Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky July 1, 2010

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 1, 2010 at 7:00 P.M. Present were Mayor Newberry in the chair presiding, and the following members of the Council: Council Members Ellinger, Feigel, Gorton, Gray, Henson, James, Lane, Martin, McChord, Myers, Stinnett, Beard, Blues and Crosbie. Absent was Council Member Lawless.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 108-2010 thru 118-2010 inclusive and Resolutions No. 331-2010 thru 362-2010 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky July 1, 2010

The Invocation was given by Father Jay Pearce, retired and now providing professional services for the Anglican Church.

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The following ordinances were given second reading. Upon motion of Mr. Blues, and seconded by Mr. Myers, the ordinances were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues, Crosbie---------------14

Nay: ---0

An Ordinance amending Article 5-4(h)(2) of the Land Subdivision Regulations to provide an alternative Engineer’s and Land Surveyor’s certification for subdivisions that do not require any infrastructure.

An Ordinance amending Section 16-4 of the Code of Ordinances to provide that dumpster collection service will be provided as described in the Div. of Waste Management’s Dumpster Service Guide and subject to the approval of the Commissioner of Environmental Quality, that the Director of Waste Management may exempt properties with insufficient space or special circumstances, that properties otherwise subject to dumpster requirements may be approved for roll cart service provided they are in compliance with Section 16-4.1(a)(3) and (4) and waste generation does not require dumpster service, and that the property must change to dumpster service if waste generation increases; amending Section 16-4.1(a)(4) of the Code of Ordinances to clarify requirements for dumpster concrete pads; amending Section 16-6(d) of the Code of Ordinances to provide that the Director of Waste Management may designate the location for placement of roll carts; amending Section 16-8(d) to provide that improperly prepared refuse must be abated within forty-eight (48) hours unless the violation constitutes an immediate danger when the Urban County Government will issue a citation and immediately abate the condition and bill the property owner; amending Section 16-10 to change the Commissioner of Public Works to the Commissioner of Environmental Quality, to provide that roll carts shall be placed in front of the residence, that containers shall be placed at the curb between 4 p.m. on the evening before collection and 5 a.m. on the day of collection and shall be removed by 7 p.m. on the day of collection, that containers will be kept in the rear yard or in the side yard when not at the curb for collection, that civil fines may be assessed for continuing roll cart violations, and to provide that property owners may provide specified management company or designated representative information to the Director of Waste Management.

An Ordinance amending Section 15-1(a) of the Code of Ordinances relating to stopping on the street to add food products to this Section; Amending 15-1(b) of the Code of Ordinances relating to stopping on the street to add food products to this Section; to allow for a citation for a violation of this Ordinance; and increasing the fine to a range of twenty-five dollars ($25.00) to one hundred dollars ($100.00).

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Agriculture, which Grant funds are in the amount of $6,780 Commonwealth of Ky. funds, are for the "Vintage Ky.: A Toast to Henry Clay" Wine Festival, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and appropriating funds pursuant to FY 2011 Schedule No. 16.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating two (2) positions of Enterprise Systems Developer, Grade 116E, in the Div. of Enterprise Solutions and authorizing the Div. of Human Resources to advertise internally, and appropriating funds pursuant to Schedule No. 17.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, for funding in the amount of $100,000 for the Flight 5191 Memorial at the Arboretum, which does not obligate the Urban County Government for the expenditure of funds, and appropriating funds pursuant to FY 2011 Schedule No. 18.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 19.

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Upon motion of Ms. James, seconded by Mr. Myers, and approved by a unanimous vote, an Ordinance amending Section 22-5(2) of the Code of Ordinances abolishing one (1) temporary position of Social Worker, Grade 111E, and creating one (1) temporary position of Eligibility Counselor, Grade 110E, ending three (3) years from the date of passage of this Ordinance, within the Div. of Community Corrections was removed from the table and given second reading.

Upon motion of Mr. Ellinger, and seconded by Ms. James, the ordinance was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues, Crosbie---------------14

Nay: ---0

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The following ordinances were given first reading and ordered placed on file until July 6, 2010 for public inspection.

An Ordinance amending Section 16-90(b) and 16-90(e) of the Code of Ordinances and creating Sub-Section 16-90(j) related to preparation of stormwater pollution prevention programs.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing two (2) positions of Child Care Program Aide, Grade 107N, and amending Section 22-5(2) of the Code of Ordinances creating four (4) positions of Equipment Operator, Grade 108N, in the Div. of Family Services, and appropriating funds pursuant to Schedule No. 22.

