

**Urban County Council
Schedule of Meetings
October 22, 2007 through October 29, 2007**

MONDAY, OCTOBER 22

Flu Shot for active LFUCG Employees. 7:30 am
Ballroom-1st Floor Government Center

TUESDAY, OCTOBER 23

Neighborhood Development Bond Fund (NDBF) Meeting 11:00 am
Conference Room-5th Floor Government Center

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

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

Alltech/FEI World Equestrian Games Legacy Initiative Project Workshop. 5:00 pm
Ballroom-Hyatt Regency Hotel

WEDNESDAY, OCTOBER 24

Infill & Redevelopment Core Committee Meeting. 9:00 am
Conference Room-3rd Floor Phoenix Building

Live Where You Work Meeting. 12:00 pm
Conference Room-6th Floor Government Center

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

THURSDAY, OCTOBER 25

Stream Construction & Restoration Task Force Meeting 10:00 am
Conference Room-5th Floor Government Center

Infill & Redevelopment: Quality of Place Task Force Meeting 1:00 pm
Conference Room-7th Floor Phoenix Building

FRIDAY, OCTOBER 26

No Meetings

MONDAY, OCTOBER 29

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
WORK SESSION AGENDA

October 23, 2007

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes: October 16, 2007, pp.6-10**
- IV. Budget Amendments – None**
- V. New Business, pp.14-41**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee**
 - B. Planning Committee**
 - C. German Marshall Fellows**
 - D. Lexington Horsemen**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**
- X. Closed Session – Litigation**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept Award from the Kentucky Department of Military Affairs, Division of Emergency Management under the Chemical Stockpile Emergency Preparedness Program (CSEPP) – FY2008. (571-07) (King/Bennett)
This request will authorize the acceptance of an award of \$125,320 from the Kentucky Department of Military Affairs, Division of Emergency Management, for the continuation of the CSEPP. Funds will be used to support administration of the local program, maintain an alert and notification system, communications, public education, purchase supplies and decontamination equipment, and for the design and development of an Emergency Operations Center. No matching funds are required.**p.14**
- B. Authorization to Accept a Deed of Permanent Easement and Temporary Construction Easement for the Star Shoot Parkway Extension Project. (573-07) (D. Kelly)
This request will authorize the acceptance of a deed of permanent easement of 1,860 square feet and a temporary construction easement of 15,987 square feet at 811 Star Shoot Parkway for the Star Shoot Parkway Extension Project. Funds are budgeted.**p.15**
- C. Authorization to Accept a \$1,000 Donation from Wal-Mart's Safe Neighborhood Hero's Grant on behalf of the Division of Police, Hazardous Devices Unit. (572-07) (Bennett)
This request will authorize the acceptance of a \$1,000 donation from Wal-Mart's Safe Neighborhood Hero's Grant on behalf of the Division of Police, Hazardous Devices Unit. Funds will be used to upgrade the Unit's bomb robot to improve responses to incidents involving hazardous devices in vehicles.**p.16**
- D. Authorization to Approve Vendors as Sole Source Vendors for the Purchase of Items for the Division of Parks and Recreation's Golf Pro Shop. (575-07) (Cole)
This request will authorize the approval of sixty-one (61) vendors as sole source vendors for the purchase of brand named items for the Division of Parks and Recreation's Golf Pro Shop for resale merchandise without bids or price contracts. Most name brand items are available directly from the factory or its captive distribution channel. This will direct Central Purchasing to allow the purchase proprietary items directly from the manufacturer.**pp.17-19**

- E. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Fleet Services and Correct an Inversion. (576-07) (Allen/Cole)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Vehicle Equipment Mechanic (Grade 110N) and create one (1) position of Vehicle and Equipment Technician (Grade 112N), and reclassify the incumbent, within the Division of Fleet Services retroactive to August 20, 2007. The fiscal impact for FY2008 will be \$4,259. This reclassification created one (1) inversion within the division. The fiscal impact for FY2008 will be \$4,841. Both actions will be funded from the division's Other Salaries budget.**p.20**
- F. Authorization to Amend Section 1 of Ordinance No. 205-2007 to Correct a Typographical Error. (585-07) (Allen/Koch)
This request will authorize an amendment to Section 1 of Ordinance No. 205-2007 to correct a typographical error. There is no fiscal impact.**p.21**
- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Human Resources. (586-07) (Allen/Koch)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish three (3) positions of Human Resources Manager (Grade 119E) and create three (3) positions of Human Resources Manager, Sr. (Grade 121E), and reclassify the incumbents within the Division of Human Resources retroactive to October 1, 2007. The fiscal impact for FY2008 is \$23,503. Funding for the reclassifications was approved by Council in the FY2008 budget.**p.22**
- H. Authorization to Accept Award from the Kentucky Department of Education (KDE) for the Continuation Programming at the Gainesway Empowerment Center and Tates Creek Elementary School – FY2008. (579-07) King/Helm)
This request will authorize the acceptance of \$112,500 from the KDE of Federal funds under the 21st Century Community Learning Center Program for the continuation of programming at the Gainesway Empowerment Center and Tates Creek Elementary School. Funds will be used for the salary of the Early Childhood Violence Prevention Manager (part-time position) and for a new Child Care Worker for the Gainesway Empowerment Center; contractual services provided by the Fayette County Public Schools, YMCA of Central Kentucky, Inc., and the University of Kentucky for evaluation services; professional development; purchase of program materials; supplies and food for the Dare To Be You evening program for parents; other program supplies and copying costs; stipends for youth participants and incentive for the Dare To Be You program; field trips for children; and, scholarship assistance to provide low-income children with access to the Tates Creek Elementary School after school creative activities program No matching funds are required.**p.23**

- I. Authorization to Accept an Award from the Kentucky Division of Emergency Management for Construction of a Tornado Safe Shelter at the Suburban Mobile Home Park. (580-07) (King/Bennett).
This request will authorize the acceptance of an award of \$650,000 from the Kentucky Division of Emergency Management of federal funds under the Pre-Disaster Mitigation Grant Program for the construction of a tornado safe shelter at Suburban Mobile Home Park. The park has 535 lots with a population of approximately 1,600 individuals. The shelter will be approximately 9,600 square feet. A match of \$340,000 is required and will be the land contributed by the park owner. The contribution of the land will be in the form of an easement for the expected life of the shelter.**p.24**
- J. Authorization of a Purchase of Service Agreement (PSA) with the Lexington Fayette County Airport Board. (581-07) (J. Kelly)
This request will authorize a PSA with the Lexington Fayette County Airport Board for \$50,000. Funds will be used by the airport for airline service promotion to work with airline carriers in the ongoing attempt to provide flights to new destinations from Lexington. Funds are budgeted.**pp.25-34**
- K. Authorization to Accept Donation of Property at 504 Georgetown Street from the Lexington Habitat for Humanity, Inc. (582-07) (J. Kelly)
This request will authorize the acceptance of a donation of property at 504 Georgetown Street from the Lexington Habitat for Humanity, Inc. This lot is narrow, the existing structure is dilapidated, and has been determined unfeasible for redevelopment by Habitat as affordable housing. The lot abuts the Black & Williams Neighborhood Center. The lot can be used as a small greenspace area and would complement the Center. LFUCG would incur demolition and clearing expense estimated at \$4,500. Funds will come from the existing Demolition funds in the Division of Code Enforcement.**p.35**
- L. Authorization to Acquire Properties for the Expansion of the Lyric Theatre. (583-07) (J. Kelly)
This request will authorize the acquisition of 310 and 312 E. Third Street and 309 and 311-313 Gunn Street from O.L. Hughes and Sons Mortuary for the expansion of the Lyric Theatre under the approved redevelopment concept. The appraised value of the properties in aggregate is \$250,000. Funds are budgeted.**pp.36-37**
- M. Authorization to Acquire Properties for Additional Parking for the Lyric Theatre. (584-07) (J. Kelly)
This request will authorize the acquisition of 300 and 308 Elm Tree Lane, located across the street from the Lyric Theatre, for future additional parking for the theatre. The properties are owned by Faith Community Housing Foundation, Inc. and the appraised value in aggregate is \$45,000. Funds are budgeted.**pp.38-39**

- N. Authorization of a Change Order No. 4 to Contract with Nesbitt Engineering, Inc for the Meadows / Northland / Arlington Public Improvements Design Project, Subphase 3B. (577-07) (King/D. Kelly
This request will authorize Change Order No. 4 to increase contract amount by \$32,100 with Nesbitt Engineering, Inc. for the design of Meadows / Northland / Arlington Public Improvements Project, Subphase 3B. This change updates plans to reflect revisions of the stormwater improvements design to incorporate an open channel from Shawnee to Meadow Park, and for changes in the design for the purpose of construction bidding. The original contract amount was \$99,930. Total of previous change orders is \$72,928.78. New contract amount is \$204,958.78. Funds are budgeted.**pp.40-41**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 16, 2007

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All Council Members were present.

