

WORK SESSION - MAY 25, 2010
TABLE OF MOTIONS

Roll call: Mayor Newberry called work session to order at 1:00 pm, all council members present.

Motion by McChord to place on the docket for Thursday, May 27, 2010 Council Meeting for first reading approving the Mayor's Proposed Budget increase to golf fees and not approving Mayor's Proposed Budget increase for pool fees, seconded by Beard, vote 9-6 motion passed.

I. Public Comment - Issues on Agenda no public comment

II. Requested Rezoning / Docket Approval

Motion by Gorton to approve the docket, seconded by Beard, passed without dissent.

III. Approval of Summary-None

IV. Budget Amendments

Motion to approve budget amendments Gorton, seconded by Motion by Henson move that the budget amendment list on pages 9-11 of the work session packet be amended to add budget journals 43064-68 to provide funds for Adult and Tenant Services financial assistance programs in the general and Landfill funds, seconded by Gorton, passed without dissent.

Motion by Gorton to approve budget amendments as amended, seconded by Beard, passed without dissent.

V. New Business

A. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Social Services. (226-10) (L. Jarvis/Helm) This request will authorize amendments to Section 21-5 of the Code of Ordinances to transfer two (2) positions of Custodial Worker (Grade 102N) and one (1) position of Program Coordinator (Grade 109N) (and incumbents), and to Section 22-5 of the Code of Ordinances to transfer one (1) position of Custodian Worker (Grade 102N) and four (4) positions of Custodial Worker P/T (Grade 102N) (and incumbents) from the Department of Social Services to the Department of General Services, Division of Facilities & Fleet Management.p.15

B. Authorization of a Catering Sales Agreement with Lexington Downtown Hotel, a Hilton Affiliate, for the 2010 Senior Intern Program. (232-10) (Stambaugh/Helm) This request will authorize a Catering Sales Agreement at a cost not to exceed \$4,200 for food and beverages with Lexington Downtown Hotel, a Hilton affiliate, for the 2010 Senior Intern program's alumni and graduation luncheon on June 25, 2010. This event is funded by contributions.pp.16-18

C. Authorization of Change Order No. 3 to Contract with Schaefer Properties, LLC, on Behalf of the Department of General Services, Division of Parks & Recreation for the Coolavin Park Community Building Project. (227-10) (Hancock/ Cole) This request will authorize Change Order No. 3 to increase contract amount by \$3,361 with Schaefer

Properties, LLC on behalf of the Division of Parks & Recreation. Original contract amount was \$289,750. Total of previous change orders is \$81,419.44. New contract total is \$374,530.44. Funds are budgeted.pp.19-21

D. Authorization of Change Order No. 1 to Contract with Spectrum Contracting Services, Inc. on Behalf of the Department of General Services, Division of Parks & Recreation, for the Castlewood Park Picnic Shelter Project. (FINAL) (228-10) (Hancock/Cole) This request will authorize Change Order No. 1 to decrease contract amount by \$1,485.72 with Spectrum Contracting Services, Inc. on behalf of the Division of Parks & Recreation to adjust bid quantities required for completion of the Castlewood Park Picnic Shelter Project. Original contract amount was \$129,444. Final contract amount is \$127,958.28.pp.22-24

E. Authorization of Change Order No. 1 to Contract with BCD, Inc. on Behalf of the Department of General Services, Division of Parks & Recreation, for the Raven Run Visitors Center Project. (237-10) (Hancock/Cole) This request will authorize Change Order No. 1 to increase contract amount by \$36,199.12 with BCD, Inc. on behalf of the Division of Parks & Recreation for the Raven Run Visitors Center Project. Original contract amount was \$1,723,013. New contract amount is \$1,759,212.12. Funds are budgeted.pp.25-27

F. Authorization of Change Order No. 1 to Contract with Claunch Construction, LLC, for the Shillito Park Paved Trail Project. (257-10) (Gooding/Cole) This request will authorize Change Order No. 1 to increase contract amount by \$7,958 for the Shillito Park Paved Trail Project. Original contract amount was \$951,604. New contract amount is \$959,562. Funds are budgeted.pp.28-30