An Ordinance amending Section 21-6 of the Code of Ordinances providing that employees terminated during their probationary period as a result of excessive absences due to a serious health condition or illness may apply for other positions prior to twelve months if medical documentation is provided and approval is obtained from the Mayor or his designee.

An Ordinance amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Human Resources Analyst, Grade 115E and creating one (1) position of Payroll Analyst, Grade 115E, in the Div. of Human Resources.

An Ordinance amending Subsection 12-1(b) PM-106.4.1 of the Code of Ordinances, Lexington-Fayette Urban County Government, to clarify that the penalties may apply to each structure or dwelling unit located on the real property and that the maximum civil penalty shall be $10,000 for each parcel of real property; amending Subsection 12-1(b) PM-107.2(6) of the Code to change $1,000.00 to $10,000.00 per parcel of real property; all effective on August 1, 2010.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education, Div. of School and Community Nutrition, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of $67,000 Federal funds, are for participation in the Child Care Food Program for operation of the nutrition program at the Family Care Center in FY 2011, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 20, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to accept a Grant from USA Football, for an equipment grant of football helmets, and appropriating funds pursuant to Schedule No. 21.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of $500,000 Federal funds, are for Legacy Trail Enhancements, the acceptance of which obligates the Urban County Government for the expenditure of $125,000 as a local match, appropriating funds pursuant to Schedule No. 23, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of $90,054 Federal funds, are for the Project Safe Neighborhoods Program, for the U.S. Attorney’s Office for the Eastern District of Ky., the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 24, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 25.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Wilbur Smith Associates, for the Wayfinding Sign System Project, increasing the contract price by the sum of $34,971.06 from $307,895.89 to $342,866.95 was given second reading.

Ms. Feigel asked questions of Mr. Mike Webb, Commissioner, Dept. of Public Works and Development, regarding the change order in the resolution. Mr. Webb explained the scope of the change order.

Ms. Crosbie asked questions of Mr. Webb.

Upon motion of Mr. Stinnett, and seconded by Ms. Henson, the resolution was approved by the following vote:

Aye: Ellinger, Gorton, Gray, Henson, James,
Lane, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie----------------------------13

Nay: Feigel--1

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Mountjoy Chilton Medley LLP, for preparation of the Sheriff's Settlement for the 2009 Property Tax Year, at a cost not to exceed $12,240 was given second reading.

Upon motion of Mr. Stinnett, and seconded by Ms. Henson, the resolution was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues----------------------------13

Nay: Crosbie---1

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The following resolutions were given second reading. Upon motion of Mr. Stinnett, and seconded by Ms. Henson, the resolutions were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues, Crosbie-----------------14

Nay: ---0

A Resolution accepting the bid of Veolia ES Technical Solutions, establishing a price contract for lighting and universal waste disposal, for the Div. of Waste Management.

A Resolution accepting the bid of TP Mechanical, in the amount of $39,000, for HVAC System Assessment, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Hartland Petroleum, establishing a price contract for used oil recycling, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Galls, Inc.; Lawmen's and Shooters Supply; Bluegrass Uniforms; Bluegrass Fire Equipment; Ky. Uniforms; and US Calvary, establishing price contracts for Fire Recruit Equipment, for the Div. of Fire and Emergency Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Revenue Enhancement Agreement with PRA Government Services, LLC d/b/a RDS, for Revenue Discovery Services, decreasing the payments to RDS during the amnesty program to twenty-five percent (25%).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Software License Agreement with Data Compression Technology d/b/a DCT, for support for software that enables viewing of data transferred from Internal Revenue Service, at a cost not to exceed $40,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to reimburse the Ky. Transportation Cabinet up to $216,098.97, for installation of Mast Arm Pole System for the Newtown Pike Extension Project - Phase IV (Main St. to Versailles Rd.).

