

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 30-September 6, 2010**

Monday, August 30

No Meetings

Tuesday, August 31

Special Services Committee Meeting.....9:00 am
Council Chambers-2nd Floor Government Center

Partner Agency Oversight Committee Meeting.....**CANCELLED**
Conference Room-5th Floor Government Center

Council Budget & Finance Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Special Council Meeting including Public Hearing on Tax Bills.....3:00 pm
Council Chambers-2nd Floor Government Center

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

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

Wednesday, September 1

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

Masterson Station Park Advisory Board Meeting.....6:00 pm
Lion's Club Building-Masterson Station Park

Thursday, September 2

No Meetings

Friday, September 3

No Meetings

Monday, September 6

LABOR DAY HOLIDAY-OFFICES CLOSED-No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

August 31, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, August 24, 2010, pp.7-9**
- IV. Budget Amendments – None**
- V. New Business, pp.12-37**
- VI. Continuing Business / Presentations**
 - A. Council Planning Committee, pp.38-40**
 - B. Council Water Resources Oversight Committee**
 - C. Blue Grass Airport Runway Dedication
CM Ed Lane, 12th District**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Add the Division of Enterprise Solutions to Section 21-27(b) of the Code of Ordinances for Standby Status. (396-10) (Cottle/Dhuwaraha)
This request will authorize approval to add the Division of Enterprise Solutions to Section 21-27(b) of the Code of Ordinances for twenty-four-hour standby status for emergency servicing of computer equipment. The fiscal impact for FY2011 will be budget neutral.**p.12**
- B. Authorization of a Memorandum of Agreement (MOA) by and between LFUCG and the World Games 2010 Foundation, Inc. for Exchange of Products and Services. (412-10) (Cottle/Dhuwaraha)
This request will authorize approval of a MOA by and between LFUCG and the World Games 2010 Foundation, Inc. for exchange of products and services. LFUCG will loan the Foundation 100 computers and provide maintenance to use before and during the World Equestrian. In exchange, the Foundation will give LFUCG 100 copies of Microsoft Professional 2010; 15 copies of Microsoft Pro and 100 wireless devices, designate LFUCG limited use of game mark and authorize LFUCG the use of *Official Sponsor of the 2010 Alltech FEI World Equestrian Games™* for marketing and promotional materials.**p.13**
- C. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water Quality. (413-10) (L. Jarvis/Bush)
This request will authorize approval of an amendment to Section 22-5 of the Code of Ordinances to create one (1) position of Administrative Specialist Principal (Grade 114E) and three (3) positions of Administrative Specialist (Grade 110N) within the Division of Water Quality for a term of two (2) years. Personnel will augment LexCall with the anticipated increase of calls for Phase 1 of the Water Quality Management fee implementation and to continue the update maintenance and submittal of the monthly billing file to Kentucky-American Water Company; research backlog of property developed since 2007; determine impermeable surface and liability to add to the billing file, and track inactive water amounts to maximize revenue recovery. The fiscal impact is \$137,841.57 and was approved in the Division's FY2011 budget.**p.14**
- D. Authorization to Provide Grant Funds Outlined in the Proposed Guidelines to Local Nonprofit Organizations Under the Energy Efficiency and Conservation Block Grant (EECBG) Program. (415-10) (Gooding/Bush)

This request will authorize approval to provide federal funds in the amount of \$225,000 as outlined in the proposed guidelines to nonprofit organization for energy efficiency improvements to their facilities under the Community Energy Retrofit program. Bluegrass PRIDE, Inc. will manage the process to ensure qualified applicants are selected and comply with federal requirements. The source of funds is the US Department of Energy, EECBG as authorized by the American Recovery and Reinvestment Act of 2009.**p.15**

- E. Authorization of Amendment No. 1 to Agreement with Bluegrass PRIDE, Inc. for the Community Energy Awareness Program, Under the Energy Efficiency and Conservation Block Grant (EECBG) Program. (420-10) (Gooding/Bush)

This request will authorize approval of Amendment No. 1 to increase agreement amount by \$57,000 with Bluegrass PRIDE, Inc. to perform Community Energy Awareness program activities under the EECBG program. Funds will be used to purchase educational materials and supplies, offset costs of travel in program management, and for the purchase and installation of LED EXIT signs in nonprofit facilities. The source of additional funds is the US Department of Energy, EECBG as authorized by the American Recovery and Reinvestment Act of 2009. Original agreement amount was for \$225,000. New agreement amount is \$282,000. Funds are budgeted.**p.16**

- F. Authorization of Amendment No. 1 to Resolution No. 282-2010 Regarding Neighborhood Development Funds (NDF) to Bluegrass Community Foundation, Inc. (414-10) (Langston)

This request will authorize approval of an Amendment No. 1 to Resolution No. 282-2010 to correct the amount of NDF funds awarded to Bluegrass Community Foundation, Inc. from \$2,785 to \$2,004. There are no other changes associated with this amendment.**p.17**

- G. Authorization to Amend Section 18.65.1(c) and Create Section 18-65.1(d) of the Code of Ordinances Regarding Parking Meters. (416-10) (Bastin/Bennett)

This request will authorize approval of an amendment to Section 18.65.1(c) of the Code of Ordinances to include the posting of signage labels in addition to the use of red plastic bags to restrict parking at meters or other designated paid parking spaces for impromptu or brief events authorized by the Lexington and Fayette County Parking Authority or the Division of Police. This amendment creates Section 18-65.1(d) to allow vehicles to be towed four (4) hours after the meter or other designated paid parking spaces have been bagged or labeled. There is no budgetary impact.
pp.18-19

- H. Authorization of an Additional Software License Agreement with New World Systems® on Behalf of the Department of Public Safety, Division of Police. (417-10) (Bastin/Bennett)
This request will authorize an Additional Software License Agreement at a cost of \$4,246 with New World Systems® on behalf of the Division of Police to purchase two (2) Aegis® Law Enforcement Mobile Unit Software packages. The cost includes maintenance for one year. Funds are budgeted.**p.20**
- I. Authorization of Addendums No. 1 and 2 to Agreement to Permit Attachments with Kentucky Utilities Company (KU) on Behalf of the Department of Public Safety, Division of Police. (418-20) (Bastin/Bennett)
This request will authorize approval of Addendum No. 1 to Agreement to Permit Attachments with KU for mounting wireless communications equipment on KU poles in support of the Public Safety Broadband Network to improve communications for police, fire, and sheriff officers. Addendum No. 2 for mounting communications equipment on KU poles to provide wi-fi internet services to low income areas in the service territory. There is no budgetary impact.**p.21**
- J. Authorization to Rename Hilo Street to Durman Drive in Memory of Police Officer Bryan J. Durman. (423-10) (Lucas/Bennett)
This request will authorize approval to rename Hilo Street, located adjacent to the Central Roll Call Center, to Durman Drive in memory of Police Officer Bryan J. Durman who was killed by a hit-and-run driver while on duty.
pp.22-23
- K. Authorization to Accept Donated Items from the Kentucky Division of Emergency Management (DEM) through the Chemical Stockpile Emergency Preparedness Program (CSEPP). (424-10) (Dugger/Bennett)
This request will authorize the acceptance of four (4) moulage kits, two (2) Rescue Randy Manikins, and 29 boxes of wristbands valued at \$6,394.60 from Kentucky DEM as part of a spending package through CSEPP.**p.24**
- L. Authorization to Accept an Additional Award from the Kentucky Division for Air Quality under the Kentucky Clean Diesel Grant Program. (419-10) (Gooding/Rumpke)
This request will authorize the acceptance of additional federal funds in the amount of \$54,947, awarded by the Kentucky Division for Air Quality under the Kentucky Clean Diesel Grant program for purchase and installation of diesel particulate filters to be retrofitted on fifteen (15) 2006 refuse haulers. The source of funds is the US Environmental Protection Agency, State Clean Diesel Grant program. The original amount granted and approved was \$150,000. Total amount is now \$204,947. No matching funds are required.**p.25**