G. Authorization of a Partial Release of a Sanitary Sewer and Storm Sewer Easement on Property Located at 137 Owsley Avenue. (229-10) (Askew) This request will authorize a Partial Release of a Sanitary Sewer and Storm Sewer Easement on property located at 137 Owsley Avenue. This partial release has been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.pp.31-32

H. Authorization to Hire Risk Management Services Company (RMSC) for Liability and Workers' Compensation Third-Party Claims Administration Services. (258-10) (Bowman/Askew) This request will authorize the hiring of RMSC for liability claims in the amount of \$99,600 and worker's compensation claims in the amount of \$99,600 for an annual total of \$199,200 for third-party claims administration services for a term of three (3) years. Liability services include investigation and adjusting of asserted claims. Workers' compensation services include Medicare/Medicaid Settlement reporting; Index Bureau report; Kentucky Department of Workers' Claims reporting; discounted medical costs through a PPO network with a 30% cost of savings program; and prescription drug program.pp.33-34

I. Authorization to Upgrade from LibertyNet to OnBase Offered by Hyland Software Inc. (230-10) (Nugent/Dhuwaraha) This request will authorize LFUCG to upgrade the LibertyNet document management system to OnBase enterprise content management system offered by Hyland Software Inc. at no cost to LFUCG through FY2011.pp.35-37

J. Authorization of an Assistance Agreement with the Kentucky Infrastructure Authority for the South Elkhorn Pumping Station and Force Main Project. (231-10) (Rumpke) This request will authorize an Assistance Agreement for federal funds in the amount of

\$17,208,000 with the Kentucky Infrastructure Authority for the South Elkhorn Pumping Station and Force Main Project. This will be a 2% interest loan through the Federally Assisted Wastewater Revolving Loan Program, Clean Water State Revolving Fund (Fund A) under the US Department of Environmental Protection Agency.p.38

K. Authorization of an Ordinance on Behalf of the Department of Finance and Administration, Division of Revenue for Implementation of the 2010 Lexington-Fayette Urban County Government Occupational License Fee Amnesty Program. (260-10) (O'Mara/Rumpke) This request will authorize an ordinance on behalf of the Division of Revenue to implement a one-time Occupational License Fee Amnesty Program for collection of delinquent taxes.pp.39-43

L. Authorization of a Contract with Group CJ to Provide Marketing Support for Aggressive Collection of Delinquent Occupational License Fees. (261-10) (O'Mara/Rumpke) This request will authorize a Contract in the amount of \$70,000 with Group CJ to provide marketing support for aggressive collection of delinquent occupational license fees.pp.44-49

M. Authorization to Amend Section 3 of Ordinance No. 202-2006 to Correct a Clerical Error. (246-10) (L. Jarvis/Rumpke) This request will authorize an amendment to Section 3 of Ordinance No. 202-2006 to correct a clerical error.p.50

N. Authorization of a Conditional Sales Contract and a System Support Agreement (SSA) with Mettler-Toledo, Inc. on Behalf of the Department of Environmental Quality, Division of Waste Management, for a Scale Management Solution. (233-10) (Feese/Bush) This request will authorize a Conditional Sales Contract and a SSA in the amount of \$130,507 with Mettler-Toledo, Inc. on behalf of the Division of Waste Management for Scale Management Solutions at Haley Pike Landfill, Recycling Center and the Transfer Center to replace systems no longer capable of being updated or repaired. Funds are budgeted.pp.51-52

O. Authorization of Change Order No. 3 to Contract with Tetra Tech, Inc. for the Viley Neighborhood Stormwater Improvements - Sugar Mill Hazard Mitigation Grant Project. (234-10) (Martin/Bush) This request will authorize Change Order No. 3 to increase contract amount by \$31,250 with Tetra Tech, Inc. for the Viley Neighborhood Stormwater Improvements - Sugar Mill Hazard Mitigation Grant Project. Original contract amount was \$233,000. Total of previous change orders is \$308,953. New contract amount is \$563,703. Funds are budgeted.pp.53-56

P. Authorization of a Permanent Easement and a Temporary Construction Easement on Property Located at 813 Sherwood Drive for the Sherwood Drive/Robin Road Storm Water Improvements Project. (235-10) (Martin/Bush) This request will authorize 1,621 square feet for a permanent easement and 1,378 square feet for a temporary easement on property located at 813 Sherwood Drive for the Sherwood Drive/Robin Road Storm Water Improvements Project at a cost of \$22,350. Funds are budgeted.p.57