A Resolution ratifying the probationary civil service appointments of: Esther Moberly, Program Specialist, Grade 112E, $1,634.64 bi-weekly, in the Div. of Waste Management, effective June 28, 2010; Reginald Lyons, Equipment Operator Sr., Grade 109N, $13.040 hourly, in the Div. of Waste Management, effective June 28, 2010; Tim Hafley, Equipment Operator Sr., Grade 109N, $14.836 hourly, in the Div. of Waste Management, effective June 28, 2010; Lesa Spillman, Equipment Operator Sr., Grade 109N, $12.459 hourly, in the Div. of Waste Management, effective June 28, 2010; Larry Green, Equipment Operator Sr., Grade 109N, $13.971 hourly, in the Div. of Waste Management, effective June 28, 2010; Gary James, Equipment Operator Sr., Grade 109N, $16.814 hourly, in the Div. of Waste Management, effective June 28, 2010; Ernie Young, Equipment Operator Sr., Grade 109N, $12.606 hourly, in the Div. of Waste Management, effective June 28, 2010; Bruce Lee, Equipment Operator Sr., Grade 109N, $12.606 hourly, in the Div. of Waste Management, effective June 28, 2010; Alvin Callaway, Equipment Operator Sr., Grade 109N, $17.541 hourly, in the Div. of Waste Management, effective June 28, 2010; Dallas Taylor, Pump Station Supervisor, Grade 115E, $2,200.00 bi-weekly, in the Div. of Water Quality, effective June 21, 2010; ratifying the probationary sworn appointment of: Justin Halsaver, Fire Lieutenant, Grade 315N, $17.268 hourly, in the Div. of Fire and Emergency Services, effective June 14, 2010; Matthew Galati, Fire Captain, Grade 316N, $22.368 hourly, in the Div. of Fire and Emergency Services, effective June 14, 2010; approving the unclassified civil service appointment of: Scott Dawson, Evidence Technician, Grade 113N, $20.725 hourly, in the Div. of Police, effective June 28, 2010; approving the unclassified civil service appointment to the Office of the Urban County Council of: Jonathan Hollinger, Aide to Council, Grade 000E, $1,923.08 bi-weekly, in the Council Office, effective June 21, 2010.

A Resolution accepting the proposal of the Public Group d/b/a Public Surplus.com for the Internet sale of surplus vehicles and equipment not to exceed 7% commission of gross sale proceeds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for attachment of wireless communication equipment.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to an Agreement with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to extend the Agreement from July 1, 2010 to June 30, 2011 and reimburse the Urban County Government up to $300,000 for operation and maintenance of traffic signals and electrical traffic control devices on the state primary road system.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Hall Contracting Corp., for South Elkhorn Pump Station Improvements, for the Div. of Water Quality, increasing the contract price by the sum of $27,987 from $3,842,000 to $3,869,987.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to the Amended and Restated Grant Agreement with the Cabinet for Economic Development, the State Property and Buildings Commission and Belcan Engineering Group, Inc., retroactive to January 28, 2010, to include additional terms to the Amended and Restated Grant Agreement approved pursuant to Resolution No. 308-2009, at no cost to the government.

A Resolution authorizing the Div. of Emergency Management/911 to purchase equipment, software, hardware, licenses and peripherals and any related installation and maintenance services for expansion of the existing Central Ky. 911 Infrastructure Network, from AK Associates, a sole source provider, at a cost not to exceed $96,663.

A Resolution authorizing the Div. of Emergency Management/911 to purchase equipment and related peripherals for expansion of the existing Central Ky. 911 Infrastructure Network, from Engage Communications, a sole source provider, at a cost not to exceed $33,532.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Schroeder Construction, Inc., for Pump Station Upgrade at Haley Pike Landfill, increasing the contract price by the sum of $7,498.34 from $358,816.00 to $366,314.34.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lansdowne Neighborhood Association, Inc. ($750); Belleau Wood Neighborhood Association, Inc. ($650); American Society of Certified Engineering

Technicians Conference ($225); Zandale Neighborhood Association, Inc. ($500); Fayette County 4-H Council, Inc. ($650), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Div. of Human Resources to internally advertise for all vacant positions from July 1, 2010 through December 31, 2010 and authorizing the Div. of Human Resources to advertise externally if a qualified internal applicant pool does not exist within two weeks or fourteen calendar days of any internal advertisement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the contract with Claunch Construction, LLC, for the Radcliffe Rd. Stormwater Improvements Project, increasing the contract price by the sum of $22,739.70 from $257,357.25 to $280,096.95.

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A Resolution accepting the bid of Architectural Graphics, Inc., in the amount of $383,918, for the Wayfinding Sign System, for the Dept. of Public Works and Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Architectural Graphics, Inc., related to the bid was on the docket for first reading.

Ms. Crosbie asked questions of Mr. Brian Marcum, Director, Div. of Purchasing about the bid process for the project in the resolution. Mr. Marcum responded.

Mr. Lane asked Mr. Marcum to describe the scope of the work.