- M. Authorization to Extend Administrative Services Agreement with EyeMed Vision Care®. (426-10) (L. Jarvis/Rumpke)
This request will authorize approval to extend the Administrative Services Agreement for period beginning January 1, 2011 through December 31, 2011 with EyeMed Vision Care® for vision insurance plans for LFUCG active employees. There are no rate increases for the plans and are fully paid by the employee.**pp.26-27**
- N. Authorization to Extend Administrative Services Agreement with Delta Dental Plan of Kentucky, Inc. (427-10) (L. Jarvis/Rumpke)
This request will authorize approval to extend the Administrative Services Agreement for period beginning January 1, 2011 through December 31, 2011 with Delta Dental Plan of Kentucky, Inc. for Premiere and PPO dental insurance plans for LFUCG active employees. There are no rate or benefit changes for the extended period.**pp.28-30**
- O. Authorization to Extend the Claims Payment Agreement, Clinical Program Services, Amendment to Plan Management Agreement, Application for Group Stop-Loss Insurance and the Amendment to the Group Stop-Loss Policy. (428-10) (L. Jarvis/Rumpke)
This request will authorize approval to extend the Claims Payment Agreement with Humana Insurance Company for Platinum PPO, Gold PPO and Silver HDHP health insurance plans, the Clinical Program Services, Amendment to Plan Management Agreement, Application for Group Stop-Loss Insurance and the Amendment to the Group Stop-Loss Policy period beginning January 1, 2011 through December 31, 2011. Humana has proposed a 5% increase in administrative fees for FY2011 from \$33.60 per employee per month to \$35.27 per employee per month. Based on the number of employees enrolled in the medical plan for 2010, the total amount will increase from \$1,214,841.60 to \$1,275,222.12 for an increase of \$60,380.32. Humana's RFP submitted for consideration for FY2011 had quoted a 6.45% increase. This will be a saving of \$17,716.44.**p.31**
- P. Authorization of an Amendment to Agreement with Columbia Gas of Kentucky regarding the Clays Mill Road Improvements Project. (422-10) (Gooding/Webb)
This request will authorize approval of Amendment No. 1 to increase agreement amount by \$87,535.70 from \$485,913 to \$573,488.70 with Columbia Gas of Kentucky for the Clays Mill Road Improvements project for relocation of utilities between Higbee Mill Road and Keithshire Way. The increase in amount is due to the increase cost for labor and materials. Funds are budgeted.**p.32**

- Q. Authorization to Rescind Resolution No. 168-2010 with Jason Tate Contractor, Inc. Regarding the Sidewalk Ramp Installation/Reconstruction Program 2010 and Award Contract to ZKB Construction, Inc. (429-10) (Rayan/ Webb)
This request will authorize the recession of Resolution No. 168-2010 with Jason Tate Contractor, Inc. under Bid No. 26-2010 for the Sidewalk Ramp Installation/Reconstruction Program 2010. After several months of delay, JasonTate Contractor, Inc. were unable to obtain a performance bond and withdrew their bid. Request ZKB Construction, Inc. be awarded the contract as the second lowest bidder at a cost of \$100,000. Funds are budgeted.**pp.33-34**
- R. Authorization of Change Order No. 1 to contract with Claunch Construction LLC for the West Hickman Trail Project. (430-10) (Gooding/Webb)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$67,737.70 with Claunch Construction LLC for the West Hickman Trail project for increased quantities of materials. Original contract amount was \$407,605.70. New contract amount is \$477,343.40. Funds are budgeted.**pp.35-37**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

August 24, 2010

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

I. Public Comment – Issues on Agenda-None

II. Requested Rezoning / Docket Approval-Yes

A motion by CM Ellinger to approve the amended docket, seconded by VM Gray, passed without dissent.

III. Approval of Summary-Yes

A motion by CM Beard to approve the summary from August 17, 2010, seconded by CM Lane, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization to Accept Modifications to Agreements Offered by the Kentucky Department of Military Affairs, Division of Emergency Management, Under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FYs 2007, 2008, 2009 and 2010. (408-10) (Gooding/Bennett)
- B. Authorization of a Rental Agreement with Lexington Center Corporation (LLC) on behalf of the Commission for Citizens with Disabilities for the 2011 Celebration of Disability Expo. (409-10) (Helm)
- C. Authorization of Change Order No. 1 to Contract with BCD Inc. on Behalf of the Department of Environmental Quality, Division of Waste Management for the Municipal Recycling Facility Renovation Project – FINAL. (410-10) (Bush)

- D. Authorization for Closure and Quitclaim Deeds of Right-of-Way to Property Owners at 1820 to 1828 Nicholasville Rd. (411-10) (Webb)

A motion by CM Beard to approve the New Business items, seconded by CM Gorton passed without dissent.

VI. Continuing Business / Presentations-Yes

- A. Council Inter Governmental Committee Update

This update was postponed until CM James is present.

- B. Corridors Commission Update

This update was given by Chair CM Feigel.

- C. Address Posting Progress Report

This report was given by David Lucas, Dir. Enhanced 911. Several CMs asked questions.

VII. Council Report

CM Stinnett-Announced that the final Building Inspection Task Force meeting will be held on 9/23/10 at 3 pm in the 5th floor conference room.