Q. *Authorization of a Memorandum of Understanding (MOU) for Acquisition of Property Located at 1457 Huntsville Drive for the Dixie Pump Station Upgrade and Force Main Improvements Project. (241-10) (Martin/Bush) This request will authorize a MOU for an amount not to exceed \$97,000 for acquisition of property located at 1457 Huntsville Drive for the Dixie Pump Station Upgrade and Force Main Improvements Project. Funds are budgeted.p.58 *Consent Decree

R. *Authorization of an Engineering Services Agreement with CDP Engineers, Inc. for the Deep Springs Pump Station Upgrade and Force Main Improvements Project (242-10) (Martin/Bush) This request will authorize an Engineering Services Agreement in the amount of \$109,575 with CDP Engineers, Inc. for the Deep Springs Pump Station Upgrade and Force Main Improvements Project to complete design services. This is a capital improvement project. Funds are budgeted.p.59 *Consent Decree

S. Authorization of Easements and Property Acquisition for the Expansion Area 2A Pumping Station and Force Main Project. (259-10) (Martin/Bush) This request will authorize a fee simple acquisition of one (1) property at a cost of \$446,602.50 for the pump station site, and temporary and permanent easements at five (5) properties at a cost of \$94,342.79 for a total of \$540,945.29 for the Expansion Area 2A Pumping Station and Force Main Project. Funds are budgeted.pp.60-63

T. Authorization of an Environmental Services Agreement with Shield Environmental Associates, Inc. for the Underground Storage Tanks (UST) on Property Located at 669 Byrd Thurman Drive (Fleet Services). (243-10) (Bush) This request will authorize an Environmental Services Agreement with Shields Environmental Associates, Inc. for additional assessment work at the UST on property located at 669 Byrd Thurman Drive (Fleet Services) required by the Kentucky Division of Waste Management UST Branch. All costs incurred by Shields will be reimbursed by the State Petroleum Storage Tank Environmental Assurance Funds.pp.64-70

U. Authorization of a Purchase of Service Agreement (PSA) by and between LFUCG, the University of Kentucky (UK) and the UK Arboretum to Provide Workshops. (253-10) (Bush) This request will authorize a PSA by and between LFUCG, UK, and the UK Arboretum in the amount of \$50,000 for the Arboretum to provide water quality improvement workshops for the general public. Funds are budgeted.p.71

V. Authorization of a Master Agreement with EnergyCAP® Inc. as a Sole Source Provider, on Behalf of the Department of Environmental Quality under the Energy Efficiency and Conservation Block Grant Program. (250-10) (Gooding/Bush) This request will authorize a Master Agreement for federal funds in the amount of \$8,100 with EnergyCAP® Inc. on behalf of the Department of Environmental Quality for a Greenquest Energy Awareness Sponsor License Agreement to host the Energy Awareness on LFUCG Website under the Energy Efficiency and Conservation Block Grant. EnergyCAP® is the sole source that is able to provide the extensive information required for the website. The source of funds is the US Department of Energy as authorized by the American Recovery and Reinvestment Act of 2009. No matching funds are required.p.72

W. Authorization of a Professional Services Agreement with Susanna Moberly and Rosemary Dailey, Sexual Assault Nurse Examiners (SANE), for Performance of Forensic Examinations. (236-10) (Gooding /Bennett) This request will authorize Professional Services Agreements with Susanna Moberly and Rosemary Dailey, SANE, to serve "on-call" basis for the performance of forensic examinations at the University of Kentucky Emergency Room. Federal funding is provided under the Violence Against Women Act from the Kentucky Justice Cabinet for the operation of the SANE Program. The agreements are from June 1 through December 31, 2010. Funds are budgeted.p.73

X. Authorization of a Memorandum of Understanding (MOU) Offered by the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training, for the Cold

Case Resolution Pilot Project. (245-10) (Gooding/Bennett) This request will authorize a MOU to extend the performance period through December 31, 2010 offered by the Department of Criminal Justice Training for the Cold Case Resolution Pilot Project. There are no other changes associated with this MOU.p.74