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

A motion by CM Gorton to place on the docket for a public hearing on 12/6/07 at 8 pm the issue of changing the zone from a High Density Apartment (R-4) zone to a Neighborhood Business (B-1) zone for 14.78 net (17.47 gross) acres of property located at 3600-3652 Winthrop Drive, seconded by CM DeCamp, passed unanimously.

A motion by CM Moloney to place on the docket, without a hearing, the issue of amending Article 1-11 and subsections (b) and (n) of Article 8-16 of the zoning Ordinance to define a "banquet facility", to allow banquet facilities as a principal use in the Neighborhood Business (B-1) zone, and to specify the off-street parking requirements for banquet facilities, seconded by CM Gorton, passed unanimously.

A motion by CM Moloney to place on the docket, without a hearing, the issue of changing the zone from a Single Family Residential (R-1C) zone to a High Density Apartment (R-4) zone for 6.62 net (6.89 gross) acres of property located at 1201 Devonshire Avenue, subject to a certain use restriction imposed as a condition of granting the zone change, seconded by CM Lane, passed unanimously.

A motion by CM Blues to place on the docket for Thursday, October 18th, under second reading resolutions, the issue of the lease with Sprint.com for a cell tower at Coldstream Park, seconded by CM Blevins, passed unanimously.

A motion by CM Beard to approve the confirmation of the new CIO on Thursday, October 18th at 6:30 pm, seconded by CM Gorton, passed unanimously.

A motion by CM Lane to place on the docket a resolution requesting the issuance of revenue bonds by the Kentucky Economic Development Finance

Authority in an amount not to exceed \$125 million, the proceeds of which will be loaned to Bluegrass Equine & Tourism Foundation, Inc for construction and equipping of tourism and tourist facilities at the Kentucky Horse Park, seconded by CM Ellinger, passed unanimously.

A motion by CM Gorton to approve the docket as amended, seconded by CM Stevens, passed unanimously.

III. Approval of Summary – Yes

A motion by CM DeCamp to approve the summary from October 9, 2007 was seconded by CM Gorton, passed unanimously.

IV. Budget Amendments-Yes

A motion by CM Stinnett to approve the budget amendments, seconded by CM Gorton, passed unanimously.

V. New Business

- A. Authorization of a Resolution for a Partial Streetlight Release Easement at Lots 643 and 644 in the Masterson Hills Subdivision. (560-07) (Askew)
- B. Authorization to Accept a \$40,000 Donation of Services from the Cincinnati Reds Organization for Renovation of Nine Ball Fields on behalf of the Division of Parks and Recreation. (562-07) (Cole)
- C. Authorization to Purchase ProLaser III® from Kustom Signals, Inc. as a Sole Source Vendor for the Division of Police, Traffic Section. (563-07) (Bennett)
- D. Authorization of an Agreement with Kentucky American Water Company (KAWC) for Newtown Pike Extension Project. (564-07) (King/D. Kelly)
- E. Authorization of an Agreement with Kentucky Utilities (KU) Company for the Newtown Pike Extension Project. (565-07) (King/D. Kelly)
- F. Authorization of a Loan Agreement with Hope Center, Inc. in the Development of Rental Housing Project. (567-07) (King/Koch)
- G. Authorization of an Agreement with Kinzelman Kline Gossman for Sidewalks and Streetscape Improvements for Downtown. (570-07) (King/Koch/Cole)
- H. Authorization to Amend Section 22-5 of the Code of Ordinances within the Division of Waste Management. (566-07) (Allen/D. Kelly)
- I. Authorization to Amend Section 21-5 of the Code of Ordinances within the Divisions of Computer Services and Accounting. (568-07) (Allen/Koch)

- J. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Streets, Roads, and Forestry. (569-07) (Allen/D. Kelly)
- K. Authorization to Close a Portion of the Right-of-Way of Red Mile Court. (574-07) (J. Kelly)

A motion by CM Gorton to approve new business items A-K, seconded by CM Beard, passed unanimously.

VI. Continuing Business / Presentations

A. Intergovernmental Committee Update

This update was given by Co-Chair CM James. There was one motion to come forward from this meeting.

A motion by CM James to approve the tree ordinance and place it on the docket for Thursday October 18th, seconded by CM Stevens, passed unanimously.

B. Community Action Council Heating Initiative Program

This presentation was done by Jack Burch, Executive Director. Several CMs asked questions and also had Comm. Helm answer questions as well.

C. Address Enforcement Presentation

This presentation was done by Dave Lucas, Director of E-911.

D. Downtown Entertainment Presentation

This presentation was done by Tom Martin, Chair of the task force.

VII. Council Report

CM McChord- Stated that he was excited about the paving of the Healthway Trail.

CM Stinnett- Announced the Dog Task Force Meeting tonight; stated that he has a concern about private waterways-asked Comm. Askew about repairs on private property; passed out an idea on Meet the Council night.

Mayor Newberry requested to speak on this issue; CM Gorton asked about costs for this idea; Mayor Newberry asked Alden Marlowe of GTV3 to check on the costs; CMs Beard and DeCamp commented about this being done several years ago and the technical problems that were associated with this; CM McChord also spoke on this issue; Mayor Newberry said that this issue would be tabled for the moment and asked Alden to not look into any costs just yet.

CM Gorton- Stated that the meetings with FCPS were successful; thanked Todd Johnson for putting together the home of excellence tour; stated that she was thinking about Lt. Carlin and how you never know what situation you will be put in while carrying out your job duties.

CM Blevins- Announced the Private Property Task Force meeting on Thursday October 18th at 10am at Town Branch Treatment Plant.

A motion by CM Blevins to approve the NDF list dated October 16, 2007, seconded by CM Ellinger passed unanimously.

CM Blues- Stated that the neighborhood associations need support; announced several na meetings: tonight at 6pm Woodward Heights-corner of Merino and Maxwell; Southend Park will meet on Thursday at 6 pm at the Carver Center on Patterson Street; McConnells Trace will meet also on Thursday at 7 pm at 1st Baptist Bracktown Church; on 10/22 at 7 pm, Oakwood will meet at the park Community center; also on 10/22 at 7 pm Radcliff Marlboro will meet at the Northside Library.

CM James- Announced that William Wells Brown NA will meet at the Charles Young Center at 6:30 pm on Thursday October 18th; also stated that she and VM Gray were asked to participate in a Black Elected Officials forum at the UK Student Center on tomorrow from 6-8 pm; asked the Mayor a question about Shelbourne Plaza- CM Gorton replied that she had spoken with Joe Kelly on this issue; Joe Kelly was asked about the grievance procedure- stated that it is in the handbook; CM James then asked for a presentation and Mr. Kelly agreed; asked about our health insurance- if there was to be an increase; Mayor Newberry stated that there was a meeting last week and they will probably bring forward a proposal at next week's Work Session.

CM Stevens- Asked the Mayor to provide an update on portable water systems; the Mayor said that he would do so next week.

CM Beard- Asked Joe Kelly about the loss of the anchor tenant at Shelbourne Plaza- he doesn't have an answer right now.