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

CM Feigel- Stated that she held a third 5th District-wide meeting and thanked all employees who participated and Emmanuel Baptist Church for allowing the meeting to be held there; Bill Juckett, Chair of Olmsted Conservancy in Louisville will be the guest speaker at the Parks Funding Working Group meeting scheduled for tomorrow at 6 pm in the 3rd floor conference room of the Phoenix Building; on 9/2 Palmer Engineering will hold its second meeting on the Chevy Chase redesign At 5:30 pm at Park United Methodist Church; on 9/4 Toast to Henry Clay Wine festival will be held beginning at 1 pm

CM Martin-Announced tonight at 7 pm the Southland Jamboree will be going on; on Friday and Saturday of this week, Moondance at Midnight Pass on Beaumont Centre Circle will present the Lexington Ballet.

CM Lawless-Announce the Goodrich NA will meet on Thursday at 7-9 pm; on 8/29/10 Avol will sponsor the Lexington Aids Walk at 3 pm at 225 Walton Ave.

A motion by CM Lawless to place into the Services Committee the issue of visitor's parking permits, seconded by CM Beard, passed without dissent.

CM Myers-Asked CM Lane to speak to the tabled issue of Council Office restructuring.

A motion by CM Myers to have Committee of the Whole (COW) meeting on 9/21/10 at 5pm in the 5th floor conference room to discuss only the Council Office restructuring, seconded by CM Beard, passed without dissent.

VIII. Mayor's Report-Yes

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

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

X. Closed Session-Proposed and Pending Litigation

A motion by CM Blues pursuant to KRS 61.810(1)(c) to go into closed session for the purpose of discussing potential litigation involving the Urban County Government, seconded by CM McChord, passed without dissent.

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

XI. Adjournment

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

Work session was adjourned at 3:57 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS**10**

August 31, 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
396-10	CB 0043	Enterprise Solutions	To provide funds for standby pay for (6) positions in Enterprise Solutions by reducing funds for standby pay for (2) positions in Computer Services and by reducing Professional Services in Enterprise solutions.
A			1101 14,660CR 1101 14,660 0 *
419-10	BA 3126	Community Development	To amend award amount of the KY Diesel FY 2010 Project.
L			3170 54,947CR 3170 54,947 0 *

EFFECT ON FUND BALANCES

FUND 1101	0*	NO IMPACT TO:	GENERAL SERVICES DISTRICT - GENERAL FUND
FUND 3170	0*	NO IMPACT TO:	US ENVIRONMENTAL PROTECTION AGENCY

Budget Information For New Business ItemsAugust 31, 2010 Work Session**11**

Item	Number	Amount	Fund	Name / Description
A	396-10	14,660	1101	General Fund Budget Journal
B	412-10	NA		
C	413-10	Budgeted	4051	Water Quality Management Fund
D	415-10	225,000	3210	US Department of Energy
E	420-10	57,000	3210	US Department of Energy
F	414-10	NA		
G	416-10	NA		
H	417-10	4,246	1101	General Fund
I	418-10	NA		
J	423-10	NA		
K	424-10	NA		
L	419-10	54,947	3170	US Environmental Protection Agency Budget Journal
M	426-10	NA		
N	427-10	Budgeted		
O	428-10	Budgeted		
P	422-10	87,535.70	3160	US Department of Transportation
Q	429-10	100,000	1136	
R	430-10	69,737.70	3160	US Department of Transportation



396-10

Lexington-Fayette Urban County Government
OFFICE OF THE SENIOR ADVISOR / CIO

Jim Newberry
Mayor

Rama Dhuwaraha
Senior Advisor / CIO

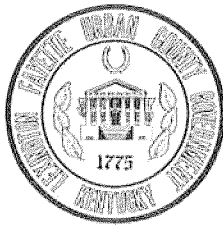
TO: Urban County Council
FROM: Chad Cottle, Director of Enterprise Solutions
VIA: Rama Dhuwaraha, CIO
RE: Standby Pay for DES Employees, Ord. 21-27 (b)

With the transition of LFUCG's back office systems to PeopleSoft, the staff that supports the IT, database and PeopleSoft components have been working in a standby capacity for the past 4 years while in the Division of Computer Services. As they are transitioning to the Division of Enterprise Solutions it remains necessary to have them on 24 x 7 standby in the event of a systems failure or an urgent need arises with Payroll, Accounting, Purchasing, etc. We are requesting that the Division of Enterprise Solutions be added to the following section within the Code of Ordinances:

(b) The salary of an employee in the Division of Computer Services, the Division of Police, the Division of Fire and Emergency Services, and the Division of Community Corrections, who is exempted from statutory overtime requirements shall be computed as in subsection (a) of this section, except that there shall be a ten (10) percent increment to the biweekly salary rate described in section 21-25 for any pay period during which said employee is required to be on twenty-four-hour standby status for the emergency servicing of computer equipment. By July 1 of each fiscal year, each affected division shall submit to the Director of Human Resources a listing of employees and the specific pay periods they will be required to serve on the twenty-four-hour standby status.

The required funds will be moved from Computer Services personnel account and placed into Enterprise Solutions. Any differences will be covered from Enterprise Solutions professional services.

CC: Logan Askew, Commissioner of Law
Mike Nugent, Director of Computer Services
Leslie Jarvis, Director of Human Resources
Vonda Melton, HR Manager of Classification/Compensation



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Lexington-Fayette Urban County Government
OFFICE OF THE SENIOR ADVISOR / CIO

Jim Newberry
Mayor

Rama Dhuwaraha
Senior Advisor / CIO

To: Mayor Jim Newberry
Lexington-Fayette Urban County Council

Cc: Joe Kelly

From: Senior Advisor/CIO Rama Dhuwaraha

Date: August 17, 2010

RE: Memorandum of Agreement

Agreement between the World Games 2010 Foundation, Inc. and the Lexington-Fayette Urban County Government to receive products and services during and upon the completion of the 2010 World Equestrian Games.

LFUCG will provide the Foundation with use of no more than 100 units of loaner computers to be maintained and serviced by the Foundation during loan. Any loaner unit that is damaged will be replaced by the Foundation. All units will be returned to LFUCG by October 18, 2010.

In return for use of loaner units, LFUCG will receive one hundred copies of Microsoft Professional 2010, fifteen copies of Microsoft Pro and 100 wireless devices.

Rama Dhuwaraha
Senior Advisor/CIO



413-10

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

MEMORANDUM

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

FROM:


Leslie Jarvis, Acting Director
Division of Human Resources

DATE: August 23, 2010

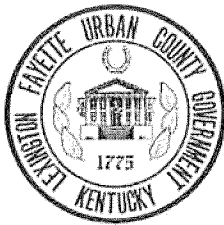
RE: Create Positions— Division of Water Quality

The attached action amends Section 22-5 of the Code of Ordinances, creating one (1) position of Administrative Specialist Principal (Grade 114E) and three (3) positions of Administrative Specialist (Grade 110N) all in the Division of Water Quality for a two (2) year term effective upon passage of Council.

