

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 25-November 1, 2010**

Monday, October 25

No Meetings

Tuesday, October 26

Council Partner Agency Oversight Committee Meeting.....11:00 am
Conference Room-5th Floor Government Center

City Employees Pension Fund Board Meeting.....12:00 pm
Conference Room-12th Floor Government Center

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

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

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

Wednesday, October 27

Commission for Citizens with Disabilities Meeting.....9:15 am
Conference Room 4C, Public Library

MPO-Transportation Policy Committee Meeting.....1:30 pm
Jessamine Co. Courthouse, 101 N Main St, Nicholasville KY

Noise Ordinance Task Force Meeting.....5:00 pm
Conference Room-5th Floor Government Center

Thursday, October 28

No Meetings

Friday, October 29

No Meetings

Monday, November 1

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

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 26, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, October 19, 2010, pp.4-7**
- IV. Budget Amendments – None**
- V. New Business, pp.10-30**
- VI. Continuing Business / Presentations**
 - A. Council Planning Committee, pp.31-34**
 - B. Leaf Collection, Mr. Tim Clark, Division of Parks & Recreation pp.35-39**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of Change Order No. 1 to Contract with ATS Construction for City Street Resurfacing. (495-10) (Williams/Webb)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$2,490,000 with ATS Construction for city street resurfacing. Original contract amount was \$1,700,000. New contract amount is \$4,190,000.**pp.10-12**

- B. Authorization of Change Order No. 1 to Contract with Kentucky Utilities Company (KU) for the Downtown Lexington Streetscape Project. (FINAL) (500-10) (Webb)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$41,147.41 with KU for the Downtown Lexington Streetscape project for actual cost of design work for the relocation of the overhead electric utilities to underground and design changes required during the construction of the South Limestone Lexington Downtown Streetscape project. Original contract amount was \$97,636.01. Final contract amount is \$138,783.42. Funds are budgeted.**pp.13-15**

- C. Authorization of Change Order No. 1 to Contract with Kentucky Utilities Company (KU) for the South Limestone Lexington Downtown Streetscape Project. (FINAL) (501-10) (Webb)
This request will authorize approval of Change Order No. 1 to decrease contract amount by \$115,216.70 with KU for the South Limestone Lexington Downtown Streetscape project to adjust actual construction cost for the relocation of the overhead electric utilities to underground. Original contract amount was \$1,252,727. Final contract amount is \$1,137,510.30.**pp.16-18**

- D. Authorization of Change Order No. 1 to Contract with Insight Kentucky II, LP for the South Limestone Lexington Streetscape Project. (FINAL) (502-10) (Webb)
This request will authorize approval of Change Order No. 1 to decrease contract amount by \$193,900.80 with Insight Kentucky II, LP for the South Limestone Lexington Downtown Streetscape project to adjust actual construction cost for the relocation of the fiber optic and coaxial cable to underground. Original contract amount was \$450,000. Final contract amount is \$256,099.20.**pp.19-21**

- E. Authorization of Change Order No. 1 to Contract with Windstream Kentucky East, LLC for the South Limestone Lexington Downtown Streetscape Project. (FINAL) (503-10) (Webb)
This request will authorize approval of Change Order No. 1 to decrease contract amount by \$64,369 with Windstream Kentucky East, LLC for the South Limestone Lexington Downtown Streetscape project to adjust actual

construction cost for the relocation of poles, cable and associated line hardware. Original contract amount was \$222,191. Final contract amount is \$157,822.**pp.22-24**

- F. Authorization of Change Order No. 1 to Contract with AT&T Southeast for the South Limestone Lexington Downtown Streetscape Project – Phase I. (FINAL) (504-10) (Webb)
This request will authorize approval of Change Order No. 1 to increase contract amount by \$1,160.93 with AT&T Southeast for the South Limestone Lexington Downtown Streetscape project – Phase I for cost of traffic control personnel and equipment for the relocation of the overhead facilities to underground. Original contract amount was \$9,755. Final contract amount is \$10,915.93. Funds are budgeted.**pp.25-27**
- G. Authorization to Accept an Award from PNC Foundation to Support a Financial Literacy Campaign for Low-Income Census Tracts – FY2011. (505-10) (Gooding/Rumpke)
This request will authorize approval to accept an award in the amount of \$40,000 for a Financial Literacy campaign for low-income census tracts to create a consumer training course on housing finance of rental and homeownership, public service announcement, create an exhibit to use at fairs and workshops, and to conduct financial literacy workshops. This is in response to a National Community Reinvestment Coalition report and findings of the Mayor's Commission on Mortgage Lending Practices.**p.28**
- H. Authorization to Submit Grant Application to the Kentucky Division of Emergency Management (KYEM) and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Fire & Emergency Services – FY2011. (506-10) (Gooding/Bennett)
This request will authorize approval to submit grant application for funds in the amount of \$13,184.50 to KYEM under the Rescue Grant program on behalf of the Division of Fire & Emergency Services for purchase of equipment for the Urban Search & Rescue program and the Dive/Water Rescue program. A local match of 50% (\$13,184.50) is required and budgeted in Division's General Fund budget. Total project cost is \$26,369.**p.29**
- I. Authorization of a Rental Agreement with the Lexington Convention Center and a Catering Contract with Hyatt Regency Lexington on Behalf of the Department of Public Safety, Division of Police. (507-10) (Bastin/Bennett)
This request will authorize approval of a Rental Agreement in the amount of \$2,100 with the LCC and a Catering Contract for a minimum amount of \$10,000 with Hyatt Regency Lexington on behalf of the Division of Police for the annual Lexington Citizen Police Academy Alumni Association awards banquet to be held March 8, 2011. This event is funded through the sale of tickets. There is no budgetary impact for LFUCG.**p.30**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 19, 2010

