

URBAN COUNTY COUNCIL
June 6-June 13, 2011

Monday, June 6

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

Tuesday, June 7

Special Committee of the Whole Discussion re-Administration Reorganization..... 10:00 am
Council Chambers-2nd Floor Government Center

Council Budget Committee of the Whole-Review Links, Mayor's Late Items, CM recommendations..... 11:00 am
Council Chambers-2nd Floor Government Center

Council General Government Committee Meeting..... 1:00 pm
Council Chambers-2nd Floor Government Center

Committee of the Whole Work Session..... 3:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, June 8

Transportation Technical Coordinating Committee (TTCC) Meeting..... 9:00 am
Conference Room-7th Floor Phoenix Building

Traffic Safety Coalition (TSC) Meeting..... 10:30 am
Conference Room-3rd Floor Phoenix Building

Tree Board Meeting..... 10:30 am
Conference Room-5th Floor Government Center

Infill & Redevelopment Steering Committee Core Group Meeting..... 1:30 pm
Conference Room-5th Floor Government Center

Congestion Management Committee (CMC) Meeting..... 1:30 pm
Conference Room-7th Floor Phoenix Building

Thursday, June 9

Redistricting Meeting..... 10:00 am
Conference Room-5th Floor Government Center

Council Core Staff Work Group Meeting..... 2:00 pm
Conference Room-5th Floor Government Center

Budget Committee of the Whole Meeting re-Propose Amendments..... 3:00 pm
Council Chambers-2nd Floor Government Center

Council Meeting..... 6:00 pm
Council Chambers-2nd Floor Government Center

Friday, June 10

Mayor's Task Force on Health & Wellness..... 10:00 am
Conference Room-5th Floor Government Center

Monday, June 13

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

COMMITTEE OF THE WHOLE WORK SESSION AGENDA

June 7, 2011

- I. Public Comment – Issues on Agenda**
- II. Approval of Summary-None**
- III. Review of Docket below, pp 1-13;-complete Council Meeting work copy, pp.58-71**
Items will remain on docket unless one of the following actions are taken:
 - a. Refer a matter to a council committee
 - b. Recommend that the administration provide additional information
 - c. Recommend that an item be removed

ORDINANCES – FIRST READING (New Business)

4. *An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1E) zone for 0.3329 net (0.4017 gross) acre, for property located at 221 Devonian Dr. (Lexington Habitat for Humanity, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King] (MOTION TO PLACE ON THE DOCKET WITH OR WITHOUT A PUBLIC HEARING IS REQUIRED)**
5. *An Ordinance changing the zone from a High Density Residential (R-4) zone to a Professional Office (P-1) zone for 1.26 net (3.99 gross) acres, with dimensional variances, for property located at 858 Malabu Dr. (a portion of) (SRG Properties, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King] (MOTION TO PLACE ON THE DOCKET WITH OR WITHOUT A PUBLIC HEARING IS REQUIRED)**
6. An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter consolidating the Dept. of Environmental Quality and the Dept. of Public Works and Development and creating the Dept. of Environmental Quality and Public Works; creating the Office of the Chief Development Officer; abolishing the office of the Office of the Chief Information Officer; changing the name of the Dept. of Finance and Administration to the Dept. of Finance; changing the name of the Div. of Streets, Roads and Forestry to the Div. of Streets and Roads; changing the name of the Div. of Community Development to the Div. of Grants and Special Programs; transferring the Divs. of Environmental Policy, Water Quality and Waste Management from the Dept. of Environmental Quality to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Engineering, Streets, Roads and Forestry (Streets and Roads) and Traffic Engineering from the Dept. of Public Works and Development (Dept. of Public Works) to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Community Development (Div. of Grants and Special Program) and Risk Management from the Dept. of Finance and

Administration (Dept. of Finance) to the Office of the Chief Administrative Officer; transferring the Divs. of Computer Services, Government Communications, Enterprise Solutions from the Office of the Chief Information Officer to the Office of the Chief Administrative Officer; transferring the Divs. of Historic Preservation, Planning and Purchase of Development Rights from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Office of the Chief Administrative Officer; transferring the Div. of Budgeting from the Office of Policy and Budget to the Dept. of Finance and Administration (Dept. of Finance); transferring the Div. of Human Resources from the Dept. of Finance and Administrative (Dept. of Finance) to the Dept. of Law; transferring the Div. of Building Inspection from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Dept. of Public Safety; transferring the Office of Economic Development from the Office of the Senior Advisor to the Office of the Chief Development Officer; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Human Resources Manager, Grade 119E, one position of Payroll Analyst, Grade 115E and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Accounting; abolishing one (1) position of Human Resources Manager, Grade 119E, one (1) position of Payroll Analyst, Grade 115E, and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Human Resources; creating two (2) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Trades Supervisor, Grade 113N, all in the Div. of Fire and Emergency Services; abolishing one (1) position of Operations Manager, Grade 116E, five (5) positions of Trades Supervisor, Grade 113N, six (6) positions of Skilled Trades Worker Sr., Grade 112N, one (1) position of Public Service Supervisor, Grade 111N, five (5) positions of Skilled Trades Worker, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Stores Clerk, Grade 107N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Public Service Worker, Grade 106N, all in the Div. of Facilities and Fleet Management; creating four (4) positions of Trades Supervisor, Grade 113N, one (1) position of Public Service Supervisor, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Stores Clerk, Grade 107N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Public Service Worker, Grade 106N, five (5) positions of Skilled Trades Worker, Grade 111N, four (4) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Operations Manager, Grade 116E, all in the Div. of Parks and Recreation; abolishing one (1) position of Urban Forester, Grade 116E, one (1) position of Arborist Technician, Grade 112N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Streets, Roads and Forestry (Div. of Streets and Roads); abolishing one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, and four (4) positions of Engineering Technician, Grade

111N, all in the Div. of Engineering; creating one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, four (4) positions of Engineering Technician, Grade 111N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Water Quality; creating one (1) position of Urban Forester, Grade 116E, and one (1) position of Arborist Technician, Grade 112N, all in the Div. of Environmental Policy; and creating three (3) positions of Managing Attorney, Grade 123E, all in the Dept. of Law; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Senior Advisor, Grade 212E and three (3) positions of Administrative Aide to Mayor, Grade 118E, all in the Office of the Mayor; creating one (1) position of Chief Development Officer, Grade 212E, in the Office of the Chief Development Officer; creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Accounting; creating three (3) positions of Administrative Officer, Grade 118E, in the Office of the Chief Administrative Officer; and abolishing one (1) position of Senior Advisor, Grade 212E and one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Administrative Officer; transferring all incumbents and all vacant positions at the current job classification, pay grade and salary; amending Section 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 177-11, pp.14-15]**

7. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 123. **[Div. of Budgeting, Barrow]**
8. An Ordinance creating and establishing for bid a non-exclusive electric franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from electric service provided within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11, p.16]**
9. An Ordinance creating and establishing for bid a non-exclusive gas franchise for the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six

(6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from the sale, distribution, and/or delivery of gas within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11, p.16]**

10. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of \$1,916,118 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 187-11, p.17]**
11. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$1,963,475 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 189-11, p.18]**
12. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown Pike Extension Project in the amount of \$5,088,000, and appropriating funds pursuant to Schedule No. 122. **[Div. of Community Development/Dept. of Public Works and Development, Gooding/Taylor, BS 195-11, p.19]**
13. An Ordinance creating and enacting Chapter 2B of the Code of Ordinances of the Lexington-Fayette Urban County Government pertaining to Code Enforcement Administrative Hearing Boards created pursuant to KRS 65.8801 et. seq., and providing for creation of boards; membership, appointment, reappointment, alternates, terms, residency, and vacancies of members; organization and meetings; powers, enforcement proceedings and civil citations; hearings, procedure and final orders; appeals; liens, releases and personal liability; and immediate abatement actions; amending Subsection 12-16(b) of the Code to provide for thirty days to appeal; amending Sections 13-73.5, 16-76, 16-76.1, 17-4.1, and 17-4.2 and Subsections 16-8(h), 16-50(f), (g), (h), (i),

16-202(b), and 16-206(c) and (f) of the Code to reference and be consistent with the provisions of Chapter 2B of the Code; deleting Sections 16-77, 16-79, 16-80, 16-81, 16-82, 17-4.3, 17-4.5, 17-4.6, and 17-4.7 of the Code; and amending Sections 16-78, 16-83, and 17-4.4 of the Code to be consistent with the provisions of Chapter 2B of the Code and renumbering to Sections 16-77, 16-78, and 17-4.3 of the Code; all effective on July 1, 2011. **[Dept. of Law, Graham, BS 196-11, p.20]**

14. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,796.91 from Neighborhood Development Funds in the Div. of Fire and Emergency Services for purchase of training equipment, and appropriating and re-appropriating funds, Schedule No. 124. **[Council Office, Williams]**
15. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for purchase of a scoreboard for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 125. **[Council Office, Williams]**
16. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$4,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for tennis court repairs at Ecton Park, and appropriating and re-appropriating funds, Schedule No. 126. **[Council Office, Williams]**
17. An Ordinance amending Section 4-12.5(d)(7) of the Code of Ordinances, relating to standards for kennels, to require that a tether for a dog be at least twelve (12) feet in length. **[Dept. of Public Safety, Mason, BS 179-11, p.21]**
18. An Ordinance amending Section 2-382 of the Code of Ordinances, relating to the Court-Appointed Special Advocate Board, to change the length of term for board members from two (2) years to four (4) years and to remove the Fayette County Family Court Judges as ex officio board members. **[Dept. of Social Services, Mills, BS 191-11, p.22]**

RESOLUTIONS – FIRST READING (New Business)

23. A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for vehicle steam cleaning, for the Div. of Facilities and Fleet Management. **[Baradaran]** (1 Bid)
24. A Resolution accepting the bids of National Coatings & Supplies; Freedom Dodge-Chrysler-Jeep; Lexington Truck Sales, Inc.; World-Wide Equipment; Republic Diesel; Alton Blakley Ford-Lincoln-Mercury-Mazda-Honda; Nandino Industrial Electric, Inc.; S&S Tire Truck Alignment & Brake Center, Inc.; Cummins Crosspoint, LLC; Paul Miller Ford; NAPA Auto Parts; General Parts Distribution, LLC d/b/a Carquest Auto Parts; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Peterbilt of Louisville; Bluegrass International; Clarke Power Services; KOI Auto Parts; Power Train of Ky.; Lexington Auto Spring

Co.; Truck Pro; and Fleet Pride, establishing price contracts for automotive and truck parts, for the Div. of Facilities and Fleet Management. **[Baradaran]** (22 Bids, Low)

25. A Resolution accepting the bid of Red River Ranch, LLC, in the amount of \$103,361 for Compost Pond Discharge Improvements, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
26. A Resolution accepting the bid of Leak Eliminators, LLC, in the amount of \$225,060 for Haley Pike Landfill Leachate Treatment System Wetlands Improvements, for the Div. of Waste Management. **[Feese]** (2 Bids, Low)
27. A Resolution accepting the bid of Moore Gabbard Bridges General Contractor, in the amount of \$184,800 for Building Renovation – Electronics Recycling Center, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
28. A Resolution accepting the bid of National Workwear for work shoes, for the Div.'s of Waste Management, Facilities and Fleet Management, Streets, Roads and Forestry and Water Quality. **[Feese, Baradaran, Williams, Martin]** (2 Bids, Low)
29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification with M2D Design Group, for the design of Corridor Enhancement Grant for the Newtown Pike Landscaping Project, at a cost not to exceed \$10,000. **[Div. of Community Development/Council Office, Gooding/Williams, BS 183-11, p.23-25]**
30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,806,712.50 Federal funds and \$289,074.00 Commonwealth of Ky. funds under the Federal Emergency Management Agency's Hazard Mitigation Grant Program, and are for the acquisition and demolition of twelve residential properties on Lansdowne Dr., Medlock Rd. and Argonne Circle. **[Div. of Community Development/Dept. of Environmental Quality, Gooding/Taylor, BS 194-11, p.26]**
31. A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase Zumro air shelters and equipment under the Metropolitan Medical Response System Project from Zumro, Inc., a sole source provider, at a cost not to exceed \$69,055.20. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 181-11, p.27-30]**
32. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit nine (9) Grant Applications to the Ky. Office of Homeland Security and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$2,351,198.50 Federal funds under the 2011 State Homeland Security Grant Program, and are for the purchase of Special

Operations, Hazardous Materials and Technical Rescue Equipment (\$98,165); the purchase and installation of door entrance security systems for all fire stations, the fire prevention office and the training academy (\$175,000); replacement of a long line breathing air system (\$80,000); purchase of a specialized boat for water related emergencies (\$60,000); training in dynamic entry for the Ky. Explosive Incident Response Task Force (\$55,000); the purchase of equipment for the Hazardous Devices Unit (\$215,988); a Mobile Data Project for the Div. of Police (\$1,373,483); the purchase of personal protective equipment and search equipment (\$38,562.50); and the purchase of multi-band radios (\$255,000). **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 182-11, p.31-33]**

33. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$143,243 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 188-11, p.34]**
34. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, Office of Community Oriented Policing Services and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$4,258,359 Federal funds, and are for hiring 27 police officers for a three-year period. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 192-11, p.35]**
35. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Neighbors of Montclair, Inc. (\$2,000), Columbia Heights Neighborhood Association, Inc. (\$2,000), Seedleaf, Inc. (\$1,000), Radcliffe-Marlboro Neighborhood Association, Inc. (\$900), Highlands Neighborhood Association, Inc. (\$447), Georgetown St. Area Neighborhood Association, Inc. (\$1,000), Historic Western Suburb Neighborhood Association, Inc. (\$184), Cardinal Valley Neighborhood Association, Inc. (\$1,270), CASA for Children of Lexington (\$1,000), Joyland Neighborhood Association (\$100), Batesbrook Neighborhood Association, Inc. (\$2,080), Andover Neighborhood Association, Inc. (\$300), Wellington Elementary PTA Corporation (\$500), Bluegrass Community Foundation, Inc. (\$2,500), Beaumont Centre Family YMCA (\$875), Hope Center, Inc. (\$2,325), American Lung Association of Ky., Inc. (\$1,600), Chrysalis House, Inc. (\$1,400), Downtown Lexington Corporation (\$1,000), Lexington Humane Society (\$1,125), The Temple of Prayer of God in Christ (\$300), Harrod Hills Neighborhood Association, Inc. (\$900), Dogwood Trace Neighborhood Association, Inc. (\$900), and Garden Springs Neighborhood Association, Inc.