The Division requests this action in order to better support LexCall with the volume of calls anticipated regarding the first phase of fee collection of the Water Quality Management fee. This call center will be better able to continue to help taxpayers to further understand the details of the fee. They will continue to update, maintenance and submittal of the monthly billing file to Kentucky American Water Co., research back-log of property developed since the 2007 fly-over, determine impermeable surface and WQMF liability, and add to the billing file. The work of these individuals also will include tracking of inactive water accounts to maximize revenue recovery for L.F.U.C.G. This work has resulted in the recovery of potentially lost revenue to the L.F.U.C.G through their research of building permits, maps and other documents to locate new development and begin timely billing for those properties. The Division projects this as an operational savings since the Government does not have to hire a consultant to perform these duties.

The fiscal impact for FY2010 is \$137,841.57 (19 pay periods) and includes benefits. The funding was included in the Divisions FY11 adopted budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Administrative Specialist Pri	\$0	\$41,921.36	\$41,921.36
Vacant	Administrative Specialist (Three positions)	\$0	\$30,155.32	\$90,465.96
Total Annual Impact/ Salary and Benefits \$188,625.30				



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: AUGUST 17, 2010

SUBJECT REQUEST COUNCIL AUTHORIZATION TO PROVIDE FEDERAL GRANT FUNDS TO LOCAL NONPROFIT ORGANIZATIONS FOR ENERGY EFFICIENCY IMPROVEMENTS UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM

On November 19, 2009 (Ordinance No. 243-2009), Council approved acceptance of federal funds from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. One of the approved activities was the Community Energy Retrofit program initiated for the purpose of providing grants to nonprofit arts organizations for the purpose of making energy efficiency improvements to their facilities to include upgrades to lighting, HVAC, water heating, and building shell improvements, based upon the results of energy audits. The U.S. Department of Energy requires that the LFUCG obligate funds under this program as expeditiously as possible in order to avoid having funds deobligated by the federal government.

The Department of Environmental Quality has developed the attached guidelines for use in accepting applications from nonprofit arts programs to make energy efficiency improvements and in selecting organizations for funding. Bluegrass PRIDE will manage the process to ensure that qualified applicants are selected and that selected applicants comply with all federal requirements for use of funds. IT is anticipated that as many as six projects will be awarded; however, actual number is dependent upon cost of applications submitted and funds available.

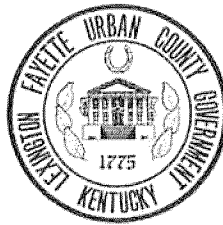
Funds are budgeted as follows:

FUND	DID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY	AMOUNT
3210	313201	3093	71299	2010	EEBCG R 2010	E NP RETRO	225,000

Council authorization to issue Funding Opportunity Announcement, accept applications, select applicants, and execute agreements with selected applicants in accordance with the attached guidelines is hereby requested.


Irene Gooding, Acting Director

Xc: Susan Bush, Acting Commissioner of the Department of Environmental Quality



420-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: AUGUST 17, 2010

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO
AGREEMENT WITH BLUEGRASS PRIDE, INC. TO PERFORM SERVICES UNDER
THE COMMUNITY ENERGY AWARENESS ACTIVITY UNDER THE ENERGY
EFFICIENCY AND CONSERVATION BLOCK GRANT**

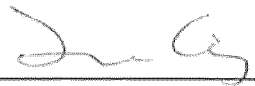
On November 19, 2009 (Ordinance No. 243-2009), Council approved acceptance of federal funds from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. On April 22, 2010 (Resolution No. 216-2010), Council approved execution of agreement with Bluegrass PRIDE in the amount of \$225,000 to perform Community Energy Awareness Program activities in response to RFP # 6-2010.

The Agreement in the amount of \$225,000 provides for Bluegrass PRIDE, Inc., to perform public education and outreach on energy efficiency and conservation; promote the use of web-based energy tracking/benchmarking tools, arrange energy audits; provide on-site education and consultation to commercial building owners and occupants, facilitate grant-funded energy improvements to nonprofit Arts facilities under the banner of Energizing the Arts; and oversee a LED EXIT sign change-out program geared toward nonprofits. In order to meet the Department of Energy's requirement that federal funds be obligated as soon as possible, the Division of Environmental Policy has negotiated an amendment to this agreement providing additional funds in the amount of \$57,000 for the purchase of educational materials and supplies, funds to offset costs of travel in program management, and for the purpose of purchasing and installing LED EXIT signs in nonprofit facilities. New agreement total is \$282,000.

Funds are budgeted as follows:

FUND	DID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY	AMOUNT
3210	313201	3093	71299	2010	EEBCG R 2010	E EDUC	\$18,000
3210	313201	3093	75101	2010	EEBCG R 2010	E NP RETRO	39,000

Council authorization to execute amendment to agreement with Bluegrass PRIDE, Inc., is hereby requested.



Irene Gooding, Acting Director

Xc: Susan Bush, Acting Commissioner of the Department of Environmental Quality



Lexington-Fayette Urban County Council

17

4 14-10

August 23, 2010

To Whom It May Concern:

This memo is to amend resolution number 282-2010; dated 5-27-2010 reference total dollar amount approved from the Neighborhood Development Fund (NDF) to Bluegrass Community Foundation Inc. corrects it from \$2785.00 to \$2004.00 and amends the resolution accordingly. The allocation total was reduced by council district 9's aide, after the NDF was approved and a resolution number assigned. The check to the organization was issued for the corrected amount of \$2004.00; however, the resolution was not amended until now.

Thank you,

Vicki Steele – NDF Coordinator, Council Office



LEXINGTON DIVISION OF POLICE

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

4 16 - 10

18

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 19, 2010

RE: **Amending Ordinance 18-65.1(c)**
Creating Ordinance 18-65.1(d)

Requesting approval of the attached amendment to Ordinance Section 18-65.1(c) relating to the parking meters to allow for signage for no parking tow zones, and creation of Ordinance Section 18-65.1(d) to authorize towing of vehicles parked at a meter or other designated paid parking spaces that have been covered with a bag or posted as restricted parking by authorization of the Lexington and Fayette County Parking Authority or the Division of Police.

Section 18-65.1(c) will be amended to read as follows:

(c) Notwithstanding the provisions of this section, the division of police shall be empowered to cover parking meters with red plastic bags or post signage labeled "No Parking by Order of LFUCG Police – Tow Zone" for impromptu or brief events such as parades, large funerals, emergencies and similar situations where the public safety and convenience require that the parking meter spaces be reserved.

Section 18-65.1(d) will be created to read as follows:

(d) Any vehicle parked at a meter or other designated paid parking space, bagged or posted as restricted parking pursuant to subsections a, b and c of this Section may be immediately towed. Any vehicle parked at a meter or other designated paid parking space that is bagged or posed as restricted parking subsequent to the vehicle being parked at the meter or other designated paid parking space may be towed 4 hours after the bagging of the meter or posting of a notice restricted parking.