Mayor Newberry chaired today's work session meeting. All Council Members were present, except CMs Crosbie and Myers.

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

A motion by CM Henson to place on the docket for October 21, 2010 Council Meeting a resolution authorizing the Mayor to execute an Internal Revenue Service Sponsor Agreement and civil right assurance for volunteer income tax assistance programs at the Gainesway Empowerment Center, the Central KY Job Center, and the Family Care Center at no cost to the Urban County Government, seconded by CM Gorton, passes without dissent.

A motion by CM Gorton to place on the docket for October 21, 2010 an ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone for 0.37 net (0.44 gross) acre, for property located at 604-606 S. Broadway, including dimensional variances (Milling Properties, LLC), seconded by CM Ellinger, passed without dissent.

A motion by CM Beard to place on the docket for October 21, 2010 an ordinance changing the zone from a Single Family Residential (R-1C) zone to a High Density Apartment (R-4) zone for 1.16 net (1.65 gross) acres, for property located at 3773-3789 Belleau Wood Dr., subject to certain use restrictions imposed as conditions of granting the zone change including a conditional use permit (Sayre Christian Village), seconded by CM Gorton, passed without dissent.

A motion by CM Stinnett to approve a resolution authorizing the mayor to execute a renewal agreement of affiliation with Bluegrass Crime Stoppers, Inc, seconded by CM Ellinger, passed without dissent.

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

III. Approval of Summary-Yes

A motion by CM Beard to approve the summary from October 12, 2010, seconded by CM Gorton, passed without dissent.

IV. Budget Amendments-None

V. New Business

- A. Authorization of Change Order No. 2 to Contract with Claunch Construction, LLC for the Shillito Park Paved Trails Project. (492-10) (Hancock/Cole)
- B. Authorization of Change Order No. 2 to Contract with McIlwain & Associates for the Shillito Park Paved Trails Project. (497-10) (Hancock/Cole)
- C. Authorization to Extend Flexible Spending Plan with Colonial Life using AmeriFlex®. (496-10) (L. Jarvis/Rumpke)
- D. Authorization of Change Order No. 1 to Contract with CDP Engineers, Inc. for the Veterans Park Mountain Bike Trail Project. (498-10) (Hancock/Cole)
- E. Authorization of an Amendment to Section 8 of Ordinance No. 29-2010 Regarding the Zoning Ordinance. (493-10) (Askew)
- F. Authorization of a West Order Form – CLEAR™ (Consolidated Lead Evaluation and Reporting) Services Subscription with West Government Services (f/k/a ChoicePoint Government Services) on Behalf of the Department of Public Safety, Division of Police – FY2011. (494-10) (Bastin/Bennett)

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

VI. Continuing Business / Presentations-Yes

A. Council Corridors Commissions Update

This update was given by Chair CM Feigel. There were no motions to come forward.

B. Newtown Pike Campus Update

This update was given by Dr. Augusta A Julian, President/CEO of Bluegrass Community & Technical College. Several CMs asked questions and made statements.

CM Crosbie is present.

VII. Council Report

CM Blues-Announced 2 neighborhood association meetings on 10/25/10 at 7 pm: Radcliffe-Marlboro and Oakwood will meet in their respective community centers.

CM McChord-Gave update on Clays Mill Rd project-sealed bids to be opened on 10/25; work to begin shortly thereafter; the project area is Keithshire to Old Higbee Mill; asked Cmd. Stack to ask Chief Boggs to come and give a report on the WEG security for informational purposes only; wished well all the 200+ teams running the 200+ miles in the Bourbon Chase this weekend.

CM James-Stated that some CMs attended the press conference at Douglass Park on the State of Black Lexington; staggering results among Blacks, Whites, and Hispanics; can download report at www.ullexfay.org; good news-Booker T. Washington Academy are the new recipients of a KaBOOM playground-located at 475 Price Rd; construction will begin on 10/20/10; applications for CDBG Grants are due on 5 pm 12/1010- for more information you can call Community Development at 258-3070.

CM Crosbie-Thanked Woodhill NA for inviting her to their meeting on last night; stated that Woodhill NA went on and on about the effort put in by Cmd. Stack and the East Sector-she also thanked him.