Y. Authorization to Submit a Grant Application to the Fireman's Fund Insurance Company and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (255-10) (Gooding/Bennett) This request will authorize the submission of a grant application in the amount of \$5,000 to the Fireman's Fund Insurance Company and accept the award if offered, on behalf of the Division of Fire & Emergency Services, for purchase of All-Terrain Transport from Emergency Equipment Rescue. No matching funds are required.p.75

Z. Authorization to Submit Grant Application to the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Fire & Emergency Services under the 2010 Homeland Security Grant Program. (256-10) (Gooding/Bennett) This request will authorize the submission of a grant application for federal funds in the amount of \$18,000 to the Kentucky Office of Homeland Security on behalf of the Division of Fire & Emergency Services, for purchase of a CON-SPACE Communications, Inc. Delsar seismic/acoustic listening device under the 2010 State Homeland Security Grant Program. The source of funds is the Department of Homeland Security. No matching funds are required.p.76

AA. Authorization to Amend Section 21-5 of the Code of Ordinances on Behalf of the Chief Information Office, Division of Computer Services and the Department of Public Safety, Division of Emergency Management/911. (254-10) (L. Jarvis/ Bennett) This request will authorize an amendment to Section 21-5 of the Code of Ordinances on behalf of the Division of Computer Services to transfer one (1) position of GIS/Programmer Analyst (Grade 117E) and one (1) position of GIS Specialist (Grade 114N) (and incumbents) to the Division of Emergency Management/911 relating to the Address Hearing Board and Address Enforcement. There is no fiscal impact for this action.p.77

BB. Authorization to Repeal Article XXII of the Code of Ordinances for the One-Parent Family Facility Corporation. (239-10) (Hartje/Rabold) This request will authorize the repealing of Article XXII of the Code of Ordinances to allow One-Parent Family Facility Corporation to operate independently of LFUCG.p.78

CC. Authorization of an Inducement to HFL Sport Science, Inc. as Part of the Kentucky Business Incentive Program. (249-10) (Wright/Kelly) This request will authorize an inducement of a 1% Occupational License Tax Abatement for HFL Sport Science, Inc. as part of their participation in the Kentucky Business Investment Incentive Program.pp.79-81

DD. Authorization of Amendment No. 1 to Resolution No. 235-2010 for the Neighborhood Development Funds (NDF) for LexLinc. (244-10) (Langston) This request will authorize an Amendment No. 1 to Resolution No. 235-2010, deleting NDF funds of \$200 for LexLinc. This amount was included in the Lexington Local Investment Commission (aka LexLinc). There are no other changes associated with this amendment.pp.82-84

EE. Authorization of a Purchase of Service Agreement (PSA) with Greater Faith Apostolic Church, Boy Scout Troop 238 under the Adopt-A-Spot Program. (240-10) (Gooding/Webb) This request will authorize a PSA in the amount of \$522.98 with

Greater Faith Apostolic Church, Boy Scout Troop 238 for litter pickup in the Inner City Area Number 3. Funds are budgeted.p.85

FF. Authorization of Amendments No. 1 to Agreements with the Kentucky Transportation Cabinet (KYTC) for the Intelligent Transportation System (ITS) Project and the Congestion Management System (CMS) Traffic Improvements Project for FY2009 and FY2010. (247-10) (Gooding/Webb) This request will authorize two (2) Amendments No. 1 to two (2) Agreements with KYTC to extend the performance of the ITS Project and the CMS Traffic Improvements Project through June 30, 2011. There are no other changes associated with these amendments.p.86

GG. Authorization of Amendment No. 2 to Agreement with the Kentucky Transportation Cabinet (KYTC) for the Air Quality Planning Project and the Mobility Coordination Project. (248-10) (Gooding/Webb) This request will authorize Amendment No. 2 to Agreement with KYTC for additional federal funds in the amount of \$54,000 and to extend the performance period through June 30, 2011 for the Air Quality Planning Project. A local match of \$13,500 is required and has been requested in the FY2011 General Fund budget. This Amendment also includes additional federal funds in the amount of \$102,000 and to extend the performance period through June 30, 2011 for the Mobility Coordination Project. A local match of \$25,500 is required and will come from an in-kind match generated by documenting the value of public service announcements. There are no other changes associated with this amendment.pp.87-88