There will be no budgetary impact.

ORDINANCE NO. _____ 2010

AN ORDINANCE AMENDING SECTION 18-65.1(c) OF THE CODE OF ORDINANCES RELATING TO PARKING METERS TO ALLOW FOR SIGNAGE FOR NO PARKING TOW ZONES, AND CREATING SECTION 18-65.1(d) OF THE CODE OF ORDINANCES TO AUTHORIZE TOWING OF VEHICLES PARKED AT A METER OR OTHER DESIGNATED PAID PARKING SPACES THAT HAVE BEEN COVERED WITH A BAG OR POSTED AS RESTRICTED PARKING BY AUTHORIZATION OF THE LEXINGTON AND FAYETTE COUNTY PARKING AUTHORITY OR THE DIVISION OF POLICE.

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

Section 1 – That Section 18-65.1(c) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(c) Notwithstanding the provisions of this section, the division of police shall be empowered to cover parking meters with red plastic bags or post signage labeled "No Parking by Order of LFUCG Police - Tow Zone" for impromptu or brief events such as parades, large funerals, emergencies and similar situations where the public safety and convenience require that the parking meter spaces be reserved.

Section 2 - That Section 18-65.1(d) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

(d) Any vehicle parked at a meter or other designated paid parking space, bagged or posted as restricted parking pursuant to subsections a, b and c of this Section may be immediately towed. Any vehicle parked at a meter or other designated paid parking space that is bagged or posted as restricted parking subsequent to the vehicle being parked at the meter or other designated paid parking space may be towed 4 hours after the bagging of the meter or posting of a notice restricted parking.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK, URBAN COUNTY COUNCIL

PUBLISHED:

Mrs:X:\Cases\SAFETY\08-CC1543\LEG\00182957.DOC

**LEXINGTON DIVISION OF POLICE**

4 17 - 10

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 20, 2010

RE: New World Systems – Additional Software License Agreement

Please find attached documentation and blue sheet requesting approval of the attached Additional Software License Agreement between the Lexington-Fayette Urban County Government and New World Systems. This agreement is for Aegis Law Enforcement Mobile Unit Software (2 Units) and maintenance. The attached agreement requires the Mayor's signature.

The cost incurred for FY11 will be \$4,246. The maintenance on this software is for one year, July 1, 2010 through June 30, 2011. The software license agreement is fully budgeted.

Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signature.

If you have any question or require additional information, please contact my office.

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

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 19, 2010

RE: Addendums to Pole Attachment Agreement w/Kentucky Utilities

Please find attached documentation and blue sheet for addendums to the Pole Attachment Agreement between Kentucky Utilities and the Lexington-Fayette Urban County Government.

The attached agreement permits LFUCG to attach radio nodes to Kentucky Utilities facilities (streetlight poles and wooden poles) to support the Public Safety Broadband Network.

Addendum #1 will cover the wireless communications equipment (nodes) presently being installed in support of the PSBN.

Addendum #2 will cover the equipment to provide internet access to low income residents.

We are requesting council approval of Mayor Newberry signing the attached agreement. There is no cost to Urban County Government. Upon approval and signing, please forward original addendums to the Chief's Office to acquire additional signature.

If you have any questions or require additional information, please contact my office.

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

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety



423-10

22

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

August 24, 2010

TO: Mayor Jim Newberry and Urban County Council
FROM: David Lucas, Enhanced 9-1-1 Director 
RE: Street Name Change

This request will change the street name within Council District 2.

The current street named Hilo Street is to be renamed Durman Drive in memory of the late Officer Bryan J Durman.

The official date of change should be thirty (30) days from date of passage, to allow for new sign placement, utility and Post Office notification and final citizen notification.

The following documents are attached:

1. Administrative review form (Blue sheet).
2. Spreadsheet listing of each address change and associated Council District number.
3. Individual address list/Draft of Resolution.

RESOLUTION NO. _____-2010

A RESOLUTION CHANGING THE STREET NAME OF HILO STREET TO DURMAN DRIVE IN MEMORY OF THE LATE OFFICER BRYAN J. DURMAN; EFFECTIVE THIRTY DAYS FROM PASSAGE.

WHEREAS, Officer Bryan J. Durman served as an exemplary employee of the Urban County Government's Division of Police until his untimely death April 29, 2010; and;

WHEREAS, Officer Durman was killed by a hit-and-run driver while on duty as a police officer; and

WHEREAS, the Lexington-Fayette Urban County Government honors the memory of the late Officer Durman by changing the name of the street adjacent to Central Roll Call Center from Hilo Street to Durman Drive, and this change should be made to conform to the Code.

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

Section 1 – That in order to honor the memory of the Officer Bryan J. Durman, an exemplary police officer for the Urban County Government, the street name of the following hereby is changed as follows:

- (a) Hilo Street: That the name of Hilo Street in its entirety is changed to Durman Drive.

Section 2 - That this Resolution shall be effective thirty (30) days from passage.

PASSED URBAN COUNTY COUNCIL:

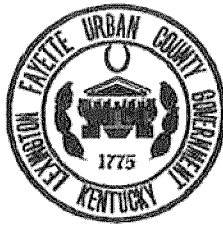
MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

DJB/X:\Cases\911\10-CC0156\LEG\00271414.DOC



424-10

24

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

MEMORANDUM

TO: Jim Newberry, Mayor
Council Members *P129*

FROM: Patricia L Dugger, RS MPA, DEM Director

RE: Transfer of Assets

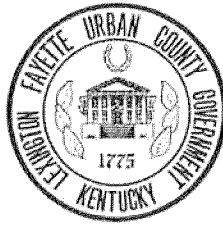
DATE: August 23, 2010

I am requesting the Urban County Council to authorize the Mayor to accept the items listed below as a donation from Kentucky's Division of Emergency Management. Ownership of these items was transferred to the Lexington Fayette Urban County Government as part of a spending package through the Chemical Stockpile Emergency Preparedness Program (CSEPP). They will be tagged and tracked through the inventory system that is utilized by the Division of Emergency Management (DEM).

DEM has received the following items from Kentucky's Division of Emergency Management:

- 4 moulage kits. Total cost of \$1754.08.
- 2 Rescue Randy Manikins. Total cost of \$2697.52.
- 29 boxes of wristbands. Total cost of \$1943.

Cc: Tim Bennett, Public Safety Commissioner
Hazel Lambert, Administrative Specialist
CSEPP File



4 19 - 10

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: AUGUST 20, 2010

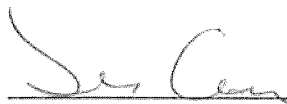
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AMENDED
AWARD OF FEDERAL FUNDS FROM THE KENTUCKY DIVISION
FOR AIR QUALITY UNDER THE KENTUCKY CLEAN DIESEL
GRANT PROGRAM FOR RETROFIT OF REFUSE HAULERS**

On April 22, 2010 (Ordinance No. 63-2010), Council approved the acceptance of federal funds from the Kentucky Division for Air Quality under the Kentucky Clean Diesel Grant Program, in the amount of \$150,000 for the purchase and installation of Diesel Particulate Filters (DPFs) on 15 refuse haulers. Kentucky Division of Air Quality has increased the original award to \$204,947.