CM Henson-Announced this Saturday from 6-8 pm Cardinal Valley NA will have Trick-O-Treat Night at Preston Springs/Preston Cave; received a report from the CLEAR unit regarding Valley Park-only 2 reports have been filed in 2 years.

CM Lawless-Thanked Sam Williams, Dir. of Streets, Roads, & Forestry, for his prompt work on widening a street in her District; Columbia Heights NA meeting will be tonight at 7 pm at Ashland Terr at 475 S Ashland Ave; also at 7 pm tonight Elizabeth St NA meeting will be at 1st Christian Church at 1305 Audubon (corner of Audubon and Forest); mentioned there was an early morning fire at corner of Conn Ter and S. Lime-6 residents lived there and were unhurt; stated that at last

Council meeting she asked for Comm. Bush to be here to address streetscape-trash cans-issue is they were taken up while streetscape project but will be installed in the next couple of days; asked about the bike racks for that area and Joe Kelly, Sr. Advisor to the Mayor, stated that we are waiting on approval from Frankfort.

CM Stinnett-Asked Kevin Wente if he could answer questions for Comm. Webb about road resurfacing; also asked for information from Leslie Jarvis, Acting Human Resources Dir., about benefits.

CM Beard-Announced that the largest employer in the 4th District-Central Baptist Hospital-will be breaking ground on an expansion tomorrow at 10 am

VIII. Mayor's Report-None

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

X. Adjournment

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

Work session was adjourned at 4:09 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

October 26, 2010 Work Session

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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	
495-10	BA 3208	Streets, Roads & Forestry	To provide funds for resurfacing by reappropriating funds remaining for this purpose in FY 2010 budget.	
A			1136	1,795,443.50 1,795,443.50*
505-10	BA 3206	Community Development	To establish grant budget for PNC Foundation – 2011.	
G			3300	40,000.00CR
			3300	40,000.00 0.00 *
506-10	BA 3205	Community Development	To establish grant budget for Search and Rescue – FY 2011.	
H			3400	26,369.00CR
			3400	26,369.00 0.00*

EFFECT ON FUND BALANCES

FUND 1136	1,795,443.50*	DECREASE TO:	MUNICIPAL AID PROGRAM
FUND 3300	0*	NO IMPACT TO:	GRANTS - OTHER
FUND 3400	0*	NO IMPACT TO:	GRANTS - STATE

Budget Information For New Business Items

October 26, 2010 Work Session

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Item	Number	Amount	Fund	Name / Description
A	495-10	2,490,000	1136	Municipal Aid Program Fund Budget Journal
B	500-10	41,147.41	3300	Grants - Other
C	501-10	(115,216.70)	2518	2009 Bond Projects
D	502-10	(193,900.80)	2518	2009 Bond Projects
E	503-10	(64,369)	2518	2009 Bond Projects
F	504-10	1,160.93	2518	2009 Bond Projects
G	505-10	40,000	3300	Grants - Other Budget Journal
H	506-10	26,369	3400	Grants - Other Budget Journal
I	507-10	NA		



495-10
10

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

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

TO: Jim Newberry, Mayor
Urban County Council

FROM: 
Samuel R. Williams, Director
Division of Streets, Roads & Forestry

DATE: October 12, 2010

**RE: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 TO ATS CONSTRUCTION TO
INCREASE AMOUNT BY AN ADDITIONAL \$2,490,000.00
FOR CITY STREET RESURFACING**

On June 10, 2010 (Resolution No. 319-2010), the Urban County Council accepted bid (Bid No. 74-2010) of L-M Asphalt Partners d/b/a ATS Construction in the amount of \$1,700,000.00 for City Street Resurfacing. We are requesting the approval of change order no. 1 to ATS Construction to increase the contract amount by an additional \$2,490,000.00.

The new total is \$4,190,000.00. Funds for the change order are budgeted in: 1136-303301-0001-93011.

Thank you.

SRW/aed

cc: Mike Webb, Commissioner

File Copy

F:\SRFDATA\Resurfacing\Blue Sheet Memo - ATS.doc

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

Sum to be added to the total contract price: 2,490,000.00
The total adjusted contract price to date thereby is: 4,190,000.00
The time provided for completion in the contract and all provisions of the contract will apply hereto.

Date / /

CONTRACT HISTORY FORMContractor: L-M Asphalt Partners d/b/a ATS ConstructionProject Name: City Street ResurfacingContract Number and Date: Res. 319-2010 / 06/10/2010Responsible LFUCG Division: Streets, Roads & ForestryCHANGE ORDER DETAILS

	<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A.	Original Contract Amount:	\$ <u>1,700,000.00</u>	
B.	Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	\$ <u>1,700,000.00</u>	
	<u>Current Change Order</u>		
D.	Amount of This Change Order:	\$ <u>2,490,000.00</u>	<u>146%</u> % (Line D / Line A)
E.	New Contract Amount Including this Change Order:	\$ <u>4,190,000.00</u>	<u>246%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Bill O'LearyDate: 10-12-10Reviewed by: Angie DixonDate: 10/12/2010Division Director: L.P. H.Date: 10/12/2010



500-10
13

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: October 13, 2010

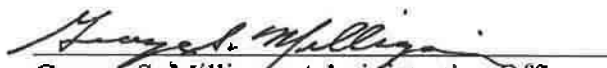
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 TO CONTRACT 31-2009 WITH
KENTUCKY UTILITIES IN THE AMOUNT OF \$ 41,147.41 FOR
THE DOWNTOWN LEXINGTON STREETSCAPE PROJECT. (FINAL)**

The Division of Public Works is recommending the execution of change order No. 1 to contract 31-2009 for \$41,147.41 with Kentucky Utilities for the design of the electric relocation for the Downtown Lexington Streetscape Project. The new contract total is \$138,783.42.