(\$900), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Right of Entry with Commonwealth of Ky., Div. of Waste Management, for performance of remedial activities at Raven Run Nature Sanctuary, at no cost to the Urban County Government. **[Div. of Environmental Policy, Bush, BS 184-11, p.36]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Land Use Agreement with the Fayette County Extension District Board, for use of Urban County Government property adjacent to 1140 Red Mile Place, to promote the Board's educational and safety programs, at no cost. **[Dept. of General Services, Baradaran, BS 185-11, p.37]**
38. A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase Agreement with the Fayette County Extension District Board, for the sale and transfer of the property located at 1140 Red Mile Place for \$1,750,000. **[Dept. of General Services, Baradaran, BS 186-11, p.38]**
39. A Resolution ratifying the probationary civil service appointment of: Kenneth Newby, Public Service Supervisor, Grade 111N, \$19.089 hourly, in the Div. of Water Quality, effective May 30, 2011; ratifying the permanent civil service appointments of: Cynthia Shuster, Administrative Officer Sr., Grade 120E, in the Dept. of Finance and Administration, effective May 22, 2011; Shandra McCauley, Stores Clerk, Grade 107N, effective April 26, 2011; Nelson Wright, Vehicle and Equipment Mechanic, Grade 110N, effective April 29, 2011; Anthony King, Public Service Supervisor Sr., Grade 114E, effective April 25, 2011, in the Div. of Streets, Roads and Forestry; Charles Burchett, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective April 25, 2011; ratifying the unclassified civil service appointment of: Linda Taylor, Program Administrator, Grade 117E, \$2,463.92 bi-weekly, in the Div. of Youth Services, effective June 13, 2011; ratifying the unclassified civil service appointment to the Office of the Urban County Council of: Jason Nehmer, Aide to Council, Grade 000E, \$2,057.68 bi-weekly, in the Council Office, effective June 1, 2011. **[Div. of Human Resources, Jarvis]**
40. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Billy Moore, Public Service Worker Sr., Grade 107N, \$16.481 hourly, in the Div. of Water Quality, Erika Dawson, E.S.P. Coordinator, Grade 112E, \$1,305.36 bi-weekly, in the Div. of Parks and Recreation, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resource, Jarvis]**
41. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with CAEN BASSE-NORMANDIE, for a volunteer intern from Deauville, France, to work in the Dept. of Law for ten

(10) weeks beginning June 6, 2011, at no cost to the Urban County Government. **[Dept. of Law, Graham, BS 203-11, p.39]**

42. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Chrysalis House, Inc., for participation in the Police Activities League. **[Div. of Police, Bastin, BS 193-11, p.40]**
43. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sponsorship Memorandum of Understanding with and accept \$4,500 from AARP, for sponsorship of the Senior Intern Alumni Luncheon. **[Dept. of Social Services, Mills, BS 190-11, p.41]**
44. A Resolution amending Section 4.501 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, providing for the procedure for requesting two readings for legislation at a meeting of the Urban County Council. **[Council Office, Williams]**

ORDINANCES – SECOND READING

1. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 121. **[Div. of Budgeting, Barrow]**
2. An Ordinance authorizing the Div. of Emergency Management/911 to purchase hardware, software and network components and any related installation and maintenance services and licenses for additional expansion of the existing Central Ky. 911 Infrastructure Network, from AK Associates, a sole source provider, at a cost not to exceed \$175,000, and appropriating funds pursuant to Schedule No. 119. **[Div. of Emergency Management/911, Lucas, BS 171-11]**
3. An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Information Officer, Grade 113E, in the Div. of Environmental Policy, abolishing one (1) position of Information Officer, Grade 113E, in the Div. of Government Communications and transferring the incumbent; effective June 20, 2011. **[Div. of Human Resources, Jarvis, BS 162-11]**

RESOLUTIONS – SECOND READING

1. A Resolution accepting the bids of Batteries Plus, Worldwide Equipment, Truck Pro, and KOI Auto Parts, establishing price contracts for truck and automobile batteries, for the Div. of Facilities and Fleet Management. (5 Bids, Low) **[Baradaran]**
2. A Resolution accepting the bid of Metis, Inc., establishing a price contract for Police Badges, for the Div. of Police. (6 Bids, Low) **[Bastin]**
3. A Resolution accepting the bid of Fabrication Solutions, Inc., establishing a price contract for bicycle racks, for the Dept. of Public Works and Development. (12, Non-Low) **[Taylor]**

4. A Resolution accepting the bids of Wilson Equipment Co., LLC; Equipment Sales and Rental; Hertz Equipment Corp.; and Brandeis Machinery and Supply Co., establishing price contracts for equipment rental, for the Div. of Streets, Roads and Forestry. (4 Bids, Low) **[Williams]**
5. A Resolution accepting the bid of Tom Chesnut Excavation & Construction, LLC, establishing a price contract for fencing for Man-O-War Blvd., for the Div. of Streets, Roads and Forestry. (5 Bids, Low) **[Williams]**
6. A Resolution accepting the bid of Stafford Environmental Services, Inc. d/b/a Bird Solutions Int'l, establishing a price contract for the installation of bird control netting, for the Div. of Waste Management. (6 Bids, Low) **[Feese]**
7. A Resolution accepting the bids of Swartz Mowing, Inc., and Leak Eliminators, LLC, establishing price contracts for litter and debris removal for stormwater infrastructure, for the Div. of Water Quality. (3 Bids, Low) **[Martin]**
8. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Safe Routes to School Project through June 30, 2012, at no cost to the Urban County Government. **[Div. of Community Development, Gooding, BS 166-11]**
9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Old Frankfort Pike/Alexandria Dr. Stone Fence Project through June 30, 2012, at no cost to the Urban County Government. **[Div. of Community Development, Gooding, BS 168-11]**
10. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Aylesford Place Neighborhood Association (\$1,050), Seedleaf, Inc. (\$2,150), The Nest Center for Women, Children and Families (\$675), Lansdowne Neighborhood Association (\$2,000), Belleau Wood Neighborhood Association (\$750), Woodhill Neighborhood Association, Inc. (\$400), Woodhill Park, Inc. (\$400), Squire Oak Homeowners Association, Inc. (\$400), Chilesburg Maintenance Association, Inc. (\$325), Retired Professional Football Players of Ky., Inc. (\$675), and The Salvation Army (\$750), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
11. A Resolution changing the street names and property address numbers of 2905 Liberty Rd. to 2927 Blairdon Circle, of 996, 992, 988, 989, 984 and 985 De Porres Ave. to 511, 515, 519, 520, 523 and 524 Erie Rd., of 1529 A and B Port Royal Dr. to 1968 Fair Oaks Dr., Unit 101 and 102, of 501 Blue Sky Pkwy. to 5031 Jo Marrs St., of 212 Rose St. to 350 Latrobe Ct., of 658 Dodge St. to 166 Lee St., of 1 Imperial Ct. to 779 Newtown Pike, of 1460 Newtown Pike to 1390 Olivia Ln., of 1901 Seven Pines Dr. to 1502 Port Royal Dr., of 3695 Nicholasville Rd. to 110 Rojay Dr., of 798 Georgetown St.

to 711 Scoop Brown Way, of 1102 Winchester Rd. to 776 Statesman Way, of 439, 440, 436, 435, 428, 431, 424, 427, 420 and 416 Bamberger Rd. to 900, 903, 907, 908, 911, 912, 915, 916, 919 and 923 Waverly Dr., and of 3445 Richmond Rd. to 3743 Yorkshire Medical Park; and changing the property address numbers of 823-825 Euclid Ave. to 825 Euclid Ave., of 1829 Fielden Dr. to 1819 Fielden Dr., of 535-539 Goodloe St. to 535 Goodloe St., of 141 Midland Ave. to 143 Midland Ave., of 797 E. New Circle Rd. to 781 E. New Circle Rd., of 252 Old Mt. Tabor Rd. to 276 Old Mt. Tabor Rd., of 342 Preston Ave. to 340 Preston Ave., of 1528 Roanoke Rd. to 1530 Roanoke Rd., of 261-267 W. Short St. to 259 W. Short St., of 120 Walton Ave. to 128 Walton Ave., and of 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, 3320, and 3322 Wood Valley Ct. to 3302, 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, and 3320 Wood Valley Ct.; all effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**

12. A Resolution changing the property address numbers of 3, 2, 5, 4, 7, 6, 9, 8, 11, 10, 13, 12, 15, 14, 17, 16, 19, 18, 21, 20, 23, 22, 25, 24, 27, 26, 29, 28, 31, 28 ½, 33, 30, 35, 32, 37, 34, 39, 36, 41, 38, 43, 40, 43 ½, 42, 45, 44, 47, and 51 Richmond Ave. to 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Richmond Ave., effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**
13. A Resolution authorizing and directing the Dept. of Environmental Quality, on behalf of the Urban County Government, to provide funding to Lexington Children's Theater for an environmentally-themed program aimed at third-grade students, at a cost not to exceed \$25,000. **[Dept. of Environmental Quality, Taylor, BS 164-11]**
14. A Resolution authorizing and directing the Dept. of Environmental Quality, on behalf of the Urban County Government, to provide funding to LexArts for a portion of the expense of a sound and video installation highlighting Town Branch Creek, at a cost not to exceed \$15,000. **[Dept. of Environmental Quality, Taylor, BS 167-11]**
15. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding Neighborhood Community and Sustainability Grants to 1st United Methodist Church (\$2,500), Athens Chilesburg Elementary – PTA (\$772), Aylesford Place Neighborhood Association (\$2,475), Beaumont Residential Association (\$2,500), Belleau Wood Neighborhood Association (\$645), Blackford Oaks Place Owners Association (\$2,500), Cumberland Hill Neighborhood Association (\$2,210), Dove Creek Townhouse Owner's Association (\$2,500), Fairway Neighborhood Association (\$2,500), First Alliance Church (\$2,465), Gratz Park Neighborhood Association (\$773), Gratz Park Neighborhood Association (\$890), Hamburg Homeowners Association (\$2,500), Hill N Dale Christian Church (\$1,085), The Learning Center at Linlee (TLC) (\$2,500),

North Limestone Neighborhood Association (\$2,500), Palomar Townhomes Homeowners Association (\$2,442), Rosemont Baptist Church (\$1,221), UK Student Sustainability Council UKY (\$1,439), Tanbark Association of Neighbors (\$2,500), Tates Creek Christian Church (\$2,300), Temple Adath Israel (\$2,500), Vineyard Neighborhood Association (\$1,174), Walnut Creek Home Owner's Association (\$2,500), William Wells Brown Neighborhood Association (\$2,450), at a cost not to exceed the sums stated. **[Dept. of Environmental Quality, Taylor, BS 175-11]**

16. A Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute a Business Associate Agreement with Central Bank & Trust Co., for processing Emergency Medical Service (EMS) payments in compliance with HIPAA regulations, at no cost to the Urban County Government. **[Dept. of Finance and Administration, Driskell, BS 173-11]**
17. A Resolution ratifying the permanent civil service appointments of: Phyllis Cooper, Director of Accounting, Grade 121E, in the Div. of Accounting, effective May 15, 2011; Dennis Bevels, Custodial Worker, Grade 102N, in the Div. of Facilities and Fleet Management, effective May 22, 2011; Anessa Snowden, Senior Adult and Therapeutic Recreation Services Administrator, Grade 116E, in the Div. of Parks and Recreation, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
18. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute concession contracts with various youth baseball leagues, for operation of concession stands during spring baseball season at no cost to the Urban County Government. **[Div. of Parks and Recreation, Hancock, BS 169-11]**
19. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Environmental Assessment License with Speedway, LLC, for groundwater contamination testing in Johnson Heights Park, at no cost to the Urban County Government. **[Div. of Parks and Recreation, Hancock, BS 172-11]**
20. A Resolution initiating various Zoning Ordinance text amendments to authorize changes of certain permitting and enforcement functions of the Div. of Building Inspection to the Div. of Planning, and including the creation of a Zoning Compliance Permit. **[Div. of Planning, King, BS 170-11]**
21. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Contract with GRW Engineers, Inc., for development of a stormwater master plan work plan and the completion of Supplemental Environmental Project K-2, as described in the Consent Decree, at a cost not to exceed \$436,385. **[Div. of Water Quality, Martin, BS 159-11]**
22. A Resolution appointing James Edward Kemp, Joseph Daniel Reed and Phil Wayne McConathy as Reapportionment Commissioners to serve along with

Don Blevins, Fayette County Clerk, who will be a non-voting member of the Reapportionment Commission; directing said Reapportionment Commissioners to lay off the district boundaries of the districts of the three (3) Fiscal Court Commissioners, three (3) Justices of the Peace (Magistrates) and three (3) Constables pursuant to KRS 67.045; providing that the three (3) voting members of the Reapportionment Commission shall be compensated in the amount of \$200 each; and directing the Clerk of the Urban County Council to publish notice of the reapportionment proceedings.