CM Moloney- Asked the Mayor about information on ticket scalping for the Hannah Montana concert; Arty Greene to report back with information.

CM Ellinger- Asked Arty Greene about a Horsemen presentation for next week.

VIII. Mayor's Report-Yes

A motion by CM Ellinger to approve the Mayor's report, seconded by CM Gorton, passed unanimously.

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

A motion by CM Gorton to adjourn, seconded by CM Crosbie, passed unanimously.

Work Session was adjourned at 5:43 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

11

October 23, 2007 Work Session

If the item listed below is on the Agenda, approval of the listed Item 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
571-07 A	14427	Community Development	To establish Personnel Recovery for the 2008 CSEPP Grant. 1101 19,050CR 19,050CR*
571-07 A	14433-34	Community Development	To establish grant budget for the 2008 CSEPP Grant. 3200 125,320 3200 125,320CR 0*
572-07 C	BA 1064	Police	To provide funds for equipment less than \$5000, by recognizing a donation from Wal-mart for the Bomb Unit. 1103 1,000 1103 1,000CR 0*
576-07 E	KC 0016	Fleet Services	To provide funds for one employee reclassification (due to achievement of Automotive Service Excellence Certification) and funds to correct one inversion caused by the reclassification by reducing funds for other salaries. 1101 9,100 1101 9,100CR 0*
579-07 H	BA 1056	Community Development	To establish grant budget for 21 st Century Learning Project – FY 2008. 3180 112,500 3180 112,500CR 0*
579-07 H	BA 1057	Community Development	To establish personnel recovery for 21 st Century Learning Project – FY 2008. 1101 34,850CR 34,850CR*

580-07	BA 1059	Community Development	To establish grant budget for the Suburban Mobile Home Park Shelter Project under the Pre-Disaster Mitigation Program – FEMA.						
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586-07	KC 0017	Human Resources	To provide funds for reclassification of three positions by reducing funds for personnel contingency.						
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EFFECT ON FUND BALANCES

FUND 1101	53,900*	INCREASE TO:	GENERAL SERVICES DISTRICT – GENERAL FUND
FUND 1103	0*	NO EFFECT ON:	DONATION FUND
FUND 3180	0*	NO EFFECT ON:	US DEPT OF EDUCATION
FUND 3200	0*	NO EFFECT ON:	US DEPT OF HOMELAND SECURITY

Budget Information for New Business Items

October 23, 2007 Work Session

Item	Number	Amount	Fund	Name / Description
A	571-07	125,320	3200	US Dept Of Homeland Security
		19,050	1101	General Services District Fund (Personnel Recovery)
				Budget Amendments
B	573-07	10	3160	US Dept Of Transportation
C	572-07	1,000	1103	Donation Fund
				Budget Amendment
D	575-07	NA		
E	576-07	9,100	1101	General Services District Fund
				Budget Amendment
F	585-07	NA		
G	586-07	23,503	1101	General Services District Fund
				Budget Amendment
H	579-07	112,500	3180	US Dept Of Education
		34,850	1101	General Services District Fund (Personnel Recovery)
				Budget Amendments
I	580-07	990,000	3200	US Dept Of Homeland Security
				Budget Amendment
J	581-07	50,000	1101	General Services District Fund
K	582-07	4,500	1101	General Services District Fund
L	583-07	250,000	2502	Cultural Ctr & Civic Ctr Exp
M	584-07	45,000	2502	Cultural Ctr & Civic Ctr Exp
N	577-07	32,100	3120	US Dept Of Housing & Urban Dev



571-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

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

**FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT**

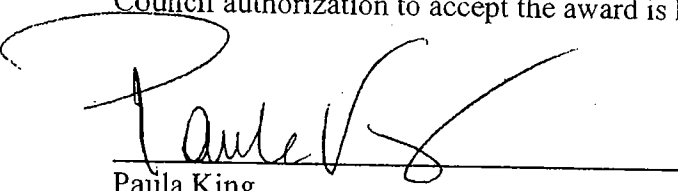
DATE: OCTOBER 10, 2007

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM THE KENTUCKY DEPARTMENT OF MILITARY
AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR
FEDERAL FUNDS UNDER THE CHEMICAL STOCKPILE
EMERGENCY PREPAREDNESS PROGRAM (CSEPP)—FY 2008**

The Kentucky Department of Military Affairs, Division of Emergency Management has offered the LFUCG an award of \$125,320 for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for Fiscal Year 2008. These funds will be used to support administration of the local program, maintain an alert and notification system, communications, public education, purchase of supplies, purchase of decontamination equipment, and for design and development of an Emergency Operations Center. No matching funds are required.

The source of federal funds is the Department of Homeland Security/Federal Emergency Management Agency. CSEPP funds are used to support emergency preparedness activities in a nine county area that surrounds the Blue Grass Army Depot in Richmond, the site of a stockpile of chemical weapons.

Council authorization to accept the award is hereby requested.



Paula King
Director

Xc: Tim Bennett, Commissioner of Public Safety





573-07

Mayor Jim Newberry

Division of Engineering

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Mary Bennett *MB*
Engineering Technician

Date: October 10, 2007

Re: Resolution Authorizing Acceptance of Deed
Project No. 472 – Star Shoot Parkway Extension

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of permanent easement and temporary construction easements for the Star Shoot Parkway Extension project. The deed will be from the Board of Education of Fayette County, Kentucky at no cost as in accordance with the agreement between the Lexington Fayette Urban County Government and the Board of Education of Fayette County, Kentucky as recorded in Deed Book 2651, Page 420, for the acquisition of 1,860 square feet of permanent easement and 15,987 square feet of temporary construction easements from the property located at 811 Star Shoot Parkway.

Approved by:

Marwan A. Rayan
Marwan A. Rayan, P.E.
Urban County Engineer

Don C. Kelly
Don C. Kelly, P.E., Commissioner
Department of Public Works and Development

Attachments

c: Robert Bayert, P.E. D. Keith Lovan, P.E. Glenda George Yvonne Stone File

08.P472.406.bluesheet811starshoot



Lexington-Fayette Urban County
Division of Police
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE

October 4, 2007

EFFECTIVE DATE

572-07

NUMBER
COP:
07/0978

16

To:

Jim Newberry, Mayor
Urban County Council

SUBJECT:

Council Approval (Blue Sheet) –
Approval of \$1,000 Donation
from Wal-Mart

From:

Anthony Beatty
Chief of Police

Please find attached blue sheet and memorandum requesting approval to accept a donation of \$1,000 from Wal-Mart, Safe Neighborhood Hero's Grant. The donated funds will be utilized to purchase upgrades for the Hazardous Devices Unit bomb robot to improve responses to incidents involving devices in vehicles.

There will be no budgetary impact. If you have any questions or require additional information, please contact me.

Anthony Beatty
Chief of Police

AB/rmh

Attachment

cc: Tim Bennett, Commissioner

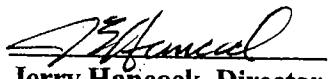


575 -07

Mayor Jim Newberry
FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks and Recreation

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council Members

FROM: 
Jerry Hancock, Director
Parks and Recreation

SUBJECT: Golf Pro Shop Resale Merchandise

DATE: October 5, 2007

This is a request for Council's approval of sole source procurement items for the golf pro shop resale merchandise without bids or price contract. This would include such items as clubs, golf balls and gloves, along with an assortment of shirts, shoes and other apparel items. Many of these are name brand items that are not available from multiple distributors, but have only one source which is direct from the factory or its captive distribution channel.

Traditionally we have put out bids for these items, but to find that they are only available from the manufacturer. This process takes a lot of time and is costly to produce and manage. This request recognizes that these items are only available from a sole source and would direct Central Purchasing to allow Parks and Recreation to purchase proprietary items from the manufacturer directly.

The attached list contains the names of sixty-one (61) vendors that we are doing business with now and whose products are not available from any other source.

Please contact me if there are any questions.