Funds will be used to retrofit 15 refuse haulers (2006 models) each with a Diesel Particulate Filter and purchase a Diesel Particulate Filter Cleaner System for use on all refuse haulers. The modifications will last from 7-15 years and will provide up to a 50% reduction in particulate matter per vehicle. Particulate matter is vehicle emissions comprised of a mixture of nitrogen oxides, sulfur oxides, metals, dust, and toxic chemicals.

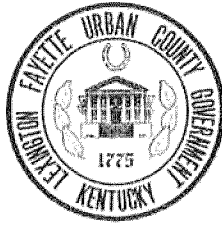
No match is required. The Kentucky Division for Air Quality has been awarded these funds from the U.S. Environmental Protection Agency's State Clean Diesel Grant Program. The purpose of this program is to assist entities across Kentucky in building sustainable diesel emission reduction programs, ultimately protecting human health and the environment by achieving and maintaining acceptable air quality.

Council authorization to accept amended award is hereby requested.



Irene Gooding, Acting Director

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



426-10

26

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

M E M O R A N D U M

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

FROM: _____
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: August 25, 2010

SUBJECT: Contract Services with EyeMed Vision Care

The attached action authorizes the Mayor to extend the current Administrative Services agreement with EyeMed Vision Care for the vision insurance plans covering LFUCG active employees for the period beginning January 1, 2011 through December 31, 2011.

EyeMed Vision Care is a benefit that is fully paid by the employee. There is no cost to LFUCG to administer the contract with EyeMed Vision Care. Rates will remain the same. There is no rate increase to employees.

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

Attachment

cc: Darrylyn Combs, Senior Human Resources Manager, Division of Human Resources
Vonda Melton, Senior Human Resources Manager, Division of Human Resources

Log # 11-0008

4 26 - 10

EyeMed

VISION CARE®

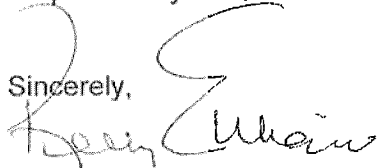
08/19/2010

Subject: LEXINGTON FAYETTE URBAN COUNTY GOVT Vision Care Renewal- 01/01/2011

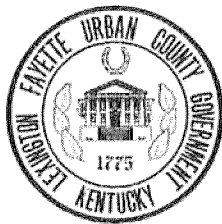
This letter is to confirm a 12-month rate and plan design extension for LEXINGTON FAYETTE URBAN COUNTY GOVT. The new renewal date for this client will be 01/01/2012. The rates are listed below. These rates are the current rates and will not change until the next renewal.

Emp only	\$6.00
Emp + 1	\$11.30
Emp + Child(ren)	\$11.90
Emp + Family	\$17.40

Sincerely,



Kelly Euliano
Client Support Specialist



4 27 - 10

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

M E M O R A N D U M

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

FROM:


Leslie Jarvis, Acting Director
Division of Human Resources

DATE: August 25, 2010

SUBJECT: Contract Services with Delta Dental Plan of Kentucky

The attached action authorizes the Mayor to extend the current Administrative Services agreement with Delta Dental Plan of Kentucky, Inc. for the dental insurance plans— both Premiere and PPO covering LFUCG active employees for the period beginning January 1, 2011 through December 31, 2011.

The Division of Human Resources requests this action due to the recommendation of the Benefits Committee. RFPs were sent out this summer for a new dental plan. Upon receipt of the RFPs, the Benefits Committee realized that they did not have all of the information to make an effective decision regarding a new dental plan. Due to the limited time to review the bids, the recommendation was made to extend the current dental contract.

Delta Dental is proposing a rate hold to administer our dental plans. There will be no additional cost from plan year 2010. Funds are budgeted.

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

Attachment

cc: Darrylyn Combs, Senior Human Resources Manager, Division of Human Resources
Vonda Melton, Senior Human Resources Manager, Division of Human Resources

Log # 11-0007

LFUCG

GROUP NUMBER M00034

RENEWAL DATE 01/2011

Premiere

DELTA DENTAL

P623

BENEFIT SUMMARY

Preferred Provider Option Plan (PPO Plus)

IN	OUT			
100%	100%	Diagnostic/Preventative		
100%	100%	Minor Restorative (Composites)		
100%	100%	Endodontics (Root Canals)		
100%	100%	Oral Surgery		
0%	0%	Periodontics (Gum Disease)		
100%	100%	Crowns		
100%	100%	Prosthetics (Dentures/Bridges)		
100%	100%	Prosthetic Repairs		
\$25/\$75	\$25/\$75	Deductible		
\$1,000	\$1,000	Annual Maximum		
23	23	Dependents Age		
23	23	Students Age		
			Current Rates	Rate Change
				Renewal Rates
		Employee	\$29.11	\$0.00
		Employee + Spouse	\$56.17	\$0.00
		Employee + One child	\$53.83	\$0.00
		Employee + Two or more children	\$53.83	\$0.00
		Employee + Spouse + one or more children	\$87.00	\$0.00

LFUCG

GROUP NUMBER M00034

RENEWAL DATE 01/2011

PPO

DELTA DENTAL

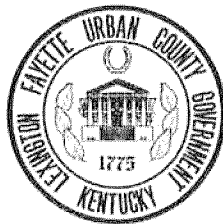
P444

BENEFIT SUMMARY**Preferred Provider Option Plan (PPO Plus)**

IN	OUT	
100%	80%	Diagnostic/Preventative
80%	60%	Minor Restorative (Composites)
50%	50%	Endodontics (Root Canals)
80%	60%	Oral Surgery
80%	60%	Periodontics (Gum Disease)
50%	50%	Crowns
50%	50%	Prosthetics (Dentures/Bridges)
80%	60%	Prosthetic Repairs
\$25/\$75	\$25/\$75	Deductible
\$2,500	\$2,500	Annual Maximum
23	23	Dependents Age
23	23	Students Age

50% Orthodontics
(Lifetime: \$1,000)

	Current Rates	Rate Change	Renewal Rates
Employee	\$22.08	\$0.00	\$22.08
Employee + Spouse	\$43.06	\$0.00	\$43.06
Employee + One child	\$54.76	\$0.00	\$54.76
Employee + Two or more children	\$54.76	\$0.00	\$54.76
Employee + Spouse + one or more children	\$83.25	\$0.00	\$83.25



428-10

31

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

MEMORANDUM

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

FROM: 
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: August 26, 2010

SUBJECT: **Contract Services with Humana Insurance**

The attached action authorizes the Mayor to extend a Claims Payment Agreement with Humana Insurance Company for health insurance plans— Platinum PPO, Gold PPO and Silver HDHP health insurance plans, Clinical Program Services, amendment to Plan Management Agreement, Application for Group Stop-Loss Insurance and the Amendment to the Group Stop-Loss Policy— for the period beginning January 1, 2011 through December 31, 2011.