The change order reflects the actual cost of the design work for the relocation of the overhead electric utilities to underground and the design changes required during construction of the South Limestone Project.

This change order will be funded from excess funds from contract 661-2009 with Kentucky Utilities for the actual relocation of the utilities.

Council authorization to execute Change Order No. 1 to the agreement with Kentucky Utilities in the amount of \$ 41,147.41 is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

Date: October 13, 2010

Project: Downtown Lexington
Streetscape

Location: Limestone Street

To (Contractor)
Kentucky UtilitiesContract No
31-2009

Change Order No. 1 Final

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	The actual design cost for the relocation of the overhead electric utilities exceeded the KU estimate by \$ 5,959.00. Conflicts found during construction required the re-design of facilities in the amount of \$35,188.41.		\$41,147.41
	Change in contract price due to this Change Order:		\$ 41,147.41
	Total decrease	\$0.00	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXX	
	Net (increase) contract price		\$41,147.41

Sum to be added to the total contract price: \$ 41,147.41

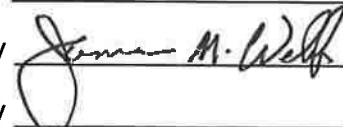
The total adjusted contract price to date thereby is: \$ 138,783.42

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

Recommended by  (Project Mgr)Date 10/13/2010

Accepted by _____ (Contractor)

Date _____

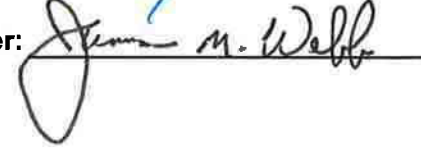
Approved by  (Commissioner)Date 10/14/10

Approved by _____ (Mayor or SAM)

Date _____

CONTRACT HISTORY FORMContractor: Kentucky UtilitiesProject Name: Downtown Lexington StreetscapeContract Number and Date: 31-2009Responsible LFUCG Division: Public Works**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>97,636.01</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>97,636.01</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>41,147.41</u>	<u>42%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>138,783.42</u>	<u>142%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Date: 10/13/2010Reviewed by: Date: 10/14/2010Commissioner: Date: 10/14/10



501-10

16

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: October 13, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 TO CONTRACT 661-2009 WITH
KENTUCKY UTILITIES IN THE AMOUNT OF (\$ 115,216.70) FOR
THE SOUTH LIMESTONE STREETScape PROJECT. (FINAL)**

The Division of Public Works is recommending the execution of change order No. 1 to contract 661-2009 for (\$115,216.70) with Kentucky Utilities for the relocation of the overhead electric to underground electric for the South Limestone Lexington Streetscape Project. The new contract total is \$1,137,510.30.

The change order reflects the actual cost of the construction for the relocation of the overhead electric utilities to underground for the South Limestone Project.

This change order does not affect funds budgeted for this project.

Council authorization to execute Change Order No. 1 to the agreement with Kentucky Utilities in the amount of (\$ 115,216.70) is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

Date: October 13, 2010

Project: South Limestone
Streetscape Project

Location: Limestone Street

To (Contractor)
Kentucky UtilitiesContract No
661-2009

Change Order No. 1 Final

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	The actual construction cost for the relocation of the overhead electric utilities by Kentucky Utilities were less than the original estimate.	\$ 115,216.70	
	Change in contract price due to this Change Order:		\$ -
	Total decrease	\$115,216.70	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXX	
	Net (increase) contract price		-\$115,216.70

Sum to be added to the total contract price: (\$ 115,216.70)

The total adjusted contract price to date thereby is: \$ 1,137,510.30

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

Recommended by [Signature] (Project Mgr)Date 10/14/10

Accepted by _____ (Contractor)

Date _____

Approved by [Signature] (Commissioner)Date 10/14/10

Approved by _____ (Mayor or SAM)

Date 10/14/10

CONTRACT HISTORY FORMContractor: Kentucky UtilitiesProject Name: South Limestone Streetscape ProjectContract Number and Date: 661-2009Responsible LFUCG Division: Public Works**CHANGE ORDER DETAILS****Summary of Previous Change
Orders To Date****Dollar Amount****Percent Change to
Original Contract**A. Original Contract Amount: \$ 1,252,727.00B. Cumulative Amount of
Previous Change Orders: \$ 0.000% %
(Line B / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 1,252,727.00**Current Change Order**D. Amount of This Change Order: \$ (115,216.70)-9% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 1,137,510.3091% %
(Line E / Line A)**SIGNATURE LINES**Project Manager: [Signature]Date: 10/10/10Reviewed by: [Signature]Date: 10/14/10Commissioner: [Signature]Date: 10/14/10