Cc: Kimra Cole, Commissioner of General Services

JH:msm

HORSE CAPITAL OF THE WORLD

575-07

LFUCG GOLF COURSE SOLE VENDOR LIST					
VENDOR	ADDRESS	CITY	STATE	ZIP	PHONE
A.M. PLAYER	12338 LOWER AZUSA RD	ARCADIA	CA	91006	
AHEAD	270 BARNETT BLVD	NEW BEDFORD	MA	2745	
ALL STAR PRO GOLF	PO BOX 155	SPENCER	IA	51301	800-247-7830
AMERICAN DRY GOODS	PO BOX 790051	ST LOUIS	MO	63179	800-822-2708
CALLAWAY GOLF	2180 RUTHERFORD RD	CARLSBAD	CA	92008	800-588-9836
CANTERBURY BFI TS	690 E LAMAR BLVD	ARLINGTON	TX	76011	
CHAMP SPIKES	289 ELM ST	MARLBORO	MA	01752	800-652-4267
CHILIWEAR LLC	5609 BLESSEY ST STE A	HARAHAN	LA	70123	
CLEVELAND GOLF	PO BOX 7270	NEWPORT BEACH	CA	92658	
CLUB PRO PRODUCTS INC	10051 BUNSEN WAY	LOUISVILLE	KY	40299	
CMC CUSTOM GIFTS INC	15695 N 83RD WAY	SCOTTSDALE	AZ	85260	
COZME INTERNATIONAL	18025 MONROEVILLE RD BOX	MONROEVILLE	IN	46773	
DATREK PROFESSIONAL BAGS	PO BOX 640870	CINCINNATI	OH	45264	
DESCENTE	502 W 300 SOUTH	SALT LAKE CITY	UT	84101	
DEVANT LTD.	3011 WALK UP AVE	MONROE	NC	28110	
DEVANT TOWELS	sells through local rep				
ETONIC GOLF SHOES	88 INVERNESS CIR E STE A106	ENGLEWOOD	CO	80112	
FIFTEEN INC.	454 RIDINGS MITCHELL CREEK R	LONDON	KY	40741	
FOOT JOY DRAWER	PO BOX 532419	ATLANTA	GA	30353	800-225-8500
GEAR FOR SPORTS	12193 COLLECTIONS CTR DR	CHICAGO	IL	60693	800-255-1065
GREAT DIVIDER GOLF INC	621 CORPORATE CIR UNIT F	GOLDEN	CO	80401	888-348-4337
GREG NORMAN COLLECTIONS	22582 NETWORK PL	CHICAGO	IL	60673	
DIV OF REEBOK INT'L LTD.	PO BOX 1078	FOND DU LAC	WI	54936	
HORNUNGS PRO GOLF SALES, INC	17101 E OHIO DR	AURORA	CO	80017	
IMPERIAL HEADWEAR	550 S WADSWORTH BLVD STE 200	LAKEWOOD	CO	80228	
IZOD	1750 KALAKAUA STE 111-B	HONOLULU	HI	96826	
KAI CLOTHING	AVENIDA COSTA NORTE	SAN DIEGO	CA	92154	
LEGENDARY HEADWEAR	sells through local rep	EDISON	NJ		
LEIGHTON UMBRELLES	388 CARLAW AVE STE 202	TORONTO, ONTARIO	CA	M4M2T4	
LEVEL WEAR	4800 126TH AVE N	CLEARWATER	FL	33762	
LINKS WALKER					
MARLO SPORT DIV OF MARLO BA	111 EAST MARQUARDT DR	WHEELING	IL	60090	
MAUI JIM SUNGLASSES	10 JAY ST STE 601	BROOKLYN	NY	11201	
MILLER GOLF	PO BOX 4866	BOSTON	MA	02212	
MIRACLE LACE VISOR	PO BOX 10747	DAYTONA BEACH	FL	32120	
MOBILE PRO SHOP	1785 GRASSLAND PARKWAY	ALPHARETTA	GA	30004	800-241-2211
NIKE USA INC	PO BOX 847648	DALLAS	TX	75284	
NYX GOLF INC	15936 MIDWAY RD	ADDISON	TX	75001	888-821-7283
PAGE & TUTTLE	5500 FELTL RD	MINNETONKA	MN	55343	
PAR 4 / GOLF KNICKER	9 MORRIS LANE	CLIFTON PARK	NY	12065	
POWERBILT GOLF	72-370 QUARRY TRAIL	THOUSAND PALM	CA	92276	800-848-7693
PRECEPT GOLF	15320 INDUSTRIAL PARK	COVINGTON	GA	30014	
PRECISION GOLF EYEWEAR	2400 25TH ST N	ST PETERSBURG	FL	33713	
PREMIUM WEAR, INC.	SDS 12-1459 PO BOX 86	MINNEAPOLIS	MN	55486	
PRO TOUR MEMORABILIA	9880 SAN FERNANDO RD	PACOIMA	CA	91331	
PT, INC.	500 W ALGONQUIN RD	MT PROSPECT	IL	60056	
RJ SPORTS	626 RT 10	GILSUM	NH	3448	

575 -07

SAHARA	1414 ALLEN BRADLEY	EL PASO	TX	79936	
SEVILLE CORP	4909 TRIANGLE ST	MCFARLAND	WI	53558	
SRIXON SPORTS USA INC	1850 BEAVER RIDGE CIR #D	NORCROSS	GA	30071	888-477-4966
ST ANDREWS PRODUCTS	400 MARINER DR	MICHIGAN CITY	IN	46360	
STERLING CUT GLASS	7875 MONTGOMERY RD	CINCINNATI	OH	45236	
SUN ICE	REAR 701 N WASHINGTON AVE	SCRANTON	PA	18509	
SUN MOUNTAIN	PO BOX 7727	MISSOULA	MT	59807	
TAYLOR MADE	5545 HERMIT CRT	CARLSBAD	CA	92008	
TIFOSI OPTICS	1051 INDUSTRIAL BLVD	WATKINSVILLE	GA	30677	
TITLEIST	PO BOX 532402	ATLANTA	GA	30353	800-225-8500
US KIDS GOLF	3040 NORTHWOODS PARKWAY	NORCROSS	GA	30071	
WEATHER PROOF & MV SPORT	sells through local rep				
WINNING EDGE DESIGNS	182 RIDGE RD STE 1	DAYTON	NJ	08810	877-550-9999
YIKES!	9700 COMMERCE PARKWAY	LENEXA	KS	66219	
ZERO RESTRICTION	80 S PROSPECT ST	HALLAM	PA	17406	



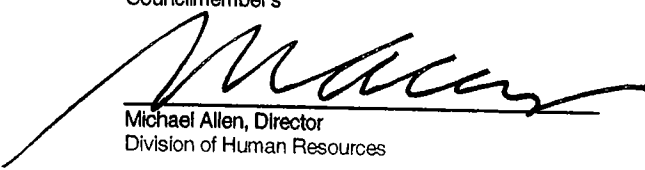
576-07

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources

MEMORANDUM

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Councilmember's

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: October 11, 2007

RE: Reclassification – Division of Fleet Services

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Vehicle Equipment Mechanic (grade 110N) and creating one (1) position of Vehicle and Equipment Technician (grade 112N) and reclassifying the incumbent within the Division of Fleet Services and correcting any inversions caused by the reclassification, effective retroactive to August 20, 2007.

It is the policy of the Urban County Government to reclassify Vehicle Equipment Mechanics within the Division of Fleet Services to Vehicle and Equipment Technician upon obtaining their Automotive Service Excellence (ASE) certification.

The duties described on the PAQ fall within the existing job description for this classification, therefore this action will be reported as *information only* to the Mercer Job Evaluation Committee.

The fiscal impact for FY 2008 (23 pay periods) will be \$4,259. and will be funded from the division's other salaries budget. All costs include benefits.

Name	Position Title	Hourly Salary Before	Hourly Salary After	Hourly Increase/Decrease
Donald Laskey	Vehicle and Equipment Technician	\$18.683	\$20.551	\$1.868
Total Annual Impact with benefits \$4,814.80				

In addition, this reclassification creates one (1) inversion within the Division of Fleet Services. The fiscal impact for FY 2008 (23 pay periods) will be \$4,841, which will be funded from the division's other salaries budget. All costs include benefits.