The Council continued to ask questions of Mr. Marcum, and of Mr. Mike Webb, Commissioner, Dept. of Public Works and Development.

The resolution was given first reading and ordered placed on file until July 6, 2010 for public inspection.

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The following resolutions were given first reading. Upon motion of Ms. James, seconded by Ms. Crosbie, the rules were suspended by unanimous vote.

The resolutions were given second reading. Upon motion of Mr. Lane, and seconded by Mr. Ellinger, the resolutions were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues, Crosbie---------------14

Nay: ---0

A Resolution accepting the bid of Marrillia Design & Construction, in the amount of $299,968.51, for the Maxwell St. Sidewalk & Bike Lane Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Marrillia Design & Construction, related to the bid.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents and to accept deeds for property interests needed for the Isaac Murphy Memorial Art Garden Trailhead, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Precision Painting Co., Inc., for exterior painting of the Phoenix Building, increasing the contract price by the sum of $7,550 from $47,445 to $54,995.

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Upon motion of Ms. James, seconded by Mr. Myers, and approved by unanimous vote, a Resolution approving the unclassified civil service appointment of: Ralishia Howard, Eligibility Counselor, Grade 110E, $1,100.32 bi-weekly, in the Div. of Community Corrections, effective July 6, 2010 was placed on the docket and given first reading.

Upon motion of Ms. James, seconded by Ms. Crosbie, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Mr. Lane, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Martin, McChord, Myers,
Stinnett, Beard, Blues, Crosbie---------------14

Nay: ---0

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Upon motion of Mr. Myers, seconded by Ms. Gorton, and approved by majority vote of 13-0 (Mr. Martin recused himself when the vote was taken), a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Community Action Council of Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., for the lease of space at the Carver Community Center located at 522 Patterson St. was placed on the docket and given first reading.

Upon motion of Mr. Myers, seconded by Mr. Beard, the rules were suspended by a majority vote of 13-0 (Mr. Martin recused himself when the vote was taken.)

The resolution was given second reading. Upon motion of Mr. Myers, and seconded by Ms. Crosbie, the resolution was approved by the following vote

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, McChord, Myers, Stinnett,
Beard, Blues, Crosbie-------------------------13

Nay: ---0
(Mr. Martin recused himself when the vote was taken).

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for the Distillery District Public Improvements Program, Streetscape Design, Trail Design and Construction, at a cost not to exceed $1,659,091 was on the docket for first reading.

Ms. Crosbie asked questions of Mr. Brian Marcum, Director, Div. of Purchasing, regarding the purchasing process for the project in the resolution. Mr. Marcum responded.

Mr. Gray asked questions of Mr. Marcum, Mr. Mike Webb, Commissioner, Dept. of Public Works and Development, and Mr. Billy Van Pelt, Dept. of Public Works and Development.

The Council continued to ask questions of Mr. Webb, Mr. Marcum, and Mr. Van Pelt.

Mr. Blues spoke about the contractor evaluation process for the project referenced in the resolution.

Ms. Crosbie spoke to Mr. Blues' statement and explained her concern with the procurement process. Mr. Webb responded to Ms. Crosbie's concerns about the procurement process.

Ms. Crosbie made a motion, seconded by Mr. Ellinger to table the resolution pending additional information. The motion **failed** to pass by a vote of 5 – 8 (Gorton, Henson, James, McChord, Myers, Stinnett, Beard, and Blues voted **no**).

The Council continued to ask questions of Mr. Marcum and Mr. Van Pelt.

Ms. Feigel made a motion, seconded by Mr. McChord, to amend the resolution to change the amount in the resolution to $508,000 and to move forward only with the feasibility study. The motion **failed** to pass by a vote of 4 – 9 (Gorton, Gray, Henson, James, Myers, Stinnett, Beard, Blues and Crosbie voted **no**).

The Council continued to ask questions of Mr. Marcum and Mr. Van Pelt.

The resolution was given first reading and ordered placed on file until July 6, 2010 for public inspection.

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Upon motion of Mr. Stinnett, seconded by Mr. Blues, and approved by majority vote of 13-1 (Crosbie voted **no**), a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement and any other necessary documents with Mountjoy Chilton Medley LLP, for performance of professional financial auditing services of all FY 2010 Urban County Government funds, at a cost not to exceed $103,380 was placed on the docket, given first reading, and ordered placed on file until July 6, 2010 for public inspection.

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The following resolutions were given first reading and ordered placed on file until July 6, 2010 for public inspection.