IV. Review of Budget Amendments, pp.42-45

V. Agenda Items Referred from Council Members

Items will remain on docket unless one of the following actions are taken:

- a. Refer a matter to a council committee*
- b. Recommend that the item be placed on the docket of an official session of the Urban County Council*
- c. Recommend that no action be taken*

A. 6.7.11 NDF List, pp.46-49

**B. Div. Of Community Corrections Report, Ron Bishop, Dir.
Community Corrections and Comm. Mason (separate)**

**C. Police Dept. Report-Asst. Chief Boggs and Comm. Mason
(separate)**

VI. Committee Reports

**A. 5.10.11 Public Safety & Public Works and Development
Committee, pp. 50-51**

B. 5.26.11 Quarterly Committee of the Whole, pp.52-57

VII. Council Reports

VIII. Public Comment – Issues Not on Agenda

IX. Adjournment



177-11
14

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

MEMORANDUM

TO: Jim Gray, Mayor
Richard Moloney, CAO
Council Members

FROM: *Leslie F. Jarvis*
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: May 11, 2011

RE: Government Reorganization

The attached action amends Section 21-5 and Section 22-5 of the Code of Ordinances, reorganizing certain Departments and Divisions within the Lexington-Fayette Urban County Government (LFUCG) and abolishing/creating positions, to become effective July 1, 2011.

To effect these changes, the creation of a new Office, abolish a Department, combining Departments and Departmental name changes will occur as a result of the reorganization as follows:

- Create the Office of Chief Development Officer;
- abolish the Department of the Chief Information Officer;
- combining the Department of Environmental Quality and the Department of Public Works and Development to create the Department of Environmental Quality and Public Works;
- changing the name from the Department of Finance and Administration to the Department of Finance;
- changing the name from the Division of Streets, Roads and Forestry to the Division of Streets and Roads;
- and changing the name from Division of Community Development to the Division of Grants and Special Programs.

In addition, the following LFUCG divisions will be transferred-along with all authorized positions and incumbents-as follows:

- transferring the Division of Grants and Special Projects, the Division of Risk Management, the Division of Computer Services, the Division of Government Communications, the Division of Historic Preservation, the Division of Planning, the Division of Purchase of Development Rights and the Division of Enterprise Solutions to the Office of the C.A.O.;
- transferring the Office of Economic Development to the Office of Chief Development Officer;
- transferring the Office of Budgeting to the Department of Finance;
- transferring the Division of Human Resources to the Department of Law;
- transferring the Division of Building Inspection to the Department of Public Safety;
- and transferring the Division of Environmental Policy, the Division of Waste Management, the Division of Water Quality, the Division of Engineering, the Division of Streets, Roads and Forestry and the Division of Traffic Engineering to the Department of Environmental Quality and Public Works.

Further, various individual classified civil service positions and their incumbents, if applicable, will be transferred, as follows*:

- transfer one (1) position of Human Resources Manager (Grade 119E), one (1) position of Payroll Analyst (Grade 115E) and one (1) position of Administrative Specialist (Grade 110N) from the Division of Human Resources to the Division of Accounting;
- transfer one (1) position of Trades Supervisor (Grade 113N) and two positions of Skilled Trades Worker Sr. (Grade 112N) from the Division of Facilities and Fleet Management to the Division of Fire and Emergency Services;
- transfer one (1) position of Municipal Engineer Sr. (Grade 119E), one (1) position of Engineering Technician Principal (Grade 115E), one (1) position of Associate Engineer Technician Principal (Grade 114E), and four (4) positions of Engineering Technician (Grade 111N) from the Division of Engineering to the Division of Water Quality;
- transfer two (2) positions of Public Service Supervisor (Grade 111N), two (2) positions of Trades Worker Sr. (Grade 109N), two (2) positions of Equipment Operator Sr. (Grade 109N) and six (6) positions of Public Service Worker Sr. (Grade 107N) from the Division of Streets and Roads to the Division of Water Quality;
- transfer one (1) position of Urban Forester (Grade 116E) and one (1) position of Arborist Technician (Grade 112N) from the Division of Streets and Roads to the Division of Environmental Policy;
- and transfer one (1) position of Public Service Worker (Grade 106N), one (1) position of Public Service Worker Sr. (Grade 107N), one (1) position of Staff Assistant Sr. (Grade 108N), one (1) position of Public Service Supervisor (Grade 111N), one (1) position of Stores Clerk (Grade 107N), four (4) positions of Trades Worker (Grade 107N), five (5) positions of Skilled Trades Worker (Grade 111N), four (4) positions of Skilled Trades Worker Sr. (Grade 112N), four (4) positions of Trades Supervisor (Grade 113N), and one (1) position of Operations Manager (Grade 116E) from the Division of Facilities and Fleet Management to the Division of Parks and Recreation.

As well, certain unclassified civil service positions and their incumbents will be transferred as follows*:

- transfer three (3) positions of Administrative Aide to Mayor (Grade 118E) from the Office of the Mayor to the Office of the CAO and change the position title to Administrative Officer (Grade 118E);
- transfer one (1) position of Administrative Specialist Senior (Grade 112N) from the Division of Human Resources to the Division of Accounting.

**please see the attached sheets for an entire listing of specific individual employee transfers.*

The reorganization calls for the creation of the following classified civil service positions;

- three (3) positions of Managing Attorney (Grade 123E) in the Department of Law.

The reorganization also calls for the creation of the following unclassified civil service position:

- one (1) position of Chief Development Officer (Grade 212E) in the Office of Chief Development Officer.

Finally, the reorganization calls for the abolishment of the following unclassified civil service position:

- abolish one (1) position of Senior Advisor (Grade 212E) in the Office of the Mayor, abolish one (1) position of Senior Advisor (Grade 212E) and one position of Administrative Specialist Principal (Grade 114E) in the Department of the Chief Information Officer.

The fiscal impact for FY2012 (26 pay periods) will be budget neutral.

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

Attachment

cc: Commissioners
Division Directors
Darrylyn Combs, HR Senior Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources



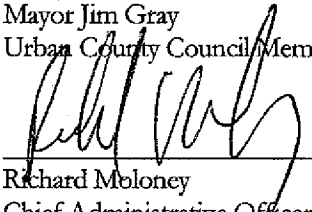
180-11
16

Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Richard P. Moloney
CAO

TO: Mayor Jim Gray
Urban County Council Members

FROM: 
Richard Moloney
Chief Administrative Officer

DATE: May 17, 2011

RE: Short Term Franchise Ordinance

Council approval is requested to advertise for short term franchise ordinances for natural gas and electric utility providers in order to accommodate the franchise audits and negotiations.

The current natural gas and electric utility franchises expire on July 16 and August 21, 2011, respectively. In order to accommodate the franchise audits and negotiations, we are recommending that a short term franchise for each type of service be advertised. The other franchise requirements would be substantially identical to those contained in the current franchises.

Please contact me or Attorney Senior David Barberie should you have any questions.



187-11
17

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 20, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF \$1,916,118 IN FY 2012 FUNDS FROM THE COMMISSION ON
FIRE PROTECTION, PERSONNEL, STANDARDS, AND
EDUCATION FOR TRAINING INCENTIVE FOR FIREFIGHTERS

The Commission on Fire Protection, Personnel, Standards, and Education makes state funds available to provide eligible firefighters with supplemental pay for participation in various training programs. Supplemental pay in the amount of \$3,100 for each eligible firefighter (526 sworn officers) is provided for a total of \$1,630,600. In addition, the program contributes 17.51% of that total towards the pension of participants, totaling \$285,518. Total funds amount to \$1,916,118. No local match is required under this program.

Council authorization to accept award is hereby requested.



Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD



189-11
18

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

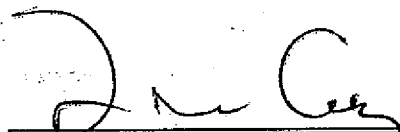
FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 20, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FOR
POLICE TRAINING INCENTIVE GRANT FOR FY 2012 FROM THE
KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET

Police Training Incentive funds are used to provide eligible police officers with supplemental pay for participation in training programs. Supplemental pay in the amount of \$3,100.00 for each eligible officer (539 sworn positions) is provided for a total of \$1,670,900. In addition, the program contributes 17.51% of that total towards the pension of participants, totaling 292,575. The total funds amount to \$1,963,475 with no local match required. Funds are from the state of Kentucky and are awarded by the Kentucky Justice and Public Safety Cabinet.

Council authorization to accept the grant is hereby requested.



Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD



195-11
19

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 23, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
SUPPLEMENTAL AGREEMENT NO. 2 WITH THE KENTUCKY
TRANSPORTATION CABINET, ACCEPTING ADDITIONAL FEDERAL
FUNDS FOR THE NEWTOWN PIKE EXTENSION PROJECT

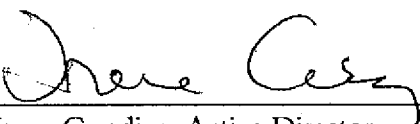
On November 9, 2000 (Ordinance # 344-2000), the Lexington-Fayette Urban County Council authorized acceptance of award from the Kentucky Transportation Cabinet in the amount of \$7.5 million in federal and state funds for the extension of Newtown Pike.

On February 26, 2009 (Ordinance # 24-2009), Council authorized execution of Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet in the amount of \$3,975,000 for support the cost of appraisals for right-of-way acquisitions and mitigation expenses which include the provision of temporary housing, utility payments for temporarily relocated residents, and setting up and operating a Community Land Trust.

The Kentucky Transportation Cabinet has now offered the LFUCG Supplemental Agreement No. 2 in the amount of \$5,088,000 for final design of Phase II and Phase III, and mitigation expenses, which include operation of the Community Land Trust and rehabilitation of Carver Center. New total is \$16,563,000. No matching funds are required.

The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

Council authorization to execute Supplemental Agreement No. 2, accepting award of additional federal funds, is hereby requested.


Irene Gooding, Acting Director

Xc: Cheryl Taylor, Commissioner, Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD

196-11
20



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet Graham
Commissioner

TO: Mayor Jim Gray
Urban County Councilmembers

FROM: Department of Law

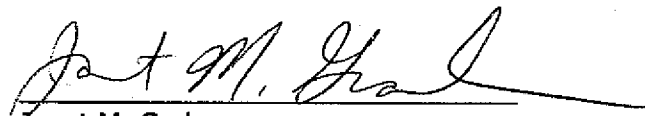
DATE: May 25, 2011

RE: Administrative Hearing Board Ordinance (SB 135)

During the 2011 General Assembly SB135 was adopted into law (copy attached). This new law changes the enabling legislation for local administrative hearing boards created pursuant to KRS 65.8801 et seq., of which the urban county government has several. The law also changes the state nuisance law, which may impact Chapter 12 of the Code of Ordinances. The impact of most of these nuisance law changes is still being discussed, and if necessary, a different proposed ordinance including these changes will be separately presented to you for consideration in the future.

The Department of Law recommends adopting the attached draft ordinance, which makes the necessary state law changes to LFUCG's KRS Chapter 65 administrative hearing boards and consolidates the administrative board process and procedures into one chapter of the code. The draft ordinance also changes the appeal time to District Court for Chapter 12 appeals from seven to thirty days as required by law.

These changes, the most substantive of which would allow each KRS Chapter 65 board to use hearing officers, should be self-explanatory. Should you have any questions pertaining to the proposed ordinance please feel free to contact Attorney Senior David Barberie, to further discuss.


Janet M. Graham
Commissioner of Law

ATTACHMENT

cc: Richard Moloney, Chief Administrative Officer
Jeannette Williams, Acting Council Administrator
Cheryl Taylor, Commissioner of Public Works
Clay Mason, Commissioner of Public Safety

00301380



179-11
21

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

TO: Mayor Jim Gray
Urban Council Councilmembers

FROM: Clay Mason, Commissioner *CN/yes*
Department of Public Safety

DATE: May 16, 2011

RE: Amendment to existing Ordinance 4-12.5

This is to request approval to amend Ordinance 4-12.5(d)(4) to eliminate a conflict that was established by Ordinance 4-2(b)(4) concerning the length of a tether.

There is no budgetary impact as a result of these changes.



191-11
22

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: MAYOR JIM GRAY
RICHARD MOLONEY, CAO
URBAN COUNTY COUNCIL

FROM: Beth K. Mills
BETH MILLS, COMMISSIONER
DEPARTMENT OF SOCIAL SERVICES

DATE: May 24, 2011

SUBJECT: ORDINANCE AMMENDMENTS: CASA (COURT APPOINTED SPECIAL ADVOCATES) BOARD

This memorandum requests that the Urban County Council approve two ordinance amendments to the CASA board. The first amendment will change the terms of members' appointments from two to four years. The second change will remove the requirement that Fayette Co. Family Court judges serve as ex-officio members of the CASA Board. These amendments have been approved and voted on by the sitting CASA Board.



183-11
23

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 17, 2011

SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE CONTRACT
MODIFICATION WITH M2D DESIGN GROUP FOR THE DESIGN OF
CORRIDOR ENHANCEMENT GRANT FOR NEWTOWN PIKE
LANDSCAPING PROJECT

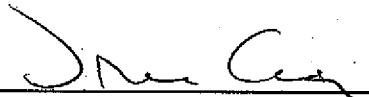
On July 3, 2008 (Resolution No. 400-2008), Council authorized retention of M2D Design Group to design and manage the Newtown Pike Landscaping project, in the amount of \$26,000. Since that time, there have been several design and construction document revisions required by the Kentucky Transportation Cabinet.

M2D Design Group has agreed to perform all additional work for a cost of \$10,000, for a new total of \$36,000.

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	BUD REF	PROJECT	ACTIVITY
3160	134201	1423	90311	2008	NEWTOWNLS 2008	FED GRANT

Council authorization to execute contract modification with M2D Design Group in the amount of \$10,000 for a new total of \$36,000 is hereby requested.