Name	Position Title	Hourly Salary Before	Hourly Salary After	Hourly Increase/Decrease
Michael Hall	Vehicle and Equipment Technician	\$18.428	\$20.551	\$2.123
Total Annual Impact with benefits \$5,472.06				

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

Attachment
TS/dhf

cc: Kimra Cole, Commissioner, Department of General Services
Richard Murray, Director, Division of Fleet Services
Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 08-0016

200 East Main Street—8th Floor Lexington, KY 40507 (859) 258-3030 Fax (859) 258-3059 TDD (859)-258-3039 www.lfucg.com



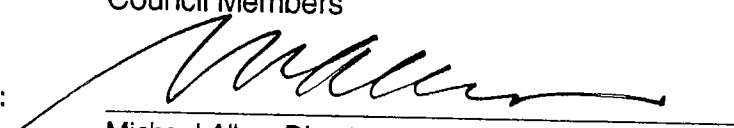
585-07

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources

MEMORANDUM

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: October 11, 2007

SUBJECT: Error Correction—Amend Ordinance No. 205-2007

The attached action amends Sections 1 of Ordinance No. 205-2007, correcting one typographical error.

Section 1 currently reads: *That the following subsection line numbers of Section 21-5(2) of the Code of Ordinances be and hereby are created to read as follows:*

020. 21 1 376 119E Network Security Engineer

Section 1 should be amended to read: *That the following subsection line numbers of Section 21-5(2) of the Code of Ordinances be and hereby are created to read as follows:*

250. 21 1 376 119E Network Security Engineer

There is no fiscal impact associated with this action.

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

Attachment

cc: Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 08-0048



586-07

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources**MEMORANDUM**

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Councilmembers

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: October 15, 2007

RE: Reclassify Positions—Division of Human Resources

The attached action amends Section 21-5 of the Code of Ordinances, abolishing three (3) positions of Human Resources Manager (Grade 119E) and creating three (3) positions of Human Resources Manager Sr. (Grade 121E) and reclassifying the incumbents within the Division of Human Resources, effective October 1, 2007.

The division requests the reclassifications as a result of significant reorganization over the last several years. As a result, many of the duties for these positions have increased in complexity and scope as a result of reorganization, new programs/services and reassignment of duties.

Based on staff analysis, which includes whole job rank, factor comparison and review by the Mercer Job Evaluation Committee, it is recommended that these positions be classified as stated above.

The fiscal impact for FY2008 is \$23,503 (19 pay periods). Funding for the reclassifications was approved by Council in the FY 2008 budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Darrylyn Combs	Human Resources Manager Sr.	\$69,846.40	\$76,831.04	\$6,984.64
Leslie Jarvis	Human Resources Manager Sr.	\$57,058.56	\$69,072.64	\$12,014.08
Tracey Stephenson	Human Resources Manager Sr.	\$69,584.96	\$76,504.48	\$6,955.52
Total Annual Impact with benefits \$32,162.23				

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

Attachment

cc: Kyna Koch, Commissioner of Finance
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 07-1085



579-07

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

TO: JIM NEWBERRY, MAYOR
 URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
 DIVISION OF COMMUNITY DEVELOPMENT

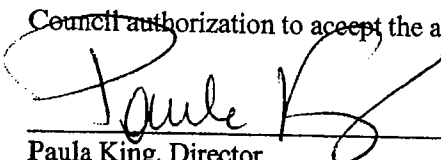
DATE: OCTOBER 16, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
 FEDERAL FUNDS FROM THE KENTUCKY DEPARTMENT OF
 EDUCATION UNDER THE 21ST CENTURY COMMUNITY LEARNING
 CENTER PROGRAM FOR CONTINUATION OF PROGRAMMING AT
 THE GAINESWAY EMPOWERMENT CENTER AND TATES CREEK
 ELEMENTARY SCHOOL—FY 2008

On July 10, 2007 (Resolution No. 374-2007), Council approved the submission of an application to the Kentucky Department of Education requesting federal funds under the 21st Century Learning Center for continuation of the Homework Huddle and Dare to Be You programs at Gainesway Community Empowerment Center, and to continue after school programming at Tates Creek Elementary School. The source of federal funds is the Department of Education, as authorized under the No Child Left Behind Act, Title IV, Part B.

Kentucky Department of Education has approved fourth year funding (FY 2008) in the amount of \$112,500. Funds will be used for salary and benefits of existing Early Childhood Violence Prevention Manager (part-time position--.625 FTE) and for a new staff person (Child Care Worker) for Gainesway Empowerment Center; contractual services provided by Fayette County Public Schools, YMCA of Central Kentucky, Inc., and University of Kentucky for evaluation services; professional development; purchase of program materials; supplies and food for the Dare To Be You evening program for parents; other program supplies and copying costs; stipends for youth participants and incentives for the Dare to Be You program; field trips for children; and scholarship assistance to provide low-income children with access to the Tates Creek Elementary School after school creative activities program. No matching funds are required.

Council authorization to accept the award is hereby requested.


 Paula King, Director

Cc: Marlene Helm, Commissioner, Department of Social Services





580-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: OCTOBER 16, 2007

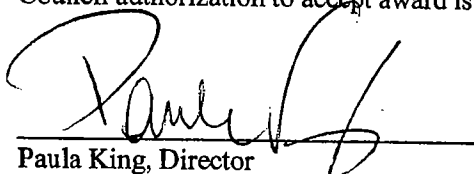
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM THE KENTUCKY DIVISION OF
EMERGENCY MANAGEMENT UNDER THE PRE-DISASTER
MITIGATION GRANT PROGRAM FOR CONSTRUCTION OF A
TORNADO SAFE SHELTER AT SUBURBAN MOBILE HOME PARK**

On December 12, 2006 (Resolution # 790-2006), Council approved the submission of an application to the Kentucky Division of Emergency Management requesting federal funds from the Federal Emergency Management Agency (FEMA) under the Pre-Disaster Mitigation Grant Program for the construction of a tornado safe shelter at Suburban Mobile Home Park. This park, consisting of 535 lots for mobile homes at an average occupancy of three persons, has a population of approximately 1,600 people who have no safe area during severe weather.

The Federal Emergency Management Agency has approved federal funding in the amount of \$650,000 for this project. Match in the amount of \$340,000 is required per approved grant application. The owner will contribute land, valued at \$340,000 as the local match for this project. The contribution of the land will be in the form of an easement for the expected life of the building. The shelter will be built to FEMA 361 standards and will be approximately 9,600 square feet.

The Pre-Disaster Mitigation program provides funds to communities for hazard mitigation planning and for the implementation of mitigation projects prior to a disaster event. The purpose is to reduce overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations.

Council authorization to accept award is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety





581-07

Mayor Jim Newberry
LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry
Joe Kelly, Senior Advisor for Management
Urban County Councilmembers

From: Charlie Boland, Administrative Officer Sr.
Mayor's Office

Date: September 27, 2007

Re: Lexington Fayette Urban County Airport Board
Purchase of Service Agreement – FY 2008

Please find attached the FY 2008 Purchase of Service Agreement with the Lexington Fayette County Airport Board, in the amount of \$50,000. In consideration of their operation of a commercial airport facility for the community, and in light of the increasingly competitive arena for airline service, this funding will be used by the airport for airline service promotion as they work with airline carriers in the ongoing attempt to provide flights to new destinations from Lexington.

Blue Grass Airport has made great strides in recent years, and through particularly difficult times for the airline industry. As a facility it has received national attention for its cutting edge security and screening measures, and continues to compete favorably with larger airports in the area by providing great convenience and competitive fares. Practically every commercial airport in the air passenger market receives assistance from the local government and local business community toward recruiting and securing improved air service. This funding will be a small commitment by LFUCG toward that same end, and provide the airport with some funding that has greater flexibility than their typically restricted funds.