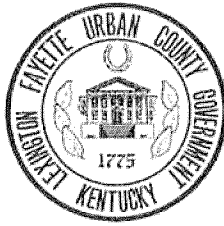
RFPs were sent out this spring for a new medical plan. Upon receipt of the RFPs, the Benefits Committee realized that they did not have all of the information to make an effective decision regarding a new medical plan. Due to the limited time to review the bids, as well as the inconsistent information from the vendors, the recommendation was made to extend our current medical contract. The Division of Human Resources requests this action due to the recommendation of the Benefits Committee. The proposal is to extend the contract for one year until 12/31/2011 for LFUCG medical insurance through Humana.

Humana has proposed a 5% increase in administrative fees for 2011. This will be an increase in fees from \$33.60 per employee per month to \$35.27 per employee per month. Based on the number of employees enrolled in the medical plan in 2010, the total amount will increase from \$1,214,841.60 to \$1,275,222.12 for a total increase in 2011 of \$60,380.52. However, Humana had quoted a 6.45% increase in the RFP. With the new proposed amount of 5% for the one year extension, this will be a savings of \$17,716.44 from what was quoted in the RFP. Funds are budgeted.

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

Attachment

cc: Darrylyn Combs, Senior Human Resources Manager, Division of Human Resources
Vonda Melton, Senior Human Resources Manager, Division of Human Resources
Log # 11-0009



422-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: AUGUST 24, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO
AGREEMENT WITH COLUMBIA GAS OF KENTUCKY FOR RELOCATION OF
UTILITIES FOR THE CLAYS MILL ROAD IMPROVEMENTS PROJECT**

On September 18, 2008 (Ordinance # 213-2008), the LFUCG executed Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet for the utilities phase of the Clays Mill Road Improvements Project from New Circle Road to Twain Ridge Drive.

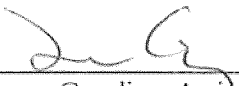
On January 22, 2009 (Resolution No. 35-2009), Council approved execution of an agreement with Columbia Gas of Kentucky for relocation of utilities constructed and maintained by Columbia Gas in the .9 mile section between Higbee Mill Road and Keithshire Way. The agreement provided for Columbia Gas of Kentucky to make the necessary removal, alterations or adjustments to its facilities to accommodate the proposed highway construction. The Agreement provided for LFUCG to be responsible for 75.13% (\$485,913) of the total costs of relocating these utilities.

An proposed Amendment to Agreement with Columbia Gas of Kentucky estimates that the LFUCG's share of the costs of utility relocation has increased from \$485,913 to \$573,448.70, a difference of \$87,535.70. This increase is a result of increased cost of labor and materials.

Funds are being budgeted as follows:

FUND	DID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3160	303202	3222	91715	CLY ML RD 2005	2005	FED GRANT

Council authorization to execute Amendment to Agreement with Columbia Gas of Kentucky is hereby requested.


Irene Gooding, Acting Director

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



429-10

33

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

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: Marwan A. Rayan, P.E.
Director of Engineering

Date: August 24, 2010

RE: Project Name: *Sidewalk Ramp Installation/Reconstruction
Program 2010; Bid Number 26-2010*

We would like to request that the Lexington Fayette Urban County Council: a) authorize the Mayor to execute a contract with ZKB Construction for \$100,000 for construction of sidewalk ramps as specified in Bid #26-2010; and b) rescind Resolution Number 168-2010, granting award to Jason Tate Contracting, Inc. under that same bid.

Bids for the referenced project were opened March 8, 2010, and the Division of Engineering subsequently recommended Jason Tate Contracting, Inc. as the lowest, qualified bidder. After several months of delay in commencement of the work, we were informed by that contractor in July that they were unable to obtain a performance bond and thus had to withdraw their bid. We then contacted the next lowest bidder, ZKB Construction Services, LLC and they agreed to perform the work for their bid price.

The Division of Engineering has now completed sufficient investigations and inquiries regarding ZKB Construction Services, LLC to recommend contract award to them. They have provided the Division of Central Purchasing with appropriate performance and payment bonds. The project is budgeted with Municipal Aid funds, per the following:

Fund	Dept ID	Section	Account	Amount
1136	303202	3251	91715	\$ 100,000.00

If you have any questions please feel free to contact Mr. Robert Bayert, P.E. or Mr. Andrew Grunwald, P.E.

Cc: Robert Bayert, P.E.
Andrew Grunwald, P.E.
Brian Marcum

10.P359.410.Blue Sheet-Sidewalk Ramps 2010.doc

RESOLUTION NO. 168 -2010

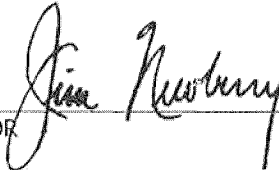
A RESOLUTION ACCEPTING THE BID OF JASON TATE CONTRACTOR, ESTABLISHING A PRICE CONTRACT FOR SIDEWALK RAMP INSTALLATION/RECONSTRUCTION PROGRAM 2010, FOR THE DIVISION OF ENGINEERING.

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

Section 1 - That the bid of Jason Tate Contractor, establishing a price contract for Sidewalk Ramp Installation/Reconstruction Program 2010, for the Division of Engineering, be and hereby is accepted and approved as to the specifications and amounts set forth in the terms of the bid, which is attached hereto and incorporated herein by reference.

Section 2 - That this Resolution shall become effective on the date of its passage.

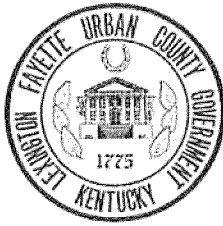
PASSED URBAN COUNTY COUNCIL: April 8, 2010


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: April 29, 2010-1t



430-10

35

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

**FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

DATE: AUGUST 24, 2010

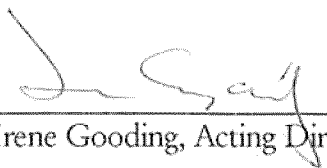
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO 1 TO CONSTRUCTION CONTRACT
WITH CLAUNCH CONSTRUCTION LLC FOR THE WEST
HICKMAN TRAIL PROJECT**

On November 19, 2009 (Resolution No. 720-2009), the Urban County Council approved the acceptance of a bid in the amount of \$407,605.70 from Claunch Construction LLC for construction of the West Hickman Trail Project. The Division of Engineering has negotiated a change order to this contract in the amount of \$69,737.70 for increased quantities of materials. New total is \$477,343.40.