Irene Gooding, Acting Director

Xc: Jeannette Williams, Acting Council Administrator

HORSE CAPITAL OF THE WORLD

Date: May 16, 2011
Project: Newtown Pike Landscape TE Project

Location: Newtown Pike between Main & 4th Street

Page 400-200X

Contract plans and specifications;

[illegible]

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Date 5/6/11

Date	11/11
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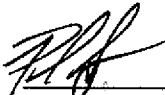
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Date _____ -14

CONTRACT HISTORY FORMProject Name Newtown Pike Landscaping TE GrantContractor: M2D Design GroupContract Number and Date: Res 100-2008 LP 00043892Responsible LFUCG Division: Corridors Commisuiou**CONTRACT AND CHANGE ORDER DETAILS**

A. Original Contract Amount:	\$	<u>26,000.00</u>	
Next Lowest Bid Amount:		<u>\$34,000</u>	
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>26,000.00</u>	
D. Amended Contract Amount:	\$	<u>26,000.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u></u>	<u>0.0%</u> (Line E / Line D)
F. Amount of This Change Order:	\$	<u>10,000.00</u>	<u>38.5%</u> (Line F / Line D)
G. Total Contract Amount:	\$	<u>36,000.00</u>	

SIGNATURESProject Manager:  Date: 5/16/11Reviewed by: Date: Division Director: Date:



194-11
26

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 23, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT
REQUESTING FEDERAL FUNDS UNDER THE FEDERAL
EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION
GRANT PROGRAM FOR LANSDOWNE AREA

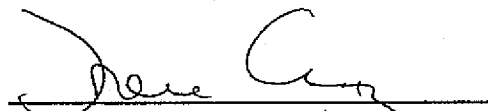
The Division of Water Quality has prepared an application requesting federal funds from the Kentucky Division of Emergency Management under the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

Federal funds in the amount of \$1,806,712.50 (75%) and state funds in the amount of \$289,074 (12%) are being requested to support the cost of acquisition and demolition of twelve residential properties on Lansdowne Drive, Medlock Road, and Argonne Circle. These properties have experienced repeated home flooding for an extended period time. A 13% local match in the amount of \$313,136.50 is required. Source of local match is Fund 4051.

Total project cost is \$2,408,950.

The Hazard Mitigation Grant Program (HMGP) provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Council authorization to submit application is hereby requested.


Irene Gooding, Acting Director

Xc: Cheryl Taylor, Commissioner of the Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD



181-11
27

Mayor Jim Gray
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 17, 2011

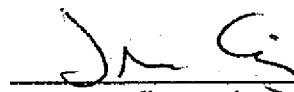
SUBJECT: AUTHORIZATION TO ACCEPT ZUMRO, INC., AS A SOLE SOURCE FOR PURCHASE OF AIR SHELTERS, ADVANCED ECO SYSTEMS, INC., AS THE ONLY DISTRIBUTOR FOR ZUMRO AIR SHELTERS, AND PROVIDE FOR PURCHASE OF EQUIPMENT IN THE AMOUNT OF \$69,055.20 UNDER THE METROPOLITAN MEDICAL RESPONSE SYSTEM PROJECT

The Lexington-Fayette Urban County Government has received federal funds from the Kentucky Office of Homeland Security under the Metropolitan Medical Response System (MMRS) program. This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the approved uses of funds is for purchase of decontamination shelters for use in response to act of chemical/biological/radiological/nuclear event. The Division of Emergency Management/911 is requesting that ZUMRO, Inc. be accepted as a sole source manufacturer for decontamination air shelters with accessories, and that Advanced Eco Systems, Inc., be accepted as the sole distributor for these products. The Division of Emergency Management/911 is requesting approval to purchase two fully equipped units at a per unit price of \$34,527.60. ZUMRO decontamination tents are the standard tents that have been purchased for other emergency services facilities in the city and region. This compatibility provides a common piece of equipment for mutual aid and training across the community.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3200	505205	0001	95601	MMRS 2010	FED GRANT	2010	\$15,544.33
3200	505205	0001	96468	MMRS 2011	FED GRANT	2011	\$53,510.87

Council authorization to approve ZUMRO, Inc., as a sole source manufacturer, to approve Advanced Eco Systems Inc., as sole distributor, and approval to purchase two decontamination units is hereby requested.


Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD



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JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

Sole Source Purchases are defined clearly, based upon a legitimate need, and are limited to a single supplier. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and/or cost effective feature requirement. The use of sole source purchases must be justified and shall be limited only to those specific instances in which compatibility or technical performance needs are being satisfied.

Sole Source Services are defined as a service provider providing technical expertise of such a unique nature that the service provider is clearly and justifiably the only practicable source available to provide the service. The justification shall be based on the uniqueness of the service, sole availability at the location required, or warranty or defect correction service obligations of the service provider.

This form must be filled out for the request to purchase any good or non-professional service that requires a competitive procurement process (informal quotes (\$1001-\$10,000), formal quotes (\$10,001 - \$19,999.99), or formal bid (\$20,000 or more) as defined in the LFUCG's Purchasing Manual. This form must be completed in its entirety and attached to the purchase requisition.

Note: Sole Source Purchase requests for goods exceeding \$20,000 will require approval by the Urban County Council by submitting an Administrative Review Form. A copy of this form must be signed off by Central Purchasing and attached to the Administrative Review Form.

Requesting Division

Name Tim Brandewie Division/Dept Emergency Management

Phone 258-3784 Email rbrandew@lexingtonky.gov

Type of Purchase: (**X**) Goods/Materials/Equipment () Services

Cost: \$34,527.60

Sole Source Request for the Purchase of: ZUMRO Decontamination Tents and related accessories (See accompanying attachment for specs and sole source verification from the manufacturer)

☐ One Time Purchase

X To Establish Sole Source Provider Contract

(subject to annual review and approval by Central Purchasing and/or Urban County Council)

Vendor Information

Business Name: Advanced Eco Systems Inc.,

Contact Name: Marty Conway

Address: 866 Premiera Drive, Tallmadge, Ohio 44278

Phone 330-630-9025 Email aeco58@yahoo.com



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

STATEMENT OF NEED: (Add additional pages as needed)

My division/department's recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the LFUCG. I know of no conflict of interest on my part, and I have no personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials, persons or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

1. Describe the product or service and list the necessary features this product provides that are not available from any other option.

ZUMRO decontamination tents are the standard tents we have purchased for other emergency services facilities in our city and region. This compatibility provides a common piece of equipment for mutual aid and training across the community.

2. Below are eligible reasons for sole source. Check one and describe.

☐ Licensed or patented product or service. No other vendor provides this. Warranty or defect correction service obligations to the consultant. Describe why it is mandatory to use this licensed or patented product or service.

☒ Existing LFUCG equipment, inventory, custom-built information system, custom-built data inventory system, or similar products or programs. Describe. If product is off-the-shelf, list efforts to find other vendors (i.e. web site search, contacting the manufacturer to see if other dealers are available to service this region, etc.)

We have contacted the manufacturer and there is only one sales representative for our area.

☐ Uniqueness of the service. Describe.

☒ The LFUCG has established a standard for this manufacturer, supplier, or provider and there is only one vendor. Attach documentation from manufacturer to confirm that only one dealer provides the product.

☐ Factory-authorized warranty service available only from this single dealer. Sole availability at the location required. Describe.

☐ Used item with bargain price (describe what a new item would cost). Describe.

☐ Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

3. Describe efforts to find other vendors or consultants (i.e. phone inquiries, web site search, contacting the manufacturer to see if other dealers are available to service region, etc.).

We contacted the manufacturer to get a list of distributors for their product. They indicated there is only one sales representative for each area and provided a sole source letter. (See attached letter).

4. How was the price offered determined to be fair and reasonable?

(Explain what the basis was for comparison and include cost analyses as applicable.)

5. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

Since this supplier is the only one authorized to sell the product in this area, they are able to offer a 20% discount.

**182-11****31**

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 17, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATIONS
TO THE KENTUCKY OFFICE OF HOMELAND SECURITY
REQUESTING FEDERAL FUNDS FOR VARIOUS PUBLIC SAFETY
PROJECTS UNDER THE 2011 STATE HOMELAND SECURITY GRANT
PROGRAM

The Kentucky Office of Homeland Security is accepting applications from local governments requesting federal funding from the Fiscal Year 2011 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism. The states have the responsibility for apportioning funding to local governments. All projects must be related to the Goals and Objectives of the State Homeland Security Strategy. No matching funds are required.

The Division of Fire and Emergency Services has prepared the following application:

Special Operations, Hazardous Materials and Technical Rescue Equipment: Application includes funds for purchase of the following equipment: (1) Spectroscopic device, which can be used in the field to determine the chemical composition of unidentified spilled or released liquids and solids; (2) Neutron isotope identifiers (two units), equipment used to identify any isotope emanating from a radiological substance. Incidents involving accidental release of radiological hazards are on the increase. The federal government is also indicating the likelihood of intentional use of radiological substance as a weapon is increasing. (3) Personal Radiological Detector/Monitors – purchase of 23 personal radiological monitors to replace existing monitors that have reached their useful life. Total cost of this project is \$98,165.

Critical Infrastructure: The purchase and installation of door entrance security systems at all the fire stations, fire prevention office, and training academy. Total cost of this project is \$175,000.

HORSE CAPITAL OF THE WORLD200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov

Long line breathing air system: Replacement of a long line breathing air system that has reached the end of its useful life. This system provides unlimited air supply to persons who are working in hot zones or for long periods in hazardous materials response. Total cost of this project is \$80,000.

Watercraft: Purchase of a specialized boat to operate water related emergencies (swift water or shallow draft situations. Total cost of this project is \$60,000.

The Division of Police has prepared the following applications:

Hazardous Devices Unit—Equipment Grant: Upgrades to the eight-year old Andros F-6 robot and the three-year old Andros HD-1 robot. Upgrades include the following for the Andros F-6: The existing electronics operating system will be replaced and arm position sensors added. A new camera and lighting system for low light will be purchased and installed. Upgrades for the Andros HD-1 include: replacing electronics operating system and battery system. Total cost of this project is \$215,988.

Hazardous Devices Unit—Training Grant: Funds are being requested to secure a course in Dynamic Entry to be delivered to bomb technicians and tactical officers from the (The Kentucky Explosive Incident Response Task Force (KEIRTF) including Lexington Police, KSP, Owensboro Police, Louisville Police and Paducah Police. Dynamic Entry includes creating openings in walls for tactical team access, defeat barricades designed to slow or halt tactical team movement, and to safely open doors that are believed to have a concealed explosive device designed to go off when disturbed. If approved, Lexington Division of Police will act as the fiscal agent on behalf of the group. Total cost of this project is \$55,000.

Mobile Data Project: Funds are requested for acquisition of new Mobile Data Computers and related equipment and software for the Division of Police for replacement of aging and failing computers and for installation of equipment at law enforcement partner agencies, including Kentucky Horse Park Police, Bluegrass Airport Public Safety, Transylvania University Police and Fayette County School Law Enforcement. Total cost of this project is \$1,373,483.

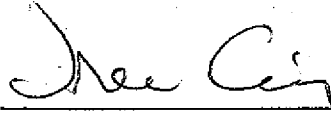
Personal Protective Equipment and Search Equipment: Funds are requested for purchase of safety equipment for first responders to include binoculars, replacement filters for the respirators that first responders currently utilize for evacuation efforts, and Infrared Personnel Markers to identify personnel through night vision or with the FLIR system in conjunction with helicopter surveillance. Total cost of this project is \$38,562.50.

The Division of Emergency Management/911 has prepared the following application:

Radio Communications: Funds are requested for the improvement of radio communications among LFUCG Public Safety divisions and with neighboring

jurisdictions by obtaining multi-band radios that will operate on all pertinent frequencies within Central Kentucky. Project includes procurement of radio units compatible with both VHF systems operated by neighboring counties and LFUCG's frequencies. Project includes replacement and reprogramming of all gateways and consoles to insure full operational of updated equipment. Total cost of project is \$255,000.

Council authorization to submit the applications is hereby requested.



Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner, Department of Public Safety



188-11

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Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: MAY 20, 2011

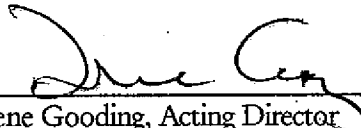
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE REQUESTING FEDERAL FUNDS UNDER THE 2011 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

An application has been prepared by the Lexington-Fayette Urban County Government requesting federal funding under the 2011 State Criminal Alien Assistance Program (SCAAP). The program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with the U.S. Department of Homeland Security. This program is governed by the Immigration and Nationality Act, 8 U.S.C. §1231 (i) as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens. Reimbursable costs are for inmates who are foreign born (with no legal right or documentation to be in the United States), incarcerated for at least four consecutive days during the reporting period (July 1, 2009 to June 30, 2010), and incarcerated on conviction of at least one felony or two (2) misdemeanors. Immigration and Customs Enforcement (ICE) will take responsibility for ensuring that aliens are properly identified and their status verified before reimbursements are made.

The FY 2011 SCAAP payment amounts are determined using a sampling of actual inmate, cost and facility data for a specified sampling or reporting period. SCAAP is not a traditional reimbursement program in which the actual cost, facility and data are collected. SCAAP uses prior year's data, from a specified sampling period, to determine applicants' annual relative percentages of available funding. For the 2010 SCAAP, the actual revenue to the LFUCG was \$143,243. The Bureau of Justice Assistance cautions applicants about using the prior year award as a basis for estimating this year's award. Immigration and Customs Enforcement (ICE) will review all information submitted on eligible inmates to make final determination of which inmates are qualified undocumented criminal aliens. Any funds received from the 2011 SCAAP must be used for a corrections purpose.

Council authorization to submit the application is hereby requested.