I request Council authorization for the Mayor to sign the FY 2008 Purchase of Service Agreement with the Lexington Fayette Urban County Airport Board, as presented.

c. Michael Gobb, Executive Director, Blue Grass Airport

HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 859-258-3155 www.lfucg.com

581-07

PURCHASE OF SERVICE AGREEMENT
Between
Lexington-Fayette Urban County Government
And
Lexington-Fayette Urban County Airport Board

THIS PURCHASE OF SERVICE AGREEMENT, made and entered into on the ____ day of _____, 2007 by and between the LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government of the Commonwealth of Kentucky, created pursuant to KRS Chapter 67A (hereinafter Government) and the LEXINGTON-FAYETTE URBAN COUNTY AIRPORT BOARD, (hereinafter Organization), with offices located at 4000 Terminal Drive, Lexington, Kentucky 40511.

WITNESSETH:

That for and in consideration of the mutual promises and covenants herein expressed, the Government and the Organization agree as follows:

1. Government hereby employs Organization for the period beginning on July 1, 2007 and continuing for a period of twelve (12) months unless within that period Government gives the Organization thirty (30) days written notice of termination of this Agreement in which case this Agreement shall terminate thirty (30) days from the date notice is given to the Organization. Government shall pay Organization the lump sum of Fifty Thousand Dollars (\$50,000) for the services required by the Agreement, said services being as follows:
 - a. Organization shall provide an airport facility for the Lexington-Fayette County area as well as other counties in the Central Kentucky Region.

581-07

- b. Organization shall provide facilities to commercial airline companies as well as private aviation businesses in order that they may carry on their business of air transportation services for the Central Kentucky area.
 - c. Organization shall utilize funds provided under this agreement for air service promotion.
2. In the event of termination of this Agreement by the Government as provided for in paragraph 1 above, Organization shall be entitled to that portion of total compensation due under this Agreement, as the service rendered bears to the total service required hereunder.
3. Organization shall perform all duties and services included herein faithfully and satisfactorily at the time, place, and for the duration prescribed herein. Organization shall keep itself fully informed of all national and state laws and all local ordinances and regulations in any manner affecting the work or performance of this Agreement, and shall at all times observe and comply with such laws, ordinances or regulations whether or not such laws, ordinances, or regulations are mentioned herein, and shall indemnify Government, its officers, agents, and employees against any claim or liability arising from and based on the violation of any such laws, ordinances or regulations.
4. Organization represents that it has filed all federal, state and local tax returns required by law in the legally prescribed time and manner. This Agreement shall not become effective unless and until copies of all the executed originals of the aforementioned tax returns filed for the

Organization's most recent or current tax year are registered by the Organization in the Government's Office of the Mayor, and the Organization shall not be compensated unless and until registration has taken place.

5. The Organization shall provide no later than thirty (30) days from the end of the term of this Agreement a written, detailed accounting of how the funds provided herein were utilized for the purposes provided herein.
6. Books of accounts shall be kept by the Organization and entries shall be made therein of all money, goods, effects, debtors, sales, purchases, receipts, payments, and any other transactions of the Organization. The books of accounts, together with all bonds, notes, bills, letters and other writing belonging to the Organization shall be maintained at the principal place of business of the Organization as set forth in this Agreement. Government shall have free and complete access to the books, papers, and affairs of the Organization at all reasonable times, and if it desires, it may have the books and papers of the Organization audited and examined by auditors, accountants or attorneys. Any examination shall be at the expense of the Government.
7. In accordance with Statement No. 14 issued by the Governmental Accounting Standards Board (GASB), the Fayette County Airport Board is considered part of the reporting entity of the Lexington-Fayette Urban County Government (LFUCG)'s Comprehensive Annual Financial Report (CAFR). An audited financial statement shall be prepared on behalf of the

Organization for Fiscal Year 2007. This statement shall be delivered to the Government's Department of Finance on or before 5 o'clock p.m. September 30, 2007. Failure to deliver the audited financial statement as required herein may result in the Government withholding payments or funds to the Organization pursuant to this Agreement until such time as the statement is delivered. The Organization shall bear the costs of preparation of this statement according to accepted accounting standards.

8. Government may designate such persons as may be necessary to monitor and evaluate the services rendered by the Organization. The Government, its agents and employees, shall at all times, have unrestricted access to all places where or in which the services required hereunder are being carried on and conducted. Inspection and monitoring of the work by these authorities shall in no manner be presumed to relieve in any degree the responsibility or obligations of Organization, or to constitute Organization an agent of the Government.
9. Organization shall adopt a written sexual harassment policy, which shall, at a minimum, contain a statement of current law; a list of prohibited behaviors; a complaint process; and a procedure which provides for a confidential investigation of all complaints. The policy shall be given to all employees and clients and shall be posted at all locations where Organization conducts business. The policy shall be submitted to the Government's Office of the Mayor.

10. Organization shall provide equal opportunity in employment of all qualified persons, shall prohibit discrimination in employment because of race, color, creed, national origin, sex, age, or disability, shall promote equal employment and shall cause each of its subcontracting agencies to do so. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.
11. To the extent permitted by law Organization shall and does hereby indemnify Government and agrees to save it harmless and, at Government's option, defend it from and against any and all claims, actions, damages, liabilities and expenses (including attorneys' and other professional fees) judgments, settlement payments, and fines paid, incurred or suffered by Government in connection with loss of life, personal injury and/or damage to property or the environment suffered by third parties arising from or out of this Purchase of Service Agreement by Organization, occasioned wholly or in part by any act or omission of Organization, its officers, agents, Organization's employees or invitees, or arising, directly or indirectly, wholly or in part, from any conduct, activity, act, omission, or operation involving the use, handling, generation, treatment, storage, disposal, other management or Release of any Hazardous Substance, but excepting any such claims, losses, actions and expenses arising as a result of fault on the part of Government, its officers, agents and employees.

All personal property of the Organization, its agents, employees, visitors, licensees, contractors or suppliers, in and on the real property, shall be and remain at it's sole risk, and Government shall not be liable to it for any damages to, or loss or such personal property, arising from theft or from any act of negligence of any other persons, or from any other cause whatsoever. Government shall not be liable to Organization for the interruption of Organization's business or activities in any way, by reason of fire or other casualty, regardless of fault.

12. Organization shall procure and maintain for the duration of the agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Organization. Any/all insurance shall be written on an "occurrence form" for limits not less than those specified below or as required by law, whichever is greater. Below are minimum insurance requirements set to protect the Government's interest in this agreement; and to provide guidelines, however it does not limit the Organization's liability and necessary additional limits of coverage is at the Organization's discretion.

Commercial General Liability Insurance providing coverage at least as broad as Insurance Services Office Form CG-0001 (10/01) with:

- a. Combination of primary and umbrella coverage limits of not less than \$1,000,000 per occurrence and a \$3,000,000 aggregate for bodily injury and property damage. Including Premises and Operations Liability, and any other appropriate insurance, deemed proper and necessary for Organizations operation, including Comprehensive Automobile Liability or Workers Compensation Insurance as required by the Kentucky Revised Statutes, including Employers Liability Coverage.

581-07

- b. Endorsements naming as additional insureds "The Lexington-Fayette Urban County Government, its elected and appointed officials, employees, agents, boards, consultants, assigns, volunteers and successors in interest."
 - c. Endorsement that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice, to Lexington-Fayette Urban County Government, Division of Risk Management, 200 East Main Street, Suite 925, Lexington, Kentucky 40507
- 13. Organization agrees that it shall apply all funds received by it from the Government in accordance with the following guidelines:
 - a. Objectives – Capital preservation with surety of income. Reasonable competitive income consistent with high investment quality and purpose of funds. All investments shall conform to state and local law and regulations of these policies.
 - b. Investment Funds Management – the board may elect to either:
 - i. Manage its investments through its executive director where the size or complexity of funds to be managed is deemed by the board to be within the training, expertise and/or available time capacity of the executive director and the operating staff;
 - OR
 - ii. Utilize the professional investment management facilities of a local bank trust department acting in a fiduciary capacity with the same approved investment policies and federal, state, local, and trust laws and regulations. The trust department may utilize its regular short-term 100% U.S. Treasury fund for daily funds investment. The election of option 1 or 2 should be made consistent with the relative cost incurred and in the case of option 2 the cost shall be competitive among local trust departments.