502-10

19

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: October 13, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 WITH INSIGHT KENTUCKY II, LP IN
THE AMOUNT OF (\$ 193,900.80) FOR THE SOUTH LIMESTONE
STREETSCAPE PROJECT (FINAL)**

The Division of Public Works is recommending the execution of change order No. 1 for (\$193,900.80) with Insight Kentucky II, PL for the relocation of fiber optic and coaxial cable for the South Limestone Streetscape Project. The new contract total is \$256,099.20.

The change order reflects the actual cost of the relocation of the utilities by Insight.

This change order does not affect funds budgeted for this project.

Council authorization to execute Change Order No. 1 to the agreement with Insight Kentucky II, LP in the amount of (\$193,900.80) is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

Date: October 13, 2010

Project: South Limestone
Streetscape Project

Location: Limestone Street

To (Contractor)
Insight Kentucky Partners II,LP

794-2009

Change Order No. 1 Final

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	The actual construction cost for the relocation of the Fiber Optic and Coaxial Cable by Insight were less than the original estimate.	\$ 193,900.80	
	Change in contract price due to this Change Order:		\$ -
	Total decrease	\$193,900.80	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXX	
	Net (increase) contract price		-\$193,900.80

Sum to be added to the total contract price: (\$ 193,900.00)

The total adjusted contract price to date thereby is: \$ 256,099.20

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

Recommended by *Henry B. Mullins* (Project Mgr)Date 10/13/2010

Accepted by _____ (Contractor)

Date _____

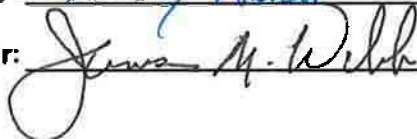
Approved by *James M. Welch* (Commissioner)Date 10/14/10

Approved by _____ (Mayor or SAM)

Date _____

CONTRACT HISTORY FORMContractor: Insight Kentucky Partners II,LPProject Name: South Limestone Streetscape ProjectContract Number and Date: 794-2009Responsible LFUCG Division: Public Works**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>450,000.00</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>450,000.00</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>(193,900.80)</u>	<u>-43%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>256,099.20</u>	<u>57%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Date: 10/13/2010Reviewed by: Date: 10/14/2010Commissioner: Date: 10/14/10



503-10

22

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners' Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: October 13, 2010

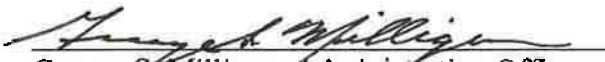
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 TO ~~CONTRACT~~ ^{RESOLUTION} 736-2009 WITH
WINDSTREAM KENTUCKY EAST, LLC IN THE AMOUNT OF
(\$ 64,369.00) FOR THE SOUTH LIMESTONE STREETSCAPE
PROJECT. (FINAL)**

The Division of Public Works is recommending the execution of change order No. 1 to ~~contract~~ ^{Resolution} 736-2009 for (\$ 64,369.00) with Windstream Kentucky East, LLC for the relocation of the overhead facilities to underground for the South Limestone Lexington Streetscape Project. The new contract total is \$157,369.00.

The change order reflects the actual cost of the construction for the relocation of the overhead facilities to underground for the South Limestone Project.

This change order does not affect funds budgeted for this project.

Council authorization to execute Change Order No. 1 to the agreement with Windstream Kentucky East, LLC of (\$ 64,369.00) is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

Date: October 13, 2010

Project: South Limestone
Streetscape Project

Location: Limestone Street

To (Contractor)
Windstream Kentucky East, LLCRESOLUTION
736-2009

Change Order No. 1 Final

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	The actual construction cost for the relocation of the Windstream poles, cable and associated line hardware were less than the original estimate.	\$ 64,369.00	
Change in contract price due to this Change Order:			\$ -
Total decrease		\$64,369.00	XXXXXXXXXXXX
Total increase		XXXXXXXXXXXX	
Net (increase) contract price			-\$64,369.00

Sum to be added to the total contract price: (\$ 64,369.00)

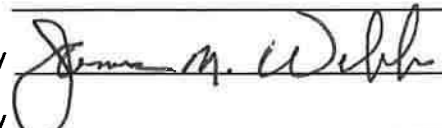
The total adjusted contract price to date thereby is: \$ 157,369.00

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

Recommended by  (Project Mgr)Date 10/14/2010

Accepted by _____ (Contractor)

Date _____

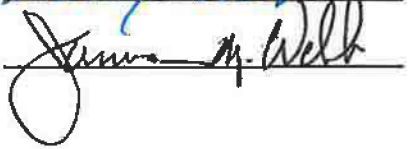
Approved by  (Commissioner)Date 10/14/10

