did not have anything to do with the sub committee related to financing .Gorton ask if she could be ready for the August Planning Comm. she said probably. Paul Schoninger will send out an email to committee members on this.

Downtown Lexington Building Inventory - a presentation by Historical Preservation was made. However, the June agenda is too full to hear this, and since there is no meeting in July, it will be scheduled in the fall.

Gorton asked the committee for more specific issues surrounding residential additions and zoning ordinances. James asked how the moratorium task force dealt with residential additions, she did not recall talking about sizes and placement etc of additions and felt the issue should stay in committee.

<u>Motion by Ellinger to remove residential zoning ordinances from Planning Committee seconded by Blues, passed without dissent.</u>

<u>Motion by James to remove commercial signage text amendment (property is located along a four lane public highway), seconded by Ellinger passed without dissent</u>.

<u>Motion to adjourn at 2:32 pm.</u>