581-07

c. Invest Policies – Safety and Prudence

- i. Short term liquidity funds shall be invested in “riskless” investments, i.e., deposits in Kentucky commercial banks or savings and loan associations that are fully federally insured and deposits collateralized by U.S. Treasury securities with a current market value of at least 100%, or indirect obligations of U.S. Treasury securities. Investments shall be diversified according to maturity in order to meet projected cash flow needs. Collateral pledged to secure uninsured deposits shall be held at a federal reserve bank with the receipt providing absolute control by the agency.
 - ii. Retirement funds, endowment funds, longterm capital reserve funds and any other special funds may be held and invested by a local bank trust department under investment objectives and diversification in accordance with the individual nature of the funds and pursuant to the “prudent man” investment rule as well as general trust law.
 - iii. A finance or investment committee of the agency shall review all investments monthly.
 - iv. Local brokerage firms may hold and invest funds provided that investments are located within Kentucky and fully insured.
- d. Audit – All investments shall be audited at least annually by independent certified public accountants who shall express an opinion as to whether or not investments during the year audited have conformed with state and local laws and regulation with the approved investment policies.

14. This instrument contains the entire Agreement between the parties, and no statement, promises or inducements made by either party or agent of either party that is not contained in this written Agreement shall be valid and binding; and this Agreement may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon.

IN WITNESS WHEREOF, the parties have executed this Agreement at Lexington, Kentucky the day and year first above written.

581-07

LEXINGTON-FAYETTE URBAN COUNTY AIRPORT BOARD

By: _____

ATTEST:

By: _____
Jim Newberry, Mayor

ATTEST:

Liz Damrell
Clerk of the Urban County Council

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582-07

Mayor Jim Newberry

OFFICE OF THE SENIOR ADVISOR FOR MANAGEMENT
FAYETTE URBAN COUNTY GOVERNMENT

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry
Joe Kelly, Sr. Advisor for Management
Urban County Councilmembers

From: Charlie Boland, Administrative Officer, Sr.

Date: August 17, 2007

Re: Donation of Property – 504 Georgetown Street

Lexington Habitat for Humanity, Inc. owns a single family property at 504 Georgetown Street. The lot is somewhat narrow, the existing structure is dilapidated, and as a result the property has been determined infeasible for redevelopment by Habitat as affordable housing.

The lot abuts the LFUCG-owned Black & Williams Neighborhood Center on Georgetown Street. Habitat approached LFUCG to inquire as to whether the lot would be an asset to the activities of the Black & Williams Center, if donated. The Department of Social Services reviewed the inquiry and found that the lot could be used as a small greenspace area, and would be a complement to the facility. LFUCG would incur demolition and clearing expense estimated at \$4,500 which would be made available through existing demolition funds in the Division of Code Enforcement.

Subject to completion of the necessary due-diligence review and satisfactory findings, I recommend passage of a resolution accepting the donation of this property from Lexington Habitat for Humanity, Inc. and execution / recording of a deed and other needed documentation. This action will relieve Habitat from a burdensome property holding and provide an improvement to our existing facility.

I appreciate your consideration of this matter.

HORSE CAPITAL OF THE WORLD

200 East Main Street

Lexington, KY 40507

859-258-3155

www.lfucg.com



583-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry
Joseph Kelly, Sr. Advisor for Management
Urban County Councilmembers

From: Charlie Boland, Sr. Administrative Officer

Date: September 10, 2007

Re: Acquisition of Properties at 310, 312 E. Third Street; 309, 311-313 Gunn Street

This is to request authorization to acquire the properties at 310 and 312 E. Third Street; and 309 and 311-313 Gunn Street. These four lots are contiguous and are adjacent to the Lyric Theater, and are needed for the expansion of the facility that is called for under the approved redevelopment concept.

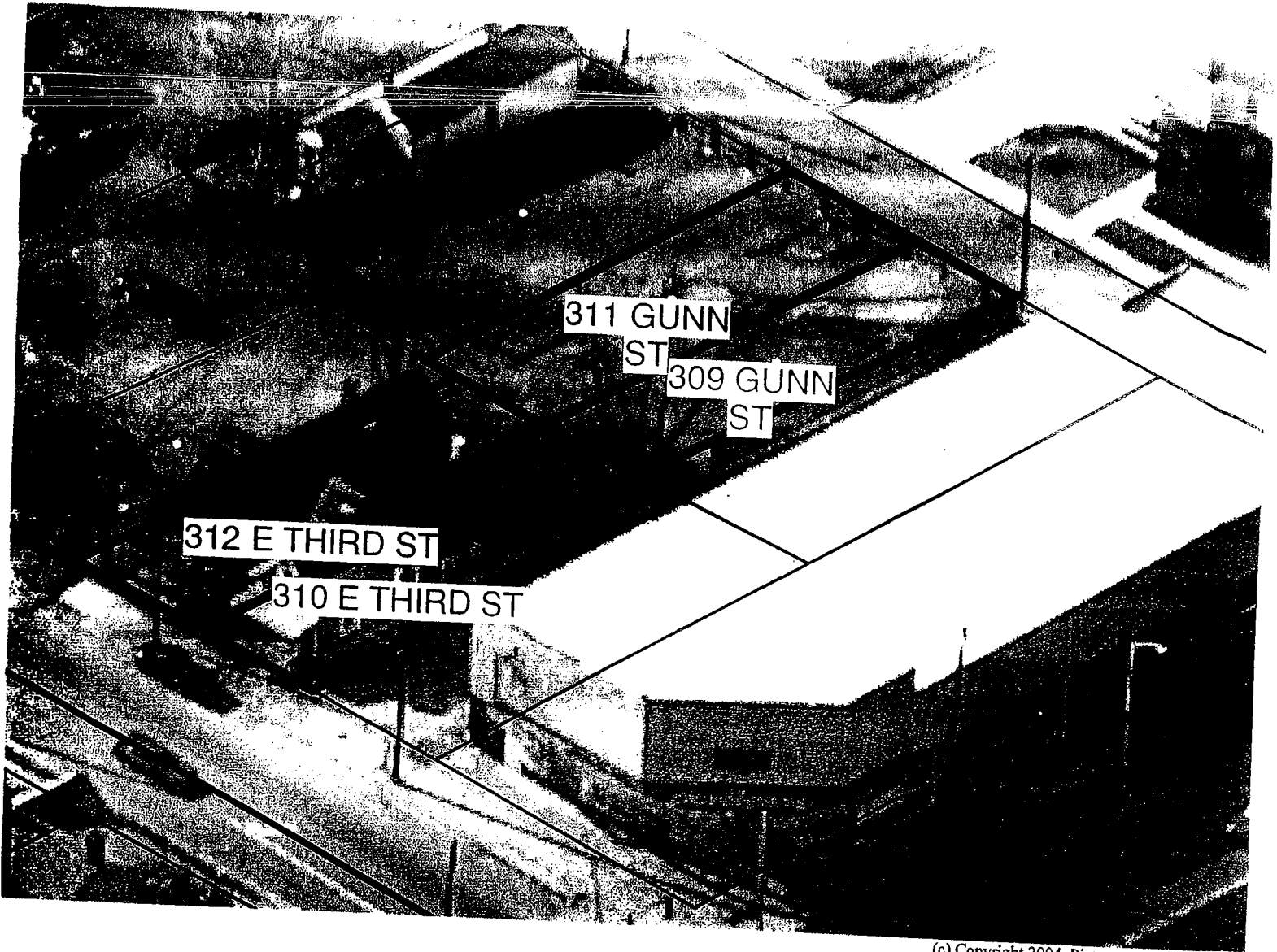
The properties are owned by O. L. Hughes and Sons Mortuary and the appraised value for the property in aggregate is \$250,000. Acquisition of this property is critical to completing the final design for the project and maintaining the timeline for project performance under LFUCG's agreement with the state. Funding is available and this acquisition is within the projected budget.