HH. Authorization of Change Order No. 2 to Contract with Schroeder Construction, Inc. for the Cadentown/Versailles Road Sanitary Sewer Improvements Project. (FINAL). (252-10) (Gooding/Webb) This request will authorize Change Order No. 2 to decrease the contract amount by \$31,956 with Schroeder Construction, Inc. to adjust bid quantities required for completion of the Cadentown/Versailles Road Sanitary Sewer Improvements Project. Original contract amount was \$696,637.75. Previous change order amount was \$119,819.49. Final contract amount is \$784,501.24.pp.89-92

II. Authorization to Permit the Historic Preservation Commission to Accept Donations for the Restoration of the Historic Street Clock on Main Street. (251-10) (Kerr/Webb) This request will authorize the Historic Preservation Commission to accept donations up to \$25,000 for the restoration of the historic street clock on Main Street in conjunction with the Main Street Streetscape Enhancement Project.p.93

JJ. Authorization of a Modification No. 1 to the Neighborhood Stabilization Program (NSP) Funding Agreement with the Commonwealth of Kentucky, Department for Local Government (DLG), for the Land Banking Program Project. (262-10) (Gooding/ Rumpke) This request will authorize a Modification No. 1 to the NSP Funding Agreement with the Commonwealth of Kentucky, DLC, for the Land Banking Program Project to expand the use of funds to another Eligible Use - redevelopment; and decrease the amount of federal funding to \$1,000,000.p.94

KK. Authorization to Approve Internal Advertisement of All Vacant Positions within Lexington-Fayette Urban County Government. (263-10) (L. Jarvis/Rumpke) This request will authorize the internal advertisement of all vacant positions within LFUCG to be effective on date of passage through June 30, 2010.p.95 *DENOTES EPA CONSENT DECREE

Motion by Myers to approve new business, seconded by Gorton passed with out dissent.

VI. Continuing Business / Presentations-None

VII. Council Report

Stinnett announced a neighborhood association meeting and reminded Council Members of Building Inspection Task Force meeting June, 10, 2010 at 3:00 pm

Feigel announced Kenwick N/A meeting

Motion by Feigel to place on the docket for Thursday, May 27, 2010 Council Meeting an ordinance amending sub section 17-29(4) of the Code of Ordinances, Lexington Fayette Urban County Government, pertaining to the definition of outdoor café, to allow for outdoor cafes to be located in B-1 zones, seconded by Lawless, passed without dissent.

Motion by Beard to approve NDF List dated May, 25, 2010, seconded by Gorton, passed with out dissent.

Henson announced Cardinal Valley N/A meeting, June 1, 2010

Lane announced Blackford Oaks Community Center meeting.

Motion by Lane to place on the docket for Thursday, May 27, 2010 Council Meeting, under first reading resolutions, a resolution to accept donation of meeting rooms from the Kentucky Horse Park, seconded by Crosbie, passed without dissent.

James announced, “What Food” meeting to discuss a community garden, Meadow-Loudon N/A meeting, Commission for Citizens With Disabilities, at the downtown library, 200 Year Morton House Celebration at Duncan Park.

McChord congratulated Lafayette High School senior, Alexandria Delchenco winner of 2010 art competittiion. Announced Bike Lexington, talked about Second Sunday and event to be held on the new runway at Bluegrass Airport.

Lawless made three neighborhood association meeting announcements.

Martin announced kick off of Southerland Jamboree to be held every Tuesday night at 7:00, Southland Bowling Lane.

Ellinger announced Senior Job and Health Fair, Friday, May 20, 2010 from 9:00 am until 2:00 pm. He will attend Bike Lexington and Bluegrass Cycling Club, Georgetown, KY

Blues thanked everyone for participation in McConnell Trace Neighborhood-Great American Clean up last Saturday.

Crosbie highlighted LFUCG Parks & Recreation program Kiddie Keeper which over 700 children participate. She cited an issue with consistency of price quotes for rental fees with Parks & Recreation she asked for a listing of rental fees and fees paid in the past.

VIII. Mayor's Report

Motion by Gorton to approve the Mayor's Report, seconded by Beard passed without dissent.

IX. Public Comment - Issues Not on Agenda - no public comment

Motion by Gorton to adjourn Work session, seconded by Myers passed with out dissent meeting at 4:04 pm