Approved by _____ (Mayor or SAM)

Date _____

CONTRACT HISTORY FORMContractor: Windstream Kentucky East LLCProject Name: South Limestone Streetscape Project~~Contract~~ Number and Date: RESOLUTION
736-2009Responsible LFUCG Division: Public WorksCHANGE ORDER DETAILS

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>222,191.00</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>222,191.00</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>(64,369.00)</u>	<u>-29%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>157,822.00</u>	<u>71%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager:  Date: 10/14/2010Reviewed by:  Date: 10/14/2010Commissioner:  Date: 10/14/10



504-10

25

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

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

**FROM: GEORGE MILLIGAN, ADMINISTRATIVE OFFICER
DEPARTMENT OF PUBLIC WORKS**

DATE: October 13, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO. 1 TO CONTRACT 660-2009 WITH AT&T
SOUTHEAST IN THE AMOUNT OF \$ 1,160.93 FOR THE SOUTH
LIMESTONE STREETScape PHASE 1. (FINAL)**

The Division of Public Works is recommending the execution of change order No. 1 to contract 660-2009 for \$1,160.93 with AT&T SOUTHEAST for the relocation of the overhead facilities to underground for the South Limestone Lexington Streetscape Phase 1. The new contract total is \$10,915.93.

The change order reflects the actual cost of the construction for the relocation of the overhead facilities to underground for the South Limestone Project.

Funding for this change order are available from the reduction of funding required for contract 794-2009 with Insight Kentucky II,LP.

Council authorization to execute Change Order No. 1 to the agreement with AT&T Southeast in the amount of \$ 1,160.93 is hereby requested.


George S. Milligan, Administrative Officer

Cc: Mike Webb, Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

**LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER**

Date: October 13, 2010

Project: South Limestone
Streetscape Phase 1

Location: Limestone Street

To (Contractor)
AT&T SoutheastContract No
660-2009

Change Order No. 1 Final

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

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	at ^{ADD} Increase due to the need to traffic control personnel and equipment that were not included in the original estimate.		\$1,160.93
	Change in contract price due to this Change Order:		\$ 1,160.93
	Total decrease	\$0.00	XXXXXXXXXXXX
	Total increase	XXXXXXXXXXXX	
	Net (increase) contract price		\$1,160.93

Sum to be added to the total contract price: \$ 1,160.93

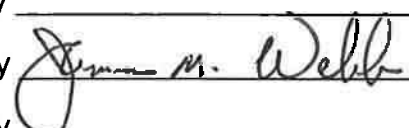
The total adjusted contract price to date thereby is: \$ 10,915.93

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

Recommended by  (Project Mgr)Date 10/14/2010

Accepted by _____ (Contractor)

Date _____

Approved by  (Commissioner)Date 10/14/10

Approved by _____ (Mayor or SAM)

Date _____

CONTRACT HISTORY FORMContractor: AT&T SoutheastProject Name: South Limestone Streetscape Phase 1Contract Number and Date: 660-2009Responsible LFUCG Division: Public Works**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>9,755.00</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u>0.00</u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>9,755.00</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>1,160.93</u>	<u>12%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>10,915.93</u>	<u>112%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: George J. Melley Date: 10/14/2010Reviewed by: Kevin J. Wente Date: 10/14/2010Commissioner: James M. Webb Date: 10/14/10



505-10
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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: OCTOBER 14, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM PNC FOUNDATION TO SUPPORT A FINANCIAL
LITERACY CAMPAIGN TARGETED TO LOW-INCOME CENSUS
TRACTS FOR FY 2011**

In response to a July 2008 report issued by the National Community Reinvestment Coalition, entitled "Income is No Shield Against Racial differences in Lending," a Commission on Mortgage Lending Practices was appointed in October 2008 as a mechanism to review findings on discriminatory lending practices and to propose appropriate redress. The report found that Lexington ranked 40th in the nation and first in the state of Kentucky in disparities in lending practices to low- and moderate income borrowers by race. In its final report the Commission recommended that an effective public literacy be implemented.

PNC Foundation has offered the LFUCG a grant in the amount of \$40,000 for a financial literacy campaign targeted toward low-income census tracts. The LFUCG, in collaboration with its nonprofit community housing partners, will use these funds to create a new consumer training course geared specifically toward housing finance, both rental and homeownership. Other activities include production of a public service announcement to remind people to make wise decisions about borrowing, production of an exhibit for use at fairs and workshops, and conduct of financial literacy workshops. Funds will be used for purchase of materials, postage, and professional services.

Council authorization to accept the award is hereby requested.