Therefore, I request authorization to acquire the properties and execution of all documents necessary to effect the conveyance. Please let me know of any questions you may have.

HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 859-258-3155 www.lfucg.com

583-07





584-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry
Joseph Kelly, Sr. Advisor for Management
Urban County Councilmembers

From: Charlie Boland, Sr. Administrative Officer

Date: September 10, 2007

Re: Acquisition of Properties at 300 and 308 Elm Tree Lane

This is to request authorization to acquire the properties at 300 and 308 Elm Tree Lane. These two lots are contiguous and are across the street from the Lyric Theater, and are needed to provide additional future parking for the redeveloped facility.

The properties are owned by Faith Community Housing Foundation, Inc. and the appraised value for the property in aggregate is \$45,000. Acquisition of this property is critical to completing the final design for the project and maintaining the timeline for project performance under LFUCG's agreement with the state. Funding is available and this acquisition is within the projected budget.

Therefore, I request authorization to acquire the properties and execution of all documents necessary to effect the conveyance. Please let me know of any questions you may have.

HORSE CAPITAL OF THE WORLD

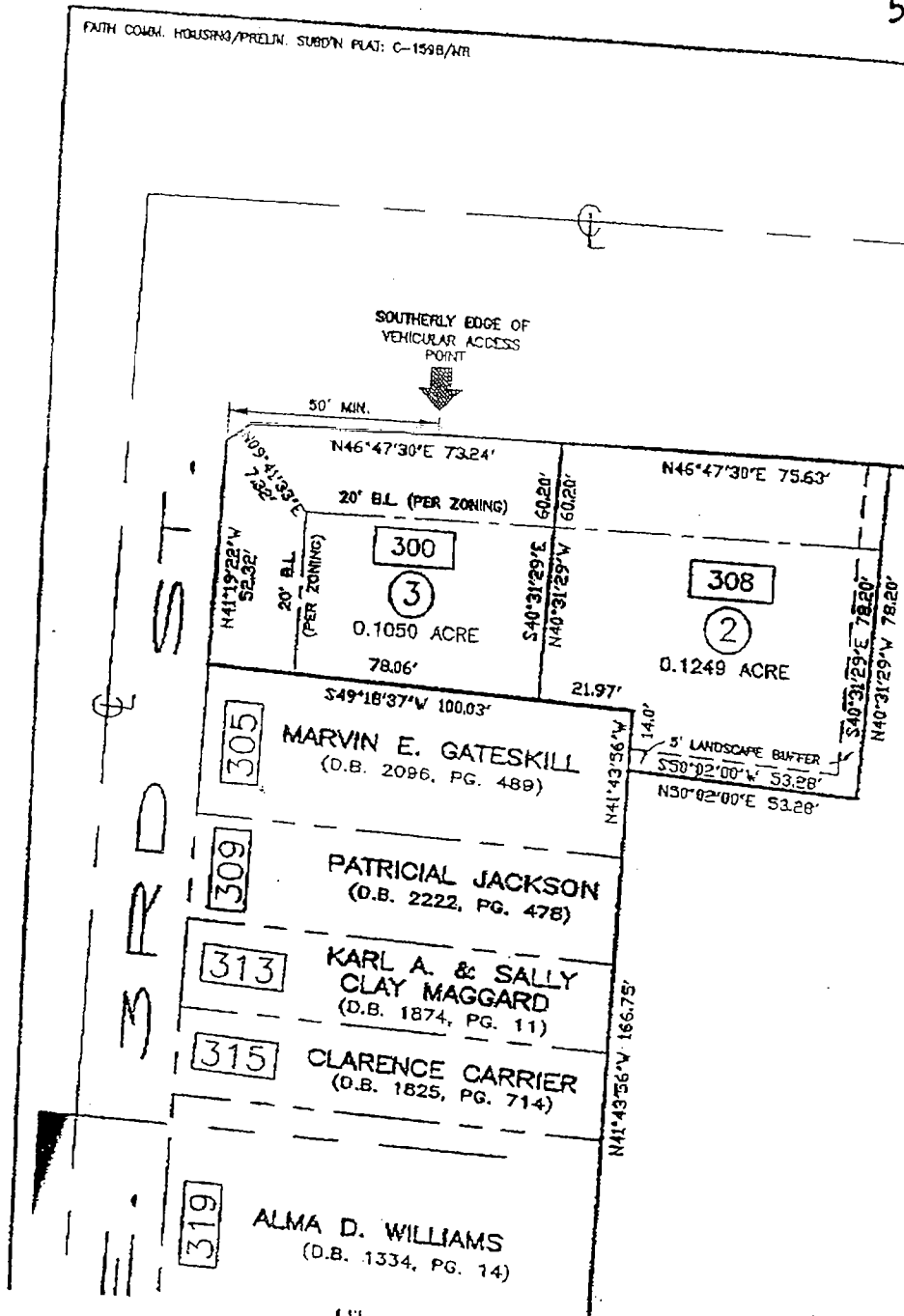
200 East Main Street

Lexington, KY 40507

859-258-3155

www.lfucg.com

p. 01





577-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Community DevelopmentTO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCILFROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: OCTOBER 15, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER
NO. 4 WITH NESBITT ENGINEERING, INC. IN THE AMOUNT OF \$32,100.00
FOR MEADOWS/NORTHLAND/ARLINGTON PUBLIC IMPROVEMENTS
DESIGN PHASE 3

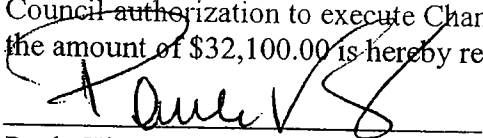
The Division of Engineering has recommended the execution of change order No. 4 for \$32,100.00 with Nesbitt Engineering, Inc. for design of Meadows/Northland/Arlington Public Improvements Project, Subphase 3B. The new contract total is \$204,958.78.

The change order provides for updating plans to reflect revisions of the stormwater improvements design to incorporate an open channel from Shawnee to Meadow Park. The change order also provides for changes in the design for the purpose of construction bidding. The Division of Community Development concurs with the Division of Engineering's request.

Sufficient funds are budgeted in the following accounts:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3120	303202	3211	91713	CDBG	2005	C03

Council authorization to execute Change Order No. 4 to agreement with Nesbitt Engineering, Inc. in the amount of \$32,100.00 is hereby requested.


Paula King, DirectorCc: Division of Engineering
Don Kelly, Commissioner of the Department of Public Works

CONTRACT HISTORY FORM

577-07

Contractor: NESBITT ENGINEERING, INC.

Project Name: MEADOWS--NORTHLAND--ARLINGTON NEIGHBORHOOD IMPROVEMENT PHASE 3

Contract Number and Date: 4803 (16 JULY 2002)

Responsible LFUCG Division: DIVISION OF ENGINEERING (ON BEHALF OF DIVISION OF COMMUNITY DEVELOPMENT)

CHANGE ORDER DETAILS

	<u>Summary of Previous Change Orders To Date</u>	<u>Percent Change to Dollar Amount</u>	<u>Original Contract</u>
A.	Original Contract Amount:	<u>\$ 99,930.00</u>	
B.	Cumulative Amount of Previous Change Orders:	<u>\$ 72,928.78</u>	<u>72.98 %</u>
C.	Total Contract Amount Prior to this Change Order:	<u>\$ 172,858.78</u>	<u>(Line B / Line A)</u>
	<u>Current Change Order</u>		
D.	Amount of This Change Order:	<u>\$ 32,100.00</u>	<u>32.12 %</u>
E.	New Contract Amount Including this Change Order :	<u>\$ 204,958.78</u>	<u>(Line D / Line A)</u>
			<u>205.10 %</u> <u>(Line E / Line A)</u>

SIGNATURE LINES

Project Manager: William A. Bowie, Jr. Date: 11 OCTOBER 2007

Reviewed by: Red A. Bay Date: 10/11/07

Division Director: M. R. Raig Date: 10/11/07