Irene Gooding, Acting Director

Cc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD



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Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

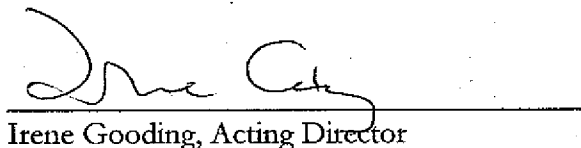
DATE: MAY 24, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT A GRANT
APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF
COMMUNITY ORIENTED POLICING SERVICES, REQUESTING
FEDERAL FUNDS UNDER THE COPS HIRING PROGRAM

The Division of Police has prepared an application for submission to the U.S. Department of Justice -Office of Community Oriented Policing Services requesting federal funds for the hiring of twenty-seven entry level police officers. The purpose of this program is to address the full-time sworn officer needs of state, local and tribal law enforcement agencies nationwide and to increase their capacity to participate in community policing. The LFUCG's application provides for the hiring of 27 officers for a three-year period at an approximate cost of \$4,258,359.

There is no local cash match requirement under this grant program; however, the LFUCG will be responsible for costs that include uniform allowances, equipment, education and training incentives, and specialist pay.

Council authorization to submit the application is hereby requested.



Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner, Department of Public Safety

HORSE CAPITAL OF THE WORLD



184-11
36

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Commissioner's Office

Department of Environmental Quality

TO: Mayor Jim Gray
Urban County Council

FROM: *Susan Bush*
Susan Bush, Director
Division of Environmental Policy

DATE: May 19, 2011

RE: Access Agreement for Environmental Assessment & Remediation
Raven Run Landfill

The former Raven Run landfill (also known as the Jacks Creek landfill) was operated by the City of Lexington from approximately 1969 until 1972. Following a fire in 1971, the landfill was covered with soil and closed, but additional construction/demolition debris was deposited by unknown parties after that date. Subsequent studies have also identified several oil and sludge disposal pits. The landfill and disposal pits are located within the boundaries of the Raven Run Nature Sanctuary located off Jack's Creek Pike.

The Kentucky Division of Waste Management (KDWM) is currently planning to clean up contaminated soil associated with the former disposal pits, address the construction/demolition debris, and improve the soil cover on the former landfill. The work will also reduce the potential for water contamination by redirecting surface water and stormwater around the landfill.

KDWM will fund the project under the House Bill 174 Orphan Landfill program. There will be no cost to the Urban County Government as a result of this work.

Representatives of the Division of Environmental Policy and the Division of Parks & Recreation are working with KDWM and its consultant on the scope work for the project and will be involved throughout its duration. As part of the project planning, we are requesting that you sign the attached access agreement.

I appreciate your consideration of this request. Please contact me at 425-2800 if you have any questions or need additional clarification.

Cc: File
Jerry Hancock, Parks & Recreation

HORSE CAPITAL OF THE WORLD



185-11

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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran *JB*
Acting Commissioner of General Services

DATE: May 19, 2011

RE: Land Use Agreement

I am requesting Urban County Council approval to enter into a Land Use Agreement with Fayette County Extension District Board ("Board") for 6+ vacant acres owned by LFUCG and located adjacent to 1140 Red Mile Place. The Board shall have exclusive right to use of the property to promote its educational and safety programs, including but not limited to, community gardens, "farm to table" agricultural programs, garden trail plots, safety programs and training, archery and other 4-H related activities, after school club activities, and dog agility training. The Board shall be responsible for mowing and maintenance of the property and shall keep the Property free of hazards. The Public shall continue to be permitted use of the walking trails and parking facilities located at 1140 Red Mile Place.

This is a twenty (20) year lease whereas beginning on the 6th anniversary of the date of the agreement either party may terminate the agreement by providing one (1) year written notice to the other party. Should LFUCG elect to terminate the agreement the Board shall have the option to purchase the property at fair market value before the expiration of the notice period by providing LFUCG written notification.



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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Acting Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran 
Acting Commissioner of General Services

DATE: May 12, 2011

RE: Offer to Purchase Agreement

I am requesting Urban County Council approval to enter into a Purchase Agreement for property and land located at 1140 Red Mile Place, Lexington, Fayette County, KY 40504 with FAYETTE COUNTY EXTENSION DISTRICT BOARD (Buyer) for the property owned by LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT (Seller). Buyer currently occupies the facility under terms of lease agreement (contract #5246; R-392-2004) and as specified within the agreement, Buyer has opted to exercise their Option to Purchase the facility.

The facility was recently appraised using 18,633 square feet of usable space and is situated on 3.476 +/- acres of land. The valuation was performed by Berkley Appraisal Company and dated March 29, 2011 whereas the building and land were valued at two million seventy-five thousand dollars and no cents (\$2,075,000). A building deficiency assessment was performed in the fall of 2010 by Brett Construction Company showing current and near term future needs in excess of three hundred thirty-one thousand dollars (\$331,000) for site and structure improvement. Weighting the assessment against the appraisal, the FAYETTE COUNTY EXTENSION DISTRICT BOARD has offered the purchase price of one million seven hundred fifty thousand dollars and no cents (\$1,750,000) for the facility.



203-11

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Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

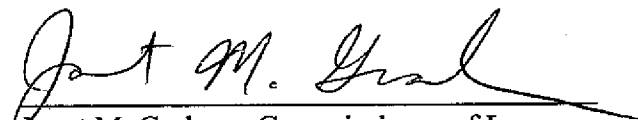
FROM: Department of Law

DATE: May 31, 2011

RE: Internship Agreement

Council authorization is requested to authorize the executing of an Internship Agreement with the University of CAEN BASSE- NORMANDIE for an unpaid intern from Deauville, France to work in the Department of Law for ten weeks beginning on June 6, 2011. We received this agreement in the mail on or about May 25, 2011. This internship has been coordinated through the Sister Cities Program of which Lexington is a participant.

If you have any questions or need additional assistance, please let me know.


Janet M. Graham, Commissioner of Law

00302463



LEXINGTON DIVISION OF POLICE

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

193-11
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TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: May 23, 2011

RE: Memorandum of Agreement - Chrysalis House, Inc.

Please find attached documentation and blue sheet requesting approval of the attached Memorandum of Agreement between the Lexington-Fayette Urban County Government and the Chrysalis House. The attached agreement states that the Division of Police agrees to:

- Provide educational opportunities for fostering better communication between Chrysalis House clients/families and the Division of Police.
- Provide referrals to Chrysalis House as appropriate.
- Allows Chrysalis House children to participate in the Police Activities League (PAL).

Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signature. There will be no budgetary impact.

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

Ronnie Bastin
Chief of Police

cc: Clay Mason, Commissioner of Public Safety



190-11

41

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Newberry
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: RICHARD MALONEY, CAO
MAYOR JIM GRAY
URBAN COUNTY COUNCIL

FROM: Beth K. Mills
BETH MILLS, COMMISSIONER
SOCIAL SERVICES

DATE: May 20, 2011

SUBJECT: Sponsorship for Memorandum of Understanding

Requesting council approval to enter into a MOU with AARP for their Sponsorship of our Senior Intern Luncheon on Friday, June 24, 2011.

This sponsorship is up to \$4500.00 to pay for the Senior Intern Alumni Luncheon.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	52558	DIVISION	General Services/ Facilities and Fleet	Fund Name Fund Impact	General Fund 6,000.00 6,000.00CR .00
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To provide funds for engineers used to assess the damage and condition of the Phoenix Garage by transferring funds from the Commissioner of General Services budget.

JOURNAL	52607-08	DIVISION	Government Communications	Fund Name Fund Impact	General Fund 4,994.32 4,994.32CR .00
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To provide funds for sign materials by recognizing revenues received for this purpose.

JOURNAL	52621	DIVISION	Community Development	Fund Name Fund Impact	General Fund 21,640.00 21,640.00CR .00
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To budget additional personnel recovery from CDBG - FY 2011 project based on actual time worked on the project.

JOURNAL	52793	DIVISION	Parks and Recreation	Fund Name Fund Impact	General Fund 17,000.00 17,000.00CR .00
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To provide funds for Park Patrol expenses by decreasing funds for overtime.

JOURNAL	52705-06	DIVISION	Family Services	Fund Name Fund Impact	Donation Fund 5,808.15 5,808.15CR .00
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To provide funds for child care and parent education programs and infant and toddler supplies by recognizing donations from Blue Grass Community Foundation and UK.

JOURNAL	52707-08	DIVISION	Family Services	Fund Name Fund Impact	Donation Fund 7,796.05 7,796.05CR .00
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To provide funds for child care and parent education programs and infant and toddler supplies by recognizing donations from Blue Grass Community Foundation and UK.

JOURNAL	52794-95	DIVISION	Social Services	Fund Name	Donation Fund
				Fund Impact	2,000.00
					2,000.00CR
					.00

To provide funds for the Senior Intern Program by recognizing donations in FY 2011 and FY 2010.

JOURNAL	52717-18	DIVISION	Environmental Policy	Fund Name	Urban Fund
				Fund Impact	5,250.00
					5,250.00CR
					.00

To provide funds for Keep America Beautiful by recognizing deposits for that purpose.

JOURNAL	52556-57	DIVISION	Public Safety	Fund Name	Spay and Neuter Fund
				Fund Impact	3,700.00
					3,700.00CR
					.00

To provide funds in Humane Society Spay & Neuter Fund based on anticipated revenues for the remainder of the fiscal year.

JOURNAL	52617	DIVISION	Adult Services	Fund Name	Misc Revenue Fund
				Fund Impact	75,520.00
					75,520.00CR
					.00

To provide funds for professional services and operating expenses related to the Hope VI grant by transferring funds for salaries that are no longer needed.

JOURNAL	52618	DIVISION	Community Development	Fund Name	US HUD
				Fund Impact	14,051.49
					14,051.49CR

To amend budget for HOME - FY 2011 to provide for anticipated professional services expenses.

JOURNAL	52619	DIVISION	Community Development	Fund Name	US HUD
				Fund Impact	234,000.00
					234,000.00CR
					.00

To amend HOME - FY 2008 to provide funding for the Russell School project, \$194,000, and Fayette County Local Development Corp's Community Housing Development Organizations rental housing project, \$40,000.

JOURNAL	52620	DIVISION	Community Development	Fund Name	US HUD
				Fund Impact	21,980.00
					21,980.00CR
					.00

To amend CDBG - FY 2011 to provide additional funding for salaries for Community Development staff based on actual time worked on the project.

JOURNAL	52709	DIVISION	Community Development	Fund Name	US Dept Justice
				Fund Impact	98.11
					98.11CR
					.00

To amend Enforce Underage Drinking Laws Project - FY 2009 to provide additional funds for travel.

JOURNAL	52613-14	DIVISION	Community Development	Fund Name	US Dept Transp.
				Fund Impact	80.00
					800.00CR
					.00

To provide for required travel to KY Lifesavers Conference and to reduce intergovernmental revenue to reflect actual award amount for Traffic Safety Speed Enforcement.

JOURNAL	52797	DIVISION	Community Development	Fund Name	US Homeland Sec
				Fund Impact	3,000.00
					3,000.00CR
					.00

To amend CSEPP - FY 2010 moving \$3,000 to support part-time persons working on the project.

JOURNAL	52799	DIVISION	Community Development	Fund Name	US Homeland Sec
				Fund Impact	662.50
					662.50CR
					.00

To amend State Homeland Security Dive project to provide for purchase of scuba system.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	21,640.00CR
Fund	1103	Donation Fund	1,550.00
Fund	1115	Urban Service District Fund	.00
Fund	1134	Spay and Neuter Fund	.00
Fund	1141	Miscellaneous Special Revenue Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

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
187-11	TBD	Fire	To establish grant budget for Fire Training Incentive Program – FY 2012.
(pg. 17)			3400 1,916,118.00 3400 1,916,118.00CR .00 *
189-11	TBD	Police	To establish grant budget for Police Training Incentive Program – FY 2012
(pg.18)			3400 1,963,475.00 3400 1,963,475.00CR .00 *
195-11	BA 3619	Community Development	To establish grant budget for Newtown Pike Supplemental Agreement – FY 2011.
(pg.19)			3160 5,088,000.00 3160 5,088,000.00CR .00 *

EFFECT ON FUND BALANCES

FUND 3160	0*	NO IMPACT TO:	US DEPARTMENT OF TRANSPORTATION
FUND 3400	0*	NO IMPACT TO:	GRANTS - STATE

**NDF List
June 7, 2011**

Amount	Recipient	Purpose
\$ 2,000.00	Neighbors of Montclair, Inc. 1236 Eldemere Road Lexington, KY 40502 Deborah Tatum	Funding to help offset costs associated with enhancing street signs in the community
\$ 2,000.00	Columbia Heights Neighborhood Association, 439 Park Avenue Lexington, KY 40505 Charlie Smith	Funding to help offset costs associated with enhancing street signs and streetscape plantings
\$ 1,000.00	Seedleaf, Inc. 931 Idlewild Court Lexington, KY 40505 Rebecca Self	Funding to help offset costs associated with food production costs
\$ 900.00	Radcliffe-Marlboro Neighborhood Association, Inc. 1814 Marlboro Drive Lexington, KY 40505 James Brown	Funding for back to school rally, emergency preparedness program, and beautification projects
\$ 447.00	Highlands Neighborhood Association, Inc. 1972 Cathy Lane Lexington, KY 40511 Frank Mullins	Funding for maintenance of neighborhood signs and right-of-way area
\$ 1,000.00	Georgetown Street Area Neighborhood Association, Inc. P.O. Box 11382 Lexington, KY 40575 Diane Marshall	Funding for Great American Cleanup and Back 2 School Bash
\$ 184.00	Historic Western Suburb Neighborhood Association, Inc. 645 West Short Street Lexington, KY 40508 William Johnston	Funding for the purchase of replacement trees.