Irene Gooding, Acting Director

Sc: Linda Rumpke, Commissioner of Finance and Administration



506-10

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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: OCTOBER 13, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY
DIVISION OF EMERGENCY MANAGEMENT FOR A SEARCH AND
RESCUE PROJECT IN THE DIVISION OF FIRE AND EMERGENCY
SERVICES--2011**

The Division of Fire and Emergency Services has prepared an application for submission to the Kentucky Division of Emergency Management/Department of Military Affairs requesting funds for purchase of equipment for use by the Technical Rescue. The Rescue Grant Program is established by KRS 39F to develop, train, and equip local emergency management rescue squads. If approved, the Division of Fire and Emergency Services will use funds for the purchase of equipment for the Urban Search and Rescue program (collapsed buildings, for example) and for the Dive/Water Rescue program. Total project cost is \$26,369. Amount requested in state funding is \$13,184.50.

Matching funds in the amount of \$13,184.50 (50%) are required. Matching funds are budgeted in the Division of Fire and Emergency Service's 2011 general fund budget in account 1101-505702-5714-78201.

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


Irene Gooding, Acting Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



LEXINGTON DIVISION OF POLICE

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

507-10

30

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: October 15, 2010

RE: 2011 Police Awards Banquet
Lexington Center Rental Agreement
Hyatt Regency Catering Contract

Please find attached blue sheet, Lexington Center Facility Rental Agreement and Hyatt Regency Catering Contract with the Lexington Fayette Urban County Government for the Annual Police Awards Banquet to be held on March 8, 2011.

We are requesting council approval to authorize Mayor Newberry to sign the attached contract/agreement. Upon approval and signing, please forward contract/agreement to the Chief's Office to acquire additional signatures.

There will be no budgetary impact. The awards banquet will be funded by ticket sales.

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

A handwritten signature in cursive script, appearing to read "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety

PLANNING COMMITTEE
OCTOBER 19, 2010
SUMMARY

Chair Gorton called the meeting to order at 1:04 pm, all committee members present except Lawless.

1. Downtown Lexington Building Inventory

Betty Kerr, Director of Historic Preservation gave a presentation on downtown Lexington building inventory, explaining boundaries for inventory and categories of architectural identity. They are: outstanding, significant, contributing, non-contributing and post 1965. She gave a definition of each and their importance.

Ms. Kerr showed some of the options available for consideration to facilitate positive enhancement of downtown through preservation of buildings, new development and other aspects of downtown improvement. She discussed regulatory processes, such as overlay districts and form based codes. She talked about incentives for revitalizing historic structures or new construction, such as federal and state rehabilitation tax credits and criteria for them. She also explained requirements for new market tax credits and Kentucky tourism tax credits, TIF and preservation, conservation and facade easements.

Discussion:

Feigel asked how to find details of the downtown Lexington inventory and was told there is a website. She also wanted to know if there was any assistance with applying for these options. She asked about future discussions and was told they will be incorporated in the Form Based Guideline Taskforce meetings. She asked about limits on TIF. Harold Tate addressed her question.

Gray asked when this presentation was first made and was told it was late last spring at the library and was again presented to council late last summer. He talked about a similar presentation done in 1995 and wanted to know how today's exercise was different. Kerr said we've been building this database of information for a very long time. He talked about loss of significant buildings and decisions being made without having institutional knowledge. Kerr said history has been available since 1980's.

Blues talked about significance of downtown building surveys and how this inventory is of vital community interest. He said this helps us to see what we want to protect and hopes these studies evolve into meaningful proposals.

Gorton had a question about one of the locations shown in today's presentation. It's the horse livery (Ironworks). She asked about state rehabilitation tax credits, she wanted to know how much was used in 2008 and 2009. Mark Dennen, Director of Carriage House addressed the question. She asked how much of it has been used this year and how much has been used in Lexington. Ms Gorton then invited Mr. Dennen comments on today's presentation.

James asked how owners are notified if their property happens to be identified. Kerr said there was no need to alert property owners for this survey. James asked about details of website, Kerr said mapping was there.

Gorton asked if incentives were also on the website. Kerr suggested creating a central source and including incentives was a very helpful idea. She suggested the incentives and earmarks might include a link to historic building inventory.

2. Tree Related Regulations

Chair of the Tree Board came back to the committee today to re-look at proposed regulations. Gorton asked if all these ideas/recommendation were 100% new and was told no, they were not. Gorton asked for a 15 minute "walk thru" of the regulations which included new development, subdivision regulations, planting trees, replacement, maintenance/installation and enforcement.

Discussion:

Gorton asked Chris King, Director of Planning, for clarification on the main sections of these proposals. He explained the process.

Stinnett asked about enforcement and wanted to know if this is the same process used for code enforcement. Dewey Crowe, Director of Code Enforcement explained. Stinnett asked about street trees and regulating private streets and trees planted before these ordinance changes. He asked how these changes might affect bonding and if an inflationary factor would be considered. Ed Garner answered.

Blues referred to item 6 of the proposed ordinance saying it's not clear how this item would work and where enforcement responsibility would fall. Gardner said item 6 refers to when the trees are planted and enforcement would later fall to Building Inspection. Crowe clarified how enforcement of landscaping might be handled. Inspection of street trees would later become the responsibility of Urban Forestry. Crowe said we currently do not have a landscape examiner so ultimately street trees would be under Urban Forestry.