A Resolution accepting the bid of Frantz, Inc., in the amount of $33,400, for the HVAC Cooling Tower Replacement - Kearney Hills Golf Course Clubhouse, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Frantz, Inc., related to the bid.

A Resolution accepting the bid of Northeast Industrial Mfg., Inc./Norcan, in the amount of $9,990, for Recycling Dumpsters for parks, for the Div. of Parks and Recreation.

A Resolution ratifying the probationary civil service appointments of: Carolyn Knoll, Program Specialist, Grade 112E, $1,246.56 bi-weekly, in the Div. of Water Quality, effective July 1, 2010; Benjamin Krebs, Municipal Engineer Sr., Grade 119E, $2,278.08 bi-weekly, in the Div. of Water Quality, effective July 1, 2010; Deepti Dawadi, Database Administrator, Grade 117E, $1,664.80 bi-weekly, in the Div. of Enterprise Solutions, effective July 1, 2010; ratifying the permanent civil service appointment of:

Dora Kay Bryant, Administrative Specialist Sr., Grade 112N, in the Div. of Building Inspection, effective July 18, 2010.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Second and Final Renewal of the Annual Program Management Services Agreement with Tetra Tech, Inc., for the continued performance of services related to the EPA Consent Decree, and authorizing initial payment of funds in an amount not to exceed $1,766,000 and any further payments pursuant to the terms of the Agreement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Hazen and Sawyer, P.S.C., for three (3) Sanitary Sewer System Assessment Final Reports and three (3) Sanitary Sewer System and WWTP (Wastewater Treatment Plants) Remedial Measures Plans, for the Div. of Water Quality, at a cost not to exceed $2,000,000.

A Resolution authorizing the Div. of Waste Management to purchase equipment and related peripherals for relining the baler at the Materials Recovery Facility from IPS Balers, Inc., a sole source provider, at a cost not to exceed $33,233.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements with Area Health Education Center, Bluegrass Community Action Agency, Legal Aid of the Bluegrass, Lexcare, Lexington Fayette County Urban League, National Alliance for the Mentally Ill, National Association for the Advancement of Colored People, and West End Community Empowerment Program (WECEP), for use of space at the Black and Williams Neighborhood Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with Baby Health Services ($16,650), Big Brothers, Big Sisters ($9,520), Bluegrass Community Action Agency ($27,750), Bluegrass Domestic Violence Program, Inc. ($75,000), Bluegrass Rape Crisis Center ($69,380), Bluegrass Technology Center, Inc. ($2,780), Center for Women, Children & Families ($46,250), Chrysalis House, Inc. ($37,000), Bluegrass Comprehensive Care Center ($291,140), Community Action Council ($166,500), Hope Center, Inc. ($740,000), M.A.S.H. Services of the Bluegrass, Inc. ($158,000), Moveable

Feast Lexington ($37,000), Nursing Home Ombudsman Agency of the Bluegrass, Inc. ($46,250), Salvation Army ($200,000), and Sunflower Kids ($23,130) to provide services to the public, at a cost not to exceed $1,946,350.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Urban League of Lexington-Fayette County, for support of initiatives designed to enable African-Americans and disadvantaged citizens to achieve social and economic equality, at a cost not to exceed $61,510.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Road to Homeownership, Inc., for the provision of educational programs to economically disadvantaged and low to moderate income families, at a cost not to exceed $29,660.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Roots & Heritage Festival, Inc., for the 2010 Roots & Heritage Festival, at a cost not to exceed $39,350.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission, for purchase of services for FY 2011, at a cost not to exceed $166,960.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements awarding Class A (Neighborhood) Grants for Stormwater Quality Projects to the Gardens of Hartland Homeowners Association, Inc. ($36,565.31), Meadowthorpe Neighborhood Association, Inc. ($29,794), The Woodfield Homes Association, Inc. ($7,748.35), The Living Arts and Science Center, Inc. ($6,886), Friends of Wolf Run, Inc. ($5,000), and Friends of Wolf, Inc. ($5,000), at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Dept. of Agriculture, for the Senior Citizens Center to serve as a distribution site for the Farmer’s Market Nutrition Voucher Program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AB Dick, for a four-year lease and maintenance of a copier for the Senior Citizens Center, at an annual cost not to exceed $3,430.56, subject to sufficient funds being appropriated in subsequent fiscal years.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Portable Interoperable Communications Tower Project through December 31, 2010, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fayette Fiscal Court and Sandra M. Varellas, Fayette County Judge/Executive for the FY 2011 County Road Aid Fund Program for Fayette County.