Amount	Recipient	Purpose
\$ 1,270.00	Cardinal Valley Neighborhood Association, Inc. 137 Garrett Avenue Lexington, KY 40504 Billie Offutt	Funding for Fright Night and annual maintenance of entrance.
\$ 1,000.00	CASA for Children of Lexington 1155 Red Mile Place, Suite 50 Lexington, KY 40507 Debra King	Funding for the 4th Annual CASA Run For Kids Sake
\$ 100.00	Joyland Neighborhood Association 689 Kingston Drive Lexington, KY 40505 Josie-Giurgevich Jones	Funding for the purchase of globes for solar lights to be installed in Mary Todd Park
\$ 2,080.00	Tates Brook Neighborhood Association, Inc. 3704 Appian Way Lexington, KY 40517 Lou A. Gregory	Funds for 8th District Movie Night
\$ 300.00	Andover Neighborhood Association, Inc. 141 Prosperous Place, Suite 21B Lexington, KY 40509 Edwin Gibson	Funding for installation of landscaping in neighborhood medians
\$ 500.00	Wellington Elementary PTA Corporation 564 Newbury Lane Lexington, KY 40514 Jeff Zinger	Funding to assist with playground project
\$ 2,500.00	Bluegrass Community Foundation, Inc. 250 West Main Street, Suite 1220 Lexington, KY 40507 Steve Austin	Funding for support of trails and 2nd Sunday
\$ 875.00	Beaumont Centre Family YMCA 3251 Beaumont Centre Circle Lexington, KY 40513 Jeannie The	Funding to assist with the YMCA Kids Triathlon

Amount	Recipient	Purpose
\$ 2,325.00	Hope Center, Inc. 360 W. Loudon Avenue, P.O. Box 6 Lexington, KY 40588 Cecil Dunn	Funds to assist with emergency shelter
\$ 1,600.00	American Lung Association of Kentucky, Inc. 1636 Nicholasville Road, Suite 1 Lexington, KY 40503 Carolyn Embry	Funding to provide assistance for programming
\$ 1,400.00	Chrysalis House, Inc. 1589 Hill Rise Drive Lexington, KY 40504 Lisa Minton	Funding to purchase computers, monitors, and software
\$ 1,000.00	Downtown Lexington Corporation P.O. Box 1179 Lexington, KY 40508 Renee Jackson	Funding assistance for 2nd Sunday event
\$ 1,125.00	Lexington Humane Society 1600 Old Frankfort Pike Lexington, KY 40504 Susan Malcomb	Funding for the purchase of pet food
\$ 300.00	The Temple of Prayer of God in Christ 549 Parkside Drive Lexington, KY 40505 Evelyn Johnson	Funding for back to school rally
\$ 900.00	Harrod Hills Neighborhood Association, Inc. 3299 Ridgecane Rd Lexington, KY 40513 Harry Clarke	Funding for neighborhood projects
\$ 900.00	Dogwood Trace Neighborhood Association, Inc. 2149 Ladera Ln Lexington, KY 40514 Justin Williamson	Funding for neighborhood landscaping projects

Amount	Recipient	Purpose
\$ 900.00	Garden Springs Neighborhood Association, Inc. 1013 Juniper Drive Lexington, KY 40503 Karl Van Dyke, Jr.	Funding for summer events
\$ 3,796.91	Budget Amendment Contact: Keith Jackson, Fire Chief 1101 505701 5704 75801	Funding for training equipment on the Division of Fire and Emergency Services
\$ 1,000.00	Budget Amendment Contact: Jerry Hancock, Parks and Recreation 1101 707604 7292 75801, Site Code 750	Funding for a gymnasium scoreboard at Kenwick Community Center
\$ 4,000.00	Budget Amendment Contact: Jerry Hancock, Parks and Recreation 1101 707603 7235 76101, Site Code 731	Funding for tennis court repair and maintenance at Ecton Park

URBAN COUNTY COUNCIL

Public Safety & Public Works Development Committee

Meeting Summary/ Table of Motions

May 10, 2011

Councilmembers Ellinger, Lawless, Farmer, Crosbie, Martin, McChord, and Henson were present. Vice Mayor Gorton and Councilmember Stinnett were in attendance.

I. Charitable Solicitation within Public Right of Way

Chairperson Lawless called the meeting to order and provided an explanation regarding Charitable Solicitation within Right of Way.

Ms. Darlene Thomas, Director of the Bluegrass Rape Crisis Center gave a presentation regarding their interest in seeking an ordinance change for Charitable Solicitation within Public Right of Way. She stated it is a collaborative effort between Police, Bluegrass Domestic Violence Board, and the Bluegrass Rape Crisis Center. The ordinance change would enable organizations to collect money at intersections throughout the city. She stated the City of Louisville Kentucky currently permits this activity through an ordinance. Mr. Matthew Stinnett, Attorney and President for the Bluegrass Domestic Violence Board and Ms. Rhonda Henry, Director of the Bluegrass Rape Crisis Center also commented.

Mr. Clay Mason, Commissioner of Law stated he was reluctant to support this ordinance change due to public safety concerns and does not think he has had adequate time to study the request.

Councilmember Henson stated she had concerns about using additional police resources during this tight economic time. Additionally, she has safety concerns and would like to have the intersections identified, which would be used for collection.

Councilmember Farmer states he was reluctant to support because he was unsure if he wants to see Lexington to make this change. He was unsure if citizens want to have people collecting change from them on the streets. He stated he does not believe it was the right time for this ordinance change.

Councilmember Crosbie stated she thought an ordinance would give more control on which organizations could collect money at intersections.

A motion by Councilmember Crosbie and seconded by Councilmember Ellinger to move this forward to the full council for a vote. Motion failed by a vote of 3-4.

II. Items Referred to the Committee

Councilmember Farmer makes a motion to have a council representative present during Police and Fire Collective Bargaining meetings and makes a motion. After discussion, Councilmember Farmer withdrew his motion.

The Committee held discussion regarding the remaining items in the committee to be reviewed.

A motion by Councilmember Crosbie and seconded by Councilmember Martin to remove Fire, Corrections and E-911 from the committee items. Motion passed unanimously.

A motion by Councilmember Farmer and seconded by Councilmember Martin to remove residential parking permits from the committee items. Motion passed unanimously.

A motion by Councilmember Farmer and seconded by Councilmember Ellinger to remove sidewalk specifications from the committee.
The Committee discussed the issue and Councilmember Farmer *withdrew* the motion. Item stays in Committee and will be discussed at a future meeting.

A motion by Councilmember McChord and seconded by Councilmember Martin to remove horse cruelty from the committee. Motion passed unanimously.

All other agenda items will remain in the committee.

A motion by Councilmember Crosbie and seconded by Councilmember Martin to adjourn from the meeting. Motion passed unanimously.

SUMMARY

Quarterly Committee of the Whole May 26, 2011

Council Members in Attendance: VM Linda Gorton, Bill Farmer, Jr., Jay McChord, Steve Kay, Peggy Henson, Chris Ford, KC Crosbie, George Myers, Tom Blues, Doug Martin, Ed Lane, Diane Lawless, Chuck Ellinger. Kevin Stinnett

Council Members Absent: Julian Beard

Others in Attendance: Glenda George, Jonathan Hollinger, Willy Fogle, Scott Seymour, Paul Schoninger, Elizabeth Chatterton, Jane Driskell, Janet Graham, Jeannette Williams, Jenifer Benningfield

VM Gorton called the meeting to order at 4:34 pm.

VM Gorton thanked the Council Members for their hard work the past couple of weeks.

1. Conversation of Neighborhood Development Fund's Disclosure of Council Member's Names

VM Gorton asked Farmer to speak on NDF disclosure of Council Members names.

Farmer said that by taking the names off the list, it makes it cumbersome. He often wants to see if he missed anything or needs to add money to a NDF pass around. This process makes it seem secretive.

VM Gorton said NDF's were not included in the packet in the past. At some point, (January or February) it became available, but VM Gorton asked that the names not be published. The names have never been included. VM Gorton felt it was important to see amounts, but not tell which Council Member contributed.

Farmer says if names won't be included, the list should not be put in the packet. Farmer wants to see the names.

Blues said the rationale is that the money does not come from individual people; it comes from taxpayer money, and is redistributed. It should not be perceived that it is individual money/donations.

VM Gorton said the ordinance is from 2000. Council Members used to stand up and present non-profits money and say here, this is a donation from me.

Glenda said a complaint was filed against a Council Member because they made a donation with NDF to a booster club. The Ethics Act was amended so individual Council

Member's names would not be listed. When the restructure took place, they took off names when they started adding it to packet.

Stinnett agreed with Blues. He said that if they print a list, it can still be given to the public. Do we do a list or not?

Martin said the process is not secret because the Council Members interact with the agencies. He thinks some people know where the money comes from.

Myers said he agrees with everything that has been said. He referenced the Mayor's grants that come out of Mayor's office. The Mayor gets to put outside agencies in his budget and announce how much he is giving to each.

Henson reminded the group that the recipient is signing a disclosure saying they shouldn't tell anyone who gave money individually.

Lane said if someone does an open records request, they can get info.

Lawless said that if there are complaints that Council Members are not giving certain amounts, maybe there needs to be a change in the process. She is in favor of doing them differently.

Hollinger said both lists are available on the I: Drive.

Ford said that the Council Member's shouldn't use it as a political stunt. The recipient shouldn't use it for the wrong things either. He gave the example of Louisville and the numerous issues they have had with development funds being mismanaged.

Crosbie said we are dealing with tax payers dollars that they are choosing to put back into the community. She has been approached and asked why she hasn't given to certain organizations. She stated that she is indifferent.

Lawless said that Council Member's disclosing the information is an ethics violation.

Blues said we made need to draft a policy for NDF pass-arounds and requests. He said he doesn't operate on any iron clad set of rules for saying yes to a request, offering a lower amount, initiating a pass around, ect... he suggested that maybe it should be an automatic disclosure.

Lane suggested that the Legal Department draft a letter of disclosure and was told by other CM's that a letter is already drafted.

Ford said that maybe it should be disclosed.

VM Gorton said the organization doesn't know who contributed, only who initiated.

Myers said that sometimes you have to tell an organization that you will do a pass around.

VM Gorton asked if there were any motions.

No Action was taken.

2. Suspending the Rules to Give 2nd Readings

VM Gorton began a discussion about suspending the rules to give second readings. She said ordinances and resolutions should have two readings on two separate days. Council Members can vote to suspend the rules and give second readings on the same day. She asked if they wanted to get to a point to only give second readings to things with timelines. She gave example of Clays Mill road extension.

Myers said that the Administration should come to the podium and ask for second readings all together.

VM Gorton said second readings are to give time to the public to review.

Ellinger said that it is hard to codify a time constraint.

VM Gorton said that at one point there were not as many second readings.

Lane asked about which items they actually suspend the rules on. He believed them to only be those listed in the rules.

Myers stated that Law does know the reason for the suspension of rules for items.

Myers said that some government officials/employees are not efficient and do this in a timely fashion. Myers feels that Administration needs to come to the podium and ask for suspension.

Myers states that bond issues and getting physicals for employment reasons is usually the main reason why admin asks for.

Ford states that if they have to be paid today, the public knows that this is our process; In only very rare cases should we suspend the rules-after tonight.

Crosbie said there is always an exception to the rule; if the Administration needs this done so badly, they need to come forward, give justification, and ask us for the exception.

VM Gorton stated that in the past when Council Members got frustrated with this process, they began to say no to all suspensions.

Crosbie said she believes that they need to respect each others requests.

McChord said he agrees that the Administration should come forward and asks them to suspend with an explanation.

Ellinger feels that they need to make sure that the public has input; he doesn't like the walk-ons. He feels that they need concentration toward this.

Kay says he agrees with most that has been said; and asked if VM Gorton would take a motion

VM Gorton says that these are their rules and procedures and they can recommend this rule be changed.

Blues said the Administration needs to come to them before the meeting and give them a written explanation.

Myers says simple majority-there already is 2/3 vote to pass.

Blues says he doesn't know how we would enforce it.

Martin says it should be an urgent matter; or extended absence of Council or something that can be accounted for.

VM Gorton asked if it should be in the rules; do we want Law to put asking the Administration to come to the podium and providing list ahead of time in the rules?

Lane says it will not be efficient if they have to give us a list.

Ford says we can do something tonight. Council Members could tell the Administration that they cannot do second readings for six months. He said we can do something extreme.

Stinnett said the whole reason for this is to make ourselves more transparent. He stated he is not sure he wants to put it in the rules, but we need them to come to the microphone and give an explanation.

Martin referenced 4.501 official action.

Myers **MOVED** that if there are any 2nd readings from Administration, they should **come to the podium to offer an explanation.**

McChord **SECONDED** the motion.

Kay suggested using the following wording: "when the administration or council member."

Myers **AMENDED** his motion.

McChord **SECONDED** the amended motion.

Ford said neither choice provides the public the option to come to the next meeting if they miss the first meeting.

Kay said Council Members can vote no if they think it needs further discussion.

Ellinger said it still requires 10 votes.

Stinnett said the Administration could come to a Council Member and ask for second reading and the Council Member would be the one to give the explanation.

Glenda said the motion would come forward and be put on the docket.

Myers motioned to add to rules and procedures for 2nd readings when administration and our council wants to suspend the rules to do a second reading;

Martin suggested adding that when a Council Member or Member of the Administration want to suspend the rules to give a second reading, they will come to the microphone to request a motion to suspend the rules to give second reading to an action item.

Amended motion **APPROVED** by Myers.

McChord **SECONDED** the motion.

Motion **PASSED** unanimously.

3. Council Office Restructuring Conversation/6 Month Review

VM Gorton said that the Council needs to have a meeting to discuss restructuring. The meeting must be initiated by June 30th.

VM Gorton discussed the survey that was distributed and said that 80% of the Council Members want the meeting on June 20th at 4:00pm. The only item on the agenda will be the restructuring.

Lane asked if it could happen in July.

VM Gorton said it is in ordinance that the restructuring will be reviewed in June. She asked the Council Members if they could change the meeting to 4:30pm? She said there are two resolutions: One on standing committees, one on rules and procedures. She asked Council Members to get their concerns to her office so that she can compile a list.

Lane said the Council never got finished the process to change what is read (resolutions), items like donations.

George said starting June 13th, LFUCG no longer has to advertise resolutions in the paper.