Funds are budgeted in the following account:

FUND	DEPT ID	SECT	GRANT	ACCT	BUD REF	ACTIVITY
3160	303201	0001	WHICKMAN 2003	90313	2003	FED GRANT

Council authorization to execute Change Order No. 1 to the construction contract is hereby requested.


Irene Gooding, Acting Director

XC: James M. Webb, Commissioner, Department of Public Works

CONTRACT HISTORY FORM

Project Name: West Hickman Trail
Contractor: Claunch Construction, LLC
Contract Number and Date: 270 7/30/10
Responsible LFUCG Division: Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount: \$ \$407,605.70
Next Lowest Bid Amount: \$417,013.50

B. Amount of Selected Alternate or Phase: \$ \$0.00

C. Cumulative Amount of All Previous Alternates or Phases: \$ \$407,605.70

D. Amended Contract Amount: \$ \$407,605.70

E. Cumulative Amount of All Previous Change Orders: \$ 0.00 0.0%
(Line E / Line D)

F. Amount of This Change Order: \$ \$69,737.70 17.1%
(Line F / Line D)

G. Total Contract Amount: \$ \$477,343.40

SIGNATURES

Project Manager: Keith Lora Date: 8/3/10
Reviewed by: Bob A. Bell Date: 8/10/10
Division Director: Marcus Royce by PAB Date: 8/10/10

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2		Date: July 30, 2010	
		Project: West Hickman Trail	
		Location: Lexington	
To (Contractor): Claunch Construction, LLC 624 North College Street Harrodsburg, KY 40330		Contract No. 270	
		Change Order No. 1	
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
	Contract Information		
27	Increase Formed Structural Concrete Bridge Abutments by 48 C.Y. @ \$470.00 per C.Y.		\$22,560.00
28	Increase Structural Concrete Wingwalls by 36 C.Y. @ \$590.00 per C.Y.		\$21,240.00
35	Increase Tree Removal (6" and Greater) by 14 @ \$750.00 Each		\$10,500.00
36	Increase #57 Stone by 561.32 Tons @ \$24.00 per Ton		\$13,471.68
37	Increase Channel Lining Class II by 46.81 Tons @ \$42.00 per Tons		\$1,966.02
		\$0.00	\$0.00
	Total decrease	\$0.00	
	Total increase		\$69,737.70
	Net (increase/decrease) in contract price		\$69,737.70
	The original contract price		\$407,605.70
The sum of \$		\$0.00 is hereby added to	
The total contract price, and the total adjusted contract price thereby is \$		\$477,343.40	
The time provided for the completion in the contract and all provisions of the contract will apply hereto.			
Recommended by <u>Keith Lora</u> RAB 8/10/10		(Proj. Engr.) Date <u>8/31/10</u>	
Accepted by <u>Boyd D. Smith</u>		(Contractor) Date <u>8-11-10</u>	
Approved by <u>William Ryan</u> RAB		(Urban Co. Engr.) Date <u>8/10/10</u>	
Approved by <u>James H. Will</u>		(Commissioner) Date <u>8/10/10</u>	
Approved by <u></u>		(Mayor or CAO) Date <u></u>	

Planning Committee Summary
August 24, 2010

Chair Gorton called the meeting to order at 1:03. All committee members were present except, Gray, James and McChord.

1. Fencing Regulations

Council member Blues explained reasons for referring this issue to the committee, saying Chris King, Planning would explain possible revisions to the zoning ordinance, general regulations for heights, yards, walls, projections, accessory structures and infill/redevelopment construction.

Feigel added she also thought about referring this issue since she'd received questions regarding fencing, especially the direction a fence should face, citing stockade type fencing as an example.

Chris King addressed the committee, showing exhibits of what the ordinance is today, which dates back to 1969. He showed drawings that represented two types of lots. The current ordinance has prescribed minimums of front yard. Under current law no fence can exceed 6 feet in height in the front yard and can not exceed 8 feet in back. He explained specific details of the current fence ordinance such as building line and setback. He talked about fencing in older areas of the city before the zoning was established. He explained how the four foot restriction would apply and how corner lots presented a slightly different situation, since these lots have what might be considered two front yards. He offered what could be reasonable suggestions for this type of lot. He said this presentation was to interpret language in the proposed revision to zoning ordinance, article 15.

Stinnett commented about possible revisions, saying this is a good change for new fences, but there is still a problem with current fences, asking King about how to deal with that. King explained how the focus is on fence height right now, but agreed current fencing needs regulating.

Blues commented on Feigel's remarks saying he thought a number of home owner associations prohibit putting the back side of a fence facing out. King said he does not know of any regulation currently in place on this. He suggested adding some kind of provision requiring solid fabric. Blues said

we might want to look at some deed restrictions. Gorton said this might be two separate issues. Feigel was more interested in this as it relates to corridors. Lawless remarked about fencing with different sides facing and keeping this in mind when looking at revisions. Beard asked how different fence heights in different scenarios might be handled. King said as it's written now; it would go before the Board of Adjustment. He talked about fences along interstates stating they be a matter for the state highway dept.

Gorton summarized King's presentation and council member's comments stating more research should be done on the issue of direction of how a fence faces. Blues suggested Planning and Building Inspection appear before the committee at a later date with more information on this matter. Gorton asked if this should be handled as two separate issues. Feigel said she did not want to hold up Blues original concerns/actions. She suggested considering this as one issue, not two.

Dewey Crowe addressed the committee regarding question about fence facing. He said there is not a city wide requirement, maybe deed restrictions regulate it, but this is not a requirement enforced by LFUCG. Gorton asked Crowe to research how other cities handle this and report findings to the committee at its Sept. 21, 2010 meeting. Crowe said this has potential enforcement issues attached to it and perhaps nuisance issues that are not very straight forward.

Gorton asked Crowe and King to come back in Sept with more information & research about fence facing issues.

2. Secure by Design

This item was tabled until the Sept. 21, 2010 Planning Committee meeting.

3. Items referred to Committee

Motion by Stinnett to remove Parks Master Plan, seconded by Blues, passed without dissent.

Beard asked Feigel about the downtown Lexington building inventory issues. Paul Schoninger, council staff explained this issue will come before the Planning Committee to decide how to use that inventory.

Lawless said the downtown master plan has been moved into the recently created design/form based task force.

Motion by Lawless to remove Downtown Master Plan, seconded by Blues, motion passed without dissent.

Feigel informed the committee, a parks master plan funding update might be available in September. She announced a presentation being made at the next meeting which is Wednesday, August 25, 2010 in the Phoenix Building and is open to the public. Gorton asked if the meeting would be recorded or on GTV3. Feigel said she would arrange it.

Motion to adjourn 1:49 pm