Feigel asked for clarity on enforcement and who would handle it. Crowe said it would remove current references to make way for the administration to decide who will enforce it. Feigel asked about how these changes relate to Corridors and was told all plans are compatible.

Stinnett wanted to know more about enforcement, who's responsible to make sure trees are cut properly, etc. There was discussion about how current enforcement efforts aren't working. He said it makes more sense to have Code Enforcement do it. He says there is not a lot of clarity and Urban Forestry does not have the manpower.

Several other committee members had questions about specifics of proposed tree regulations, especially about enforcement.

James talked about taking preventive measures and heightened importance of the Tree Board and Urban Forestry. She commended the work of the Tree Board, hoping the committee would move ahead.

Ed Gardner, Law Dept. further explained details of proposed changes.

Beard asked if there a mandate to replace street trees at all new construction adding he would like to see different options rather than rows and rows of street trees.

Feigel asked about consideration of root systems of street trees.

James asked King about time frame for implementation once the proposals are approved and was told approximately 60 days.

Motion by CM James to move forward to the full Council the proposed recommendations of the Tree Board to initiate text amendments on the Zoning Ordinance recommendations and the planned subdivision regulations and to move forward to the full Council the Code of Ordinance recommendations seconded by CM Blues, passed without dissent.

3. Mobile Home Quality of Life

James explained the changes added to mobile home quality of life documents.

Gorton asked what would be the appropriate procedure since this is not legislative in nature. It's more administrative.

Stinnett said the normal procedure would be to adopt the document as a guide.

Beard asked James about the document saying it might be helpful to also have it published in Spanish.

Motion by CM James to move forward a resolution to the full Council asking to adopt the Lexington Fayette Urban County Mobile Home Park Guide for use by the LFUCG seconded by CM Feigel passed without dissent.

4. Items Referred to Committee

Motion by CM James to remove Secure by Design from list of items referred to committee, seconded by CM Ellinger passed without dissent.

Motion by CM Feigel to remove Downtown Building Inventory from list of items referred to commit, seconded by CM Blues, passed without dissent.

Motion to adjourn at 3:00 pm

Division of Parks & Recreation

Vacuum Leaf Collection

October 2010

What is vacuum leaf collection service?

- ❑ Parks and Recreation crews collect leaves that have been raked to the curb.



Who receives this service?

- ❑ All citizens in the Urban Service Area who receive Urban County Government waste collection services (approximately 90,000 residential addresses).
- ❑ Citizens can look up this information on the government website - <http://www.lexingtonky.gov>



3

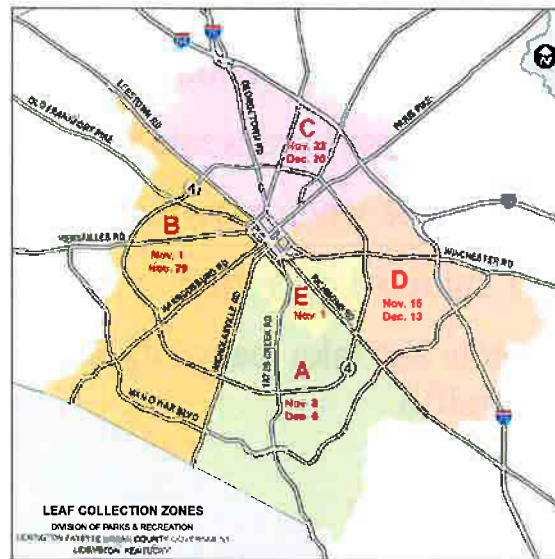
When does it begin?

- ❑ Starts Monday, November 1, 2010. The plan is to complete by the end of the year.
- ❑ Service area is divided into 5 separate zones and each zone is assigned two weeks of leaf pick up.



4

2010 Collection Zone Start Dates



5

What do citizens need to do?

- ☐ Put their leaves in piles between the sidewalk and the curb.
- ☐ DO NOT PUT THE LEAVES IN THE STREET.
- ☐ Do not rake limbs or rocks into the piles.

6

What other options do citizens have?

- ❑ “Lenny” yard waste container
- ❑ 30 gallon paper yard waste bags
- ❑ Mulch leaves when mowing
- ❑ Home compost operation
- ❑ Residents can take leaves directly to Haley Pike landfill

7

How is this information communicated?

Vacuum leaf collection is advertised to the community:

- ❑ Government Communications news releases
- ❑ GTV3 (Lexington Now, Parks Minute & bulletin board)
- ❑ Radio Lexington 1620 AM
- ❑ LFUCG Website - <http://www.lexingtonky.gov>
- ❑ Lexington Herald-Leader
- ❑ Council Members (Neighborhood Association meetings, council newsletters & publications)
- ❑ Citizens can call LexCall at 311 or the Division of Parks & Recreation at 425-2801

8

What improvements were made?

- ❑ Website change to clearly define residents that do and do not receive the service.
- ❑ Using more rear loader trucks which increases capacity and results in fewer trips to the dump site.
- ❑ Plan to work on Saturdays as necessary.

9

Vacuum leaf collection questions?



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