Myers asked about the savings associated with not advertising the resolutions in the paper.

Gorton: please email me things you want on list to me by June 13th, 2011.

VM Gorton asked for a motion to adjourn.

Kay **MOTIONED** to adjourn.

Crosbie **SECONDED** the motion.

Meeting adjourned at 5:41 pm.

Submitted by Jenifer K. Benningfield, Legislative Aide to Vice Mayor Linda Gorton

DOCKET-REGULAR MEETING-LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT COUNCIL MEETING

June 9, 2011 – 6:00 P.M.

- I. ROLL CALL
- II. INVOCATION
- III. COMMITTEE REPORTS – Committee of the Whole – VM Gorton
- V. ORDINANCES –SECOND READING
 1. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 121. **[Div. of Budgeting, Barrow]**
 2. An Ordinance authorizing the Div. of Emergency Management/911 to purchase hardware, software and network components and any related installation and maintenance services and licenses for additional expansion of the existing Central Ky. 911 Infrastructure Network, from AK Associates, a sole source provider, at a cost not to exceed \$175,000, and appropriating funds pursuant to Schedule No. 119. **[Div. of Emergency Management/911, Lucas, BS 171-11]**
 3. An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Information Officer, Grade 113E, in the Div. of Environmental Policy, abolishing one (1) position of Information Officer, Grade 113E, in the Div. of Government Communications and transferring the incumbent; effective June 20, 2011. **[Div. of Human Resources, Jarvis, BS 162-11]**
- VI. ORDINANCES – FIRST READING (New Business)
 4. *An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1E) zone for 0.3329 net (0.4017 gross) acre, for property located at 221 Devonia Dr. (Lexington Habitat for Humanity, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King] (MOTION TO PLACE ON THE DOCKET WITH OR WITHOUT A PUBLIC HEARING IS REQUIRED)**
 5. *An Ordinance changing the zone from a High Density Residential (R-4) zone to a Professional Office (P-1) zone for 1.26 net (3.99 gross) acres, with dimensional variances, for property located at 858 Malabu Dr. (a portion of) (SRG Properties, Inc.). Approval 8-0 (To Be Heard by July 27, 2011) **[Div. of Planning, King] (MOTION TO PLACE ON THE DOCKET WITH OR WITHOUT A PUBLIC HEARING IS REQUIRED)**
 6. An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter consolidating the Dept. of Environmental Quality and the Dept. of Public Works and

Development and creating the Dept. of Environmental Quality and Public Works; creating the Office of the Chief Development Officer; abolishing the office of the Office of the Chief Information Officer; changing the name of the Dept. of Finance and Administration to the Dept. of Finance; changing the name of the Div. of Streets, Roads and Forestry to the Div. of Streets and Roads; changing the name of the Div. of Community Development to the Div. of Grants and Special Programs; transferring the Divs. of Environmental Policy, Water Quality and Waste Management from the Dept. of Environmental Quality to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Engineering, Streets, Roads and Forestry (Streets and Roads) and Traffic Engineering from the Dept. of Public Works and Development (Dept. of Public Works) to the Dept. of Environmental Quality and Public Works; transferring the Divs. of Community Development (Div. of Grants and Special Program) and Risk Management from the Dept. of Finance and Administration (Dept. of Finance) to the Office of the Chief Administrative Officer; transferring the Divs. of Computer Services, Government Communications, Enterprise Solutions from the Office of the Chief Information Officer to the Office of the Chief Administrative Officer; transferring the Divs. of Historic Preservation, Planning and Purchase of Development Rights from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Office of the Chief Administrative Officer; transferring the Div. of Budgeting from the Office of Policy and Budget to the Dept. of Finance and Administration (Dept. of Finance); transferring the Div. of Human Resources from the Dept. of Finance and Administrative (Dept. of Finance) to the Dept. of Law; transferring the Div. of Building Inspection from the Dept. of Public Works and Development (Dept. of Environmental Quality and Public Works) to the Dept. of Public Safety; transferring the Office of Economic Development from the Office of the Senior Advisor to the Office of the Chief Development Officer; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Human Resources Manager, Grade 119E, one position of Payroll Analyst, Grade 115E and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Accounting; abolishing one (1) position of Human Resources Manager, Grade 119E, one (1) position of Payroll Analyst, Grade 115E, and one (1) position of Administrative Specialist, Grade 110N, all in the Div. of Human Resources; creating two (2) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Trades Supervisor, Grade 113N, all in the Div. of Fire and Emergency Services; abolishing one (1) position of Operations Manager, Grade 116E, five (5) positions of Trades Supervisor, Grade 113N, six (6) positions of Skilled Trades Worker Sr., Grade 112N, one (1) position of Public Service Supervisor, Grade 111N, five (5) positions of Skilled Trades Worker, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Stores Clerk, Grade 107N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Public Service Worker,

Grade 106N, all in the Div. of Facilities and Fleet Management; creating four (4) positions of Trades Supervisor, Grade 113N, one (1) position of Public Service Supervisor, Grade 111N, one (1) position of Staff Assistant Sr., Grade 108N, four (4) positions of Trades Worker, Grade 107N, one (1) position of Stores Clerk, Grade 107N, one (1) position of Public Service Worker Sr., Grade 107N, one (1) position of Public Service Worker, Grade 106N, five (5) positions of Skilled Trades Worker, Grade 111N, four (4) positions of Skilled Trades Worker Sr., Grade 112N and one (1) position of Operations Manager, Grade 116E, all in the Div. of Parks and Recreation; abolishing one (1) position of Urban Forester, Grade 116E, one (1) position of Arborist Technician, Grade 112N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Streets, Roads and Forestry (Div. of Streets and Roads); abolishing one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, and four (4) positions of Engineering Technician, Grade 111N, all in the Div. of Engineering; creating one (1) position of Municipal Engineer Sr., Grade 119E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Associate Engineer Technician Principal, Grade 114E, four (4) positions of Engineering Technician, Grade 111N, two (2) positions of Public Service Supervisor, Grade 111N, six (6) positions of Public Service Worker Sr., Grade 107N, two (2) positions of Trades Worker Sr., Grade 109N, and two (2) positions of Equipment Operator Sr., Grade 109N, all in the Div. of Water Quality; creating one (1) position of Urban Forester, Grade 116E, and one (1) position of Arborist Technician, Grade 112N, all in the Div. of Environmental Policy; and creating three (3) positions of Managing Attorney, Grade 123E, all in the Dept. of Law; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Senior Advisor, Grade 212E and three (3) positions of Administrative Aide to Mayor, Grade 118E, all in the Office of the Mayor; creating one (1) position of Chief Development Officer, Grade 212E, in the Office of the Chief Development Officer; creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Accounting; creating three (3) positions of Administrative Officer, Grade 118E, in the Office of the Chief Administrative Officer; and abolishing one (1) position of Senior Advisor, Grade 212E and one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Administrative Officer; transferring all incumbents and all vacant positions at the current job classification, pay grade and salary; amending Section 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections; effective July 1, 2011. **[Div. of Human Resources, Jarvis, BS 177-11, pp.15-16]**

7. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for

municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 123. **[Div. of Budgeting, Barrow]**

8. An Ordinance creating and establishing for bid a non-exclusive electric franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from electric service provided within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11, p.17]**
9. An Ordinance creating and establishing for bid a non-exclusive gas franchise for the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of Fayette County for a six (6) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from the sale, distribution, and/or delivery of gas within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. **[Office of the Chief Administrative Officer, Moloney, BS 180-11, p.17]**
10. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of \$1,916,118 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 187-11, p.18]**
11. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$1,963,475 Commonwealth of Ky. funds, are for police training

incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 189-11, p.19]**

12. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown Pike Extension Project in the amount of \$5,088,000, and appropriating funds pursuant to Schedule No. 122. **[Div. of Community Development/Dept. of Public Works and Development, Gooding/Taylor, BS 195-11, p.20]**
13. An Ordinance creating and enacting Chapter 2B of the Code of Ordinances of the Lexington-Fayette Urban County Government pertaining to Code Enforcement Administrative Hearing Boards created pursuant to KRS 65.8801 et. seq., and providing for creation of boards; membership, appointment, reappointment, alternates, terms, residency, and vacancies of members; organization and meetings; powers, enforcement proceedings and civil citations; hearings, procedure and final orders; appeals; liens, releases and personal liability; and immediate abatement actions; amending Subsection 12-16(b) of the Code to provide for thirty days to appeal; amending Sections 13-73.5, 16-76, 16-76.1, 17-4.1, and 17-4.2 and Subsections 16-8(h), 16-50(f), (g), (h), (i), 16-202(b), and 16-206(c) and (f) of the Code to reference and be consistent with the provisions of Chapter 2B of the Code; deleting Sections 16-77, 16-79, 16-80, 16-81, 16-82, 17-4.3, 17-4.5, 17-4.6, and 17-4.7 of the Code; and amending Sections 16-78, 16-83, and 17-4.4 of the Code to be consistent with the provisions of Chapter 2B of the Code and renumbering to Sections 16-77, 16-78, and 17-4.3 of the Code; all effective on July 1, 2011. **[Dept. of Law, Graham, BS 196-11, p.21]**
14. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,796.91 from Neighborhood Development Funds in the Div. of Fire and Emergency Services for purchase of training equipment, and appropriating and re-appropriating funds, Schedule No. 124. **[Council Office, Williams]**
15. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for purchase of a scoreboard for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 125. **[Council Office, Williams]**
16. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for

funds in the amount of \$4,000 from Neighborhood Development Funds in the Div. of Parks and Recreation for tennis court repairs at Ecton Park, and appropriating and re-appropriating funds, Schedule No. 126. **[Council Office, Williams]**

17. An Ordinance amending Section 4-12.5(d)(7) of the Code of Ordinances, relating to standards for kennels, to require that a tether for a dog be at least twelve (12) feet in length. **[Dept. of Public Safety, Mason, BS 179-11, p.22]**
18. An Ordinance amending Section 2-382 of the Code of Ordinances, relating to the Court-Appointed Special Advocate Board, to change the length of term for board members from two (2) years to four (4) years and to remove the Fayette County Family Court Judges as ex officio board members. **[Dept. of Social Services, Mills, BS 191-11, p.23]**

VII. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bids of Batteries Plus, Worldwide Equipment, Truck Pro, and KOI Auto Parts, establishing price contracts for truck and automobile batteries, for the Div. of Facilities and Fleet Management. (5 Bids, Low) **[Baradaran]**
2. A Resolution accepting the bid of Metis, Inc., establishing a price contract for Police Badges, for the Div. of Police. (6 Bids, Low) **[Bastin]**
3. A Resolution accepting the bid of Fabrication Solutions, Inc., establishing a price contract for bicycle racks, for the Dept. of Public Works and Development. (12, Non-Low) **[Taylor]**
4. A Resolution accepting the bids of Wilson Equipment Co., LLC; Equipment Sales and Rental; Hertz Equipment Corp.; and Brandeis Machinery and Supply Co., establishing price contracts for equipment rental, for the Div. of Streets, Roads and Forestry. (4 Bids, Low) **[Williams]**
5. A Resolution accepting the bid of Tom Chesnut Excavation & Construction, LLC, establishing a price contract for fencing for Man-O-War Blvd., for the Div. of Streets, Roads and Forestry. (5 Bids, Low) **[Williams]**
6. A Resolution accepting the bid of Stafford Environmental Services, Inc. d/b/a Bird Solutions Int'l, establishing a price contract for the installation of bird control netting, for the Div. of Waste Management. (6 Bids, Low) **[Feese]**
7. A Resolution accepting the bids of Swartz Mowing, Inc., and Leak Eliminators, LLC, establishing price contracts for litter and debris removal for stormwater infrastructure, for the Div. of Water Quality. (3 Bids, Low) **[Martin]**
8. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of

the Safe Routes to School Project through June 30, 2012, at no cost to the Urban County Government. **[Div. of Community Development, Gooding, BS 166-11]**

9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Old Frankfort Pike/Alexandria Dr. Stone Fence Project through June 30, 2012, at no cost to the Urban County Government. **[Div. of Community Development, Gooding, BS 168-11]**
10. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Aylesford Place Neighborhood Association (\$1,050), Seedleaf, Inc. (\$2,150), The Nest Center for Women, Children and Families (\$675), Lansdowne Neighborhood Association (\$2,000), Belleau Wood Neighborhood Association (\$750), Woodhill Neighborhood Association, Inc. (\$400), Woodhill Park, Inc. (\$400), Squire Oak Homeowners Association, Inc. (\$400), Chilesburg Maintenance Association, Inc. (\$325), Retired Professional Football Players of Ky., Inc. (\$675), and The Salvation Army (\$750), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
11. A Resolution changing the street names and property address numbers of 2905 Liberty Rd. to 2927 Blairdon Circle, of 996, 992, 988, 989, 984 and 985 De Porres Ave. to 511, 515, 519, 520, 523 and 524 Erie Rd., of 1529 A and B Port Royal Dr. to 1968 Fair Oaks Dr., Unit 101 and 102, of 501 Blue Sky Pkwy. to 5031 Jo Marrs St., of 212 Rose St. to 350 Latrobe Ct., of 658 Dodge St. to 166 Lee St., of 1 Imperial Ct. to 779 Newtown Pike, of 1460 Newtown Pike to 1390 Olivia Ln., of 1901 Seven Pines Dr. to 1502 Port Royal Dr., of 3695 Nicholasville Rd. to 110 Rojay Dr., of 798 Georgetown St. to 711 Scoop Brown Way, of 1102 Winchester Rd. to 776 Statesman Way, of 439, 440, 436, 435, 428, 431, 424, 427, 420 and 416 Bamberger Rd. to 900, 903, 907, 908, 911, 912, 915, 916, 919 and 923 Waverly Dr., and of 3445 Richmond Rd. to 3743 Yorkshire Medical Park; and changing the property address numbers of 823-825 Euclid Ave. to 825 Euclid Ave., of 1829 Fielden Dr. to 1819 Fielden Dr., of 535-539 Goodloe St. to 535 Goodloe St., of 141 Midland Ave. to 143 Midland Ave., of 797 E. New Circle Rd. to 781 E. New Circle Rd., of 252 Old Mt. Tabor Rd. to 276 Old Mt. Tabor Rd., of 342 Preston Ave. to 340 Preston Ave., of 1528 Roanoke Rd. to 1530 Roanoke Rd., of 261-267 W. Short St. to 259 W. Short St., of 120 Walton Ave. to 128 Walton Ave., and of 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, 3320, and 3322 Wood Valley Ct. to 3302, 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, and 3320 Wood Valley Ct.; all effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**