A Resolution authorizing the Mayor on behalf of the Urban County Government, to execute Amendment No. 2 to the Contract with HDR Engineering, Inc. (formerly Quest Engineers, Inc.), for design of Citation Blvd. Phase III, increasing the contract price by the sum of $62,500 from $914,307 to $979,807.

A Resolution authorizing the Mayor, on behalf of the Urban County government, to execute an Agreement with OmniSource Integrated Supply, LLC, for inventory services, at a cost not to exceed $20,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 6 to the Contract with Nesbitt Engineering, Inc., for design of the Meadows/Northland/Arlington Public Improvements, Subphase 3C, increasing the contract price by the sum of $32,000.00 from $228,458.78 to $260,458.78.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3 to Contract No. 4150 with GRW Engineers, Inc., for additional design services on the Comprehensive Sanitary Sewer Project, at an additional cost not to exceed $29,800.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with L-M Partners, LTD d/b/a ATS Construction, for the Lexington Streetscape Phase One S. Limestone Project, decreasing the contract price by the sum of $9,295.01 from $13,146,557.19 to $13,137,262.18.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Central Indiana Truck Equipment Corp., a sole source provider, for purchase of sixteen (16) Heil Python Multipack Refuse Bodies not to exceed $161,358 each for a total cost of $2,581,728.

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Upon motion of Ms. Gorton, seconded by Mr. Stinnett, and passed by unanimous vote, the Communications from the Mayor were approved, and are as follows: (1) Recommending the reappointment of Ms. Emma Gay-Lewis, as area resident representative, to the Dunbar Community Center Advisory Board, with a term to expire 3-20-2014; (2) Recommending the reappointment of Dr. Hollis Hilty, as Central Baptist Hospital representative, to the Emergency Medical Advisory Board, with a term to expire 7-1-2013; (3) Recommending the reappointment of Ms. Marilyn Clark to the Lexington Center Corporation Board of Directors, with a term to expire 2-28-2014; (4) Correcting the term from the Mayor's Report of 2-10-2009 of Ms. Zedtta S. Wellman, representing the Bluegrass Hospitality Association on the Convention & Visitors Bureau Board of Directors, to reflect a term end date of 9-1-2012; (5) Recommending the appointments of Ms. Ronda S. Beck, Ms. Lynda M. Thomas, and Mr. Kyle Whalen to the Library Board of Trustees, with terms to expire 7-20-2014. The terms of Mr. Richard Browning, Mr. Ralph Coldiron, and Mr. Larry Smith have expired; (6) Recommending the appointment of Ms. Sally K. Lockhart, as Masterson Equestrian Trust Foundation representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2014. The term of Ms. Ginny Howard has expired. Also, recommending the reappointment of Ms. Anita Britton, as Parks and Recreation Equestrian Program representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2014; and (7) Recommending the reappointment of Mr. Kevin W. Weaver, as at-large representative, to the Picnic with the Pops Commission, with a term to expire 7-1-2014.

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The following Communication from the Mayor was received for information only: (1) Reinstatement of Pam Dixon, Telecommunicator Sr., Grade 113N, in the Div. of Emergency Management/911, effective July 5, 2010.

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Mr. Myers spoke about the completion date set by the Council for the work of the Special Investigative Committee, and asked Vice-Mayor Gray to submit a memorandum to all Council Members clarifying the dates set for the Committee.

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Mr. Blues announced that he and Mr. McChord would be running in the Bluegrass 10,000 on July 4, 2010.

*   *   *

Mr. Lane asked whether the Special Investigative Committee could conduct a briefing for Council Members sooner than the September 6, 2010 completion date for the Committee.

Mr. Beard stated that a briefing report would be forthcoming on July 6, 2010.

*   *   *

Mr. McChord invited all of Lexington to come to the July 4^{th} festivities in downtown Lexington. He also thanked all the Urban County Government employees working on the event.

The Mayor reiterated Mr. McChord's sentiments, and thanked Ms. Penny Ebel, Director of Special Events.

*   *   *

Mr. Martin thanked Mr. Myers for the additional information on the Special Investigative Committee, and for his work with the Committee.

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Upon motion of Mr. McChord, seconded by Mr. Stinnett, and approved by unanimous vote, the meeting adjourned at 8:50 p.m.

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Clerk of the Urban County Council