12. A Resolution changing the property address numbers of 3, 2, 5, 4, 7, 6, 9, 8, 11, 10, 13, 12, 15, 14, 17, 16, 19, 18, 21, 20, 23, 22, 25, 24, 27, 26, 29, 28, 31, 28 ½, 33, 30, 35, 32, 37, 34, 39, 36, 41, 38, 43, 40, 43 ½, 42, 45, 44, 47, and 51 Richmond Ave. to 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Richmond Ave., effective thirty days from passage. **[Div. of Emergency Management/911, Lucas, BS 163-11]**
13. A Resolution authorizing and directing the Dept. of Environmental Quality, on behalf of the Urban County Government, to provide funding to Lexington Children's Theater for an environmentally-themed program aimed at third-grade students, at a cost not to exceed \$25,000. **[Dept. of Environmental Quality, Taylor, BS 164-11]**
14. A Resolution authorizing and directing the Dept. of Environmental Quality, on behalf of the Urban County Government, to provide funding to LexArts for a portion of the expense of a sound and video installation highlighting Town Branch Creek, at a cost not to exceed \$15,000. **[Dept. of Environmental Quality, Taylor, BS 167-11]**
15. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding Neighborhood Community and Sustainability Grants to 1st United Methodist Church (\$2,500), Athens Chilesburg Elementary – PTA (\$772), Aylesford Place Neighborhood Association (\$2,475), Beaumont Residential Association (\$2,500), Belleau Wood Neighborhood Association (\$645), Blackford Oaks Place Owners Association (\$2,500), Cumberland Hill Neighborhood Association (\$2,210), Dove Creek Townhouse Owner's Association (\$2,500), Fairway Neighborhood Association (\$2,500), First Alliance Church (\$2,465), Gratz Park Neighborhood Association (\$773), Gratz Park Neighborhood Association (\$890), Hamburg Homeowners Association (\$2,500), Hill N Dale Christian Church (\$1,085), The Learning Center at Linlee (TLC) (\$2,500), North Limestone Neighborhood Association (\$2,500), Palomar Townhomes Homeowners Association (\$2,442), Rosemont Baptist Church (\$1,221), UK Student Sustainability Council UKY (\$1,439), Tanbark Association of Neighbors (\$2,500), Tates Creek Christian Church (\$2,300), Temple Adath Israel (\$2,500), Vineyard Neighborhood Association (\$1,174), Walnut Creek Home Owner's Association (\$2,500), William Wells Brown Neighborhood Association (\$2,450), at a cost not to exceed the sums stated. **[Dept. of Environmental Quality, Taylor, BS 175-11]**
16. A Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute a Business Associate Agreement with Central Bank & Trust Co., for processing

Emergency Medical Service (EMS) payments in compliance with HIPAA regulations, at no cost to the Urban County Government. **[Dept. of Finance and Administration, Driskell, BS 173-11]**

17. A Resolution ratifying the permanent civil service appointments of: Phyllis Cooper, Director of Accounting, Grade 121E, in the Div. of Accounting, effective May 15, 2011; Dennis Bevels, Custodial Worker, Grade 102N, in the Div. of Facilities and Fleet Management, effective May 22, 2011; Anessa Snowden, Senior Adult and Therapeutic Recreation Services Administrator, Grade 116E, in the Div. of Parks and Recreation, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
18. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute concession contracts with various youth baseball leagues, for operation of concession stands during spring baseball season at no cost to the Urban County Government. **[Div. of Parks and Recreation, Hancock, BS 169-11]**
19. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Environmental Assessment License with Speedway, LLC, for groundwater contamination testing in Johnson Heights Park, at no cost to the Urban County Government. **[Div. of Parks and Recreation, Hancock, BS 172-11]**
20. A Resolution initiating various Zoning Ordinance text amendments to authorize changes of certain permitting and enforcement functions of the Div. of Building Inspection to the Div. of Planning, and including the creation of a Zoning Compliance Permit. **[Div. of Planning, King, BS 170-11]**
21. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Contract with GRW Engineers, Inc., for development of a stormwater master plan work plan and the completion of Supplemental Environmental Project K-2, as described in the Consent Decree, at a cost not to exceed \$436,385. **[Div. of Water Quality, Martin, BS 159-11]**
22. A Resolution appointing James Edward Kemp, Joseph Daniel Reed and Phil Wayne McConathy as Reapportionment Commissioners to serve along with Don Blevins, Fayette County Clerk, who will be a non-voting member of the Reapportionment Commission; directing said Reapportionment Commissioners to lay off the district boundaries of the districts of the three (3) Fiscal Court Commissioners, three (3) Justices of the Peace (Magistrates) and three (3) Constables pursuant to KRS 67.045; providing that the three (3) voting members of the Reapportionment Commission shall be compensated in the amount of \$200 each; and directing the Clerk of the Urban County Council to publish notice of the reapportionment proceedings.

VIII. RESOLUTIONS – FIRST READING (New Business)

23. A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for vehicle steam cleaning, for the Div. of Facilities and Fleet Management. **[Baradaran]** (1 Bid)
24. A Resolution accepting the bids of National Coatings & Supplies; Freedom Dodge-Chrysler-Jeep; Lexington Truck Sales, Inc.; World-Wide Equipment; Republic Diesel; Alton Blakley Ford-Lincoln-Mercury-Mazda-Honda; Nandino Industrial Electric, Inc.; S&S Tire Truck Alignment & Brake Center, Inc.; Cummins Crosspoint, LLC; Paul Miller Ford; NAPA Auto Parts; General Parts Distribution, LLC d/b/a Carquest Auto Parts; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Peterbilt of Louisville; Bluegrass International; Clarke Power Services; KOI Auto Parts; Power Train of Ky.; Lexington Auto Spring Co.; Truck Pro; and Fleet Pride, establishing price contracts for automotive and truck parts, for the Div. of Facilities and Fleet Management. **[Baradaran]** (22 Bids, Low)
25. A Resolution accepting the bid of Red River Ranch, LLC, in the amount of \$103,361 for Compost Pond Discharge Improvements, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
26. A Resolution accepting the bid of Leak Eliminators, LLC, in the amount of \$225,060 for Haley Pike Landfill Leachate Treatment System Wetlands Improvements, for the Div. of Waste Management. **[Feese]** (2 Bids, Low)
27. A Resolution accepting the bid of Moore Gabbard Bridges General Contractor, in the amount of \$184,800 for Building Renovation – Electronics Recycling Center, for the Div. of Waste Management. **[Feese]** (4 Bids, Low)
28. A Resolution accepting the bid of National Workwear for work shoes, for the Div.'s of Waste Management, Facilities and Fleet Management, Streets, Roads and Forestry and Water Quality. **[Feese, Baradaran, Williams, Martin]** (2 Bids, Low)
29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification with M2D Design Group, for the design of Corridor Enhancement Grant for the Newtown Pike Landscaping Project, at a cost not to exceed \$10,000. **[Div. of Community Development/Council Office, Gooding/Williams, BS 183-11, p.24-26]**
30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,806,712.50 Federal funds and \$289,074.00 Commonwealth of Ky. funds under the Federal Emergency Management Agency's Hazard Mitigation Grant Program, and are for the acquisition and demolition of twelve residential properties on Lansdowne Dr., Medlock Rd. and Argonne Circle. **[Div. of Community**

Development/Dept. of Environmental Quality, Gooding/Taylor, BS 194-11, p.27]

31. A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase Zumro air shelters and equipment under the Metropolitan Medical Response System Project from Zumro, Inc., a sole source provider, at a cost not to exceed \$69,055.20. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 181-11, p.28-31]**
32. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit nine (9) Grant Applications to the Ky. Office of Homeland Security and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$2,351,198.50 Federal funds under the 2011 State Homeland Security Grant Program, and are for the purchase of Special Operations, Hazardous Materials and Technical Rescue Equipment (\$98,165); the purchase and installation of door entrance security systems for all fire stations, the fire prevention office and the training academy (\$175,000); replacement of a long line breathing air system (\$80,000); purchase of a specialized boat for water related emergencies (\$60,000); training in dynamic entry for the Ky. Explosive Incident Response Task Force (\$55,000); the purchase of equipment for the Hazardous Devices Unit (\$215,988); a Mobile Data Project for the Div. of Police (\$1,373,483); the purchase of personal protective equipment and search equipment (\$38,562.50); and the purchase of multi-band radios (\$255,000). **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 182-11, p.32-34]**
33. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$143,243 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 188-11, p.35]**
34. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, Office of Community Oriented Policing Services and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$4,258,359 Federal funds, and are for hiring 27 police officers for a three-year period. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 192-11, p.36]**

35. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Neighbors of Montclair, Inc. (\$2,000), Columbia Heights Neighborhood Association, Inc. (\$2,000), Seedleaf, Inc. (\$1,000), Radcliffe-Marlboro Neighborhood Association, Inc. (\$900), Highlands Neighborhood Association, Inc. (\$447), Georgetown St. Area Neighborhood Association, Inc. (\$1,000), Historic Western Suburb Neighborhood Association, Inc. (\$184), Cardinal Valley Neighborhood Association, Inc. (\$1,270), CASA for Children of Lexington (\$1,000), Joyland Neighborhood Association (\$100), Batesbrook Neighborhood Association, Inc. (\$2,080), Andover Neighborhood Association, Inc. (\$300), Wellington Elementary PTA Corporation (\$500), Bluegrass Community Foundation, Inc. (\$2,500), Beaumont Centre Family YMCA (\$875), Hope Center, Inc. (\$2,325), American Lung Association of Ky., Inc. (\$1,600), Chrysalis House, Inc. (\$1,400), Downtown Lexington Corporation (\$1,000), Lexington Humane Society (\$1,125), The Temple of Prayer of God in Christ (\$300), Harrod Hills Neighborhood Association, Inc. (\$900), Dogwood Trace Neighborhood Association, Inc. (\$900), and Garden Springs Neighborhood Association, Inc. (\$900), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Right of Entry with Commonwealth of Ky., Div. of Waste Management, for performance of remedial activities at Raven Run Nature Sanctuary, at no cost to the Urban County Government. **[Div. of Environmental Policy, Bush, BS 184-11, p.37]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Land Use Agreement with the Fayette County Extension District Board, for use of Urban County Government property adjacent to 1140 Red Mile Place, to promote the Board's educational and safety programs, at no cost. **[Dept. of General Services, Baradaran, BS 185-11, p.38]**
38. A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase Agreement with the Fayette County Extension District Board, for the sale and transfer of the property located at 1140 Red Mile Place for \$1,750,000. **[Dept. of General Services, Baradaran, BS 186-11, p.39]**
39. A Resolution ratifying the probationary civil service appointment of: Kenneth Newby, Public Service Supervisor, Grade 111N, \$19.089 hourly, in the Div. of Water Quality, effective May 30, 2011; ratifying the permanent civil service appointments of: Cynthia Shuster, Administrative Officer Sr., Grade 120E, in the Dept. of Finance and Administration, effective May 22, 2011; Shandra McCauley, Stores Clerk, Grade 107N, effective April 26, 2011; Nelson Wright, Vehicle and Equipment Mechanic, Grade 110N, effective April 29, 2011;

Anthony King, Public Service Supervisor Sr., Grade 114E, effective April 25, 2011, in the Div. of Streets, Roads and Forestry; Charles Burchett, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective April 25, 2011; ratifying the unclassified civil service appointment of: Linda Taylor, Program Administrator, Grade 117E, \$2,463.92 bi-weekly, in the Div. of Youth Services, effective June 13, 2011; ratifying the unclassified civil service appointment to the Office of the Urban County Council of: Jason Nehmer, Aide to Council, Grade 000E, \$2,057.68 bi-weekly, in the Council Office, effective June 1, 2011. **[Div. of Human Resources, Jarvis]**

40. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Billy Moore, Public Service Worker Sr., Grade 107N, \$16.481 hourly, in the Div. of Water Quality, Erika Dawson, E.S.P. Coordinator, Grade 112E, \$1,305.36 bi-weekly, in the Div. of Parks and Recreation, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resource, Jarvis]**
41. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with CAEN BASSE-NORMANDIE, for a volunteer intern from Deauville, France, to work in the Dept. of Law for ten (10) weeks beginning June 6, 2011, at no cost to the Urban County Government. **[Dept. of Law, Graham, BS 203-11, p.40]**
42. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Chrysalis House, Inc., for participation in the Police Activities League. **[Div. of Police, Bastin, BS 193-11, p.41]**
43. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sponsorship Memorandum of Understanding with and accept \$4,500 from AARP, for sponsorship of the Senior Intern Alumni Luncheon. **[Dept. of Social Services, Mills, BS 190-11, p.42]**
44. A Resolution amending Section 4.501 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, providing for the procedure for requesting two readings for legislation at a meeting of the Urban County Council. **[Council Office, Williams]**

IX. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointment of Ms. Julie Balog, Advisory Member-Non Voting, to the Convention and Visitors Bureau Board with no term expiration.
2. Recommending the reappointments of Dr. TK Logan and Ms. Sally Rhoads to the Domestic Violence Prevention Board with terms to expire 1-1-2015.

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X. ANNOUNCEMENTS

XI. PUBLIC COMMENTS