

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

June 23, 2011 – 6:00 P.M.

- I. ROLL CALL
- II. INVOCATION
- III. PRESENTATIONS

Recognition of Modern Property Management & Valvoline– CM Henson

- IV. COMMITTEE REPORTS – Committee of the Whole – VM Gorton

- V. ORDINANCES –SECOND READING

1. 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]**
2. 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]**
3. 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]**

4. 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]**
5. 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]**
6. 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]**

7. 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]**
8. 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]**
9. 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]**
10. 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]**

11. 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]**
12. 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]**
13. 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]**
14. 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]**
15. An Ordinance amending Section 18-129(2) of the Code of Ordinances related to parking of vehicles in any residential section to prohibit parking in residential back yards. **[Council Office]**
16. An Ordinance appropriating the Revenues, Expenditures/Expenses and Interfund Transfers for the General Services District Fund, the Tenant Relocation Fund, the Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Spay and Neuter Fund, the Municipal Aid Program Fund, the County Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated – Treasury Fund, the FY 2012 Bond Projects Funds, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Lexington-Fayette Urban

County Government Public Parking Corporation Fund, the Water Quality Management Fund, the Landfill Fund, the Right of Way Program Fund, the Extended School Program Fund, the Prisoners' Account Fund, the Enhanced 911 Fund, the LexVan Program Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police and Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, and the Reallocation of Bond Project Funds, on a divisional level by four (4) control levels, for the Fiscal Year ending June 30, 2012, for the Lexington-Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the Capital Improvement Program for Fiscal Years (FY) 2012 through (FY) 2017, as a portion of the Fiscal Year (FY) 2012 Annual Capital Improvements Budget; and approving funding for the Lexington-Fayette Urban County Tourist and Convention Commission from the Transient Room Tax, said funding to equal 99 ½% of the revenue from the tax. **[Div. of Budgeting, Barrow]**

17. 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. 129. **[Div. of Budgeting, Barrow]**

VI. ORDINANCES – FIRST READING (New Business)

18. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$10,080 Commonwealth of Ky. funds, are for the renovation of the Dunbar Community Center kitchen, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY2012 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/ Dept. of General Services, Gooding/Baradaran, BS 205-11]**
19. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Justice and Public Safety Cabinet, for the acceptance of additional Federal funds for the Ticketing Aggressive Cars and Trucks Program in the amount of \$25,000, the acceptance of which obligates the Urban County Government for the expenditure of \$6,250 as a local match, and appropriating funds pursuant to Schedule No. 127. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 220-11]**
20. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of

\$348,000 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$87,000 as a local match, appropriating funds pursuant to FY2012 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 211-11]**

21. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute a Change Order to the Contract with RRT Design and Construction, for additional engineering and design services, for the Materials Recovery Facility, increasing the contract price by the sum of \$70,675 from \$1,382,345 to \$1,453,020 and appropriating funds pursuant to Schedule No. 128. **[Dept. of Environmental Quality, Taylor, BS 213-11]**

VII. RESOLUTIONS – SECOND READING

1. 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)
2. 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)
3. 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)
4. 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)
5. 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)
6. 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)

7. 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]**
8. 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]**
9. 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]**
10. 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]**
11. 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]**

12. 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]**
13. 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]**
14. 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. **[Div. of Human Resources, Jarvis]**
15. 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]**

16. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Pasadena Neighborhood Association, Inc. (\$900), and Neighbors United for South Elkhorn Creek, Inc. (\$692), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

VIII. RESOLUTIONS – FIRST READING (New Business)

17. A Resolution accepting the bid of Claunch Construction, LLC, in the amount of \$787,999.10, for the Meadows-Northland-Arlington Neighborhood Improvements Project Phase 3D, for the Div. of Community Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Claunch Construction, LLC, related to the bid. **[Gooding]** (4 Bids, Low)
18. A Resolution accepting the bid of C & R Asphalt, establishing a unit price contract for crack sealing in the amount of \$1.15 per pound, for the Div. of Streets, Roads and Forestry. **[Williams]** (4 Bids, Low)
19. A Resolution accepting the bid of American Pavements, Inc., establishing a unit price contract for asphalt emulsion slurry seal in the amount of \$2.18 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (3 Bids, Non-Low)
20. A Resolution accepting the bid of Pavement Technology, Inc., establishing a unit price contract for asphalt surface maintenance with an asphalt rejuvenating agent in the amount of \$0.74 per square yard, for the Div. of Streets, Roads and Forestry. **[Williams]** (1 Bid)
21. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the proposal from Securus Technologies, for provision of offender telephone service at the Detention Center. **[Div. of Community Corrections, Bishop, BS 221-11]**
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to CHDO Agreement with the Fayette County Local Development Corp., for an additional \$15,656 in HOME Investment Partnership Program funds for development of four rental housing units. **[Div. of Community Development, Gooding, BS 200-11]**
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Fayette County Local Development Corp. and G.P. Russell Apartments, LLLP, for an additional \$194,000 in HOME funds for development of the Russell School property into rental unit for the elderly. **[Div. of Community Development, Gooding, BS 204-11]**

24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Adopt-a-Spot Program Agreements with Lexington Swingers Golf Club, Inc. (\$1,616), Alpha Kappa (\$1,023.12) and Alpha Kappa Alpha – Eta Rho Chapter (\$636.12) for participation in the Adopt-a-Spot Roadway Cleanup Program, at a cost not to exceed \$3,275.24. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 210-11]**
25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 14 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$2,088,076 from \$6,856,315.51 to \$8,944,391.51. **[Div. of Community Development/Dept. of Public Works & Development, BS 214-11]**
26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement for Cost Sharing for the Central Ky. E-911 Network, with Jessamine County, Woodford County and additional jurisdictions approved by Lexington-Fayette Urban County Government's E-911 Board, at no cost to the Urban County Government. **[Div. of Emergency Management/911, Lucas, BS 217-11]**
27. A Resolution authorizing the Div. of Emergency Management/911 to obtain professional services related to the acquisition of a new public safety radio system from RCC Consultants, Inc., a sole source provider, at a cost not to exceed \$100,000.00, and authorizing the Mayor to execute any necessary documents. **[Div. of Emergency Management/911, Lucas, BS 218-11]**
28. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements. **[Div. of Engineering, Rayan, BS 212-11]**
29. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, at a cost not to exceed \$209,000. **[Dept. of Environmental Quality, Taylor, BS 201-11]**
30. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Mary D. (Dee) Teater, d/b/a Teater Hats, for lease of 126 N. Broadway. **[Dept. of General Services, Baradaran, BS 197-11]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Lease with Legal Aid of the Bluegrass, to amend Contract 143-2010 for use of additional space and rent at Black and Williams Community Center. **[Dept. of General Services, Baradaran, BS 199-11]**

32. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed, transferring 3,257 square feet of land located at 211 Corral St., from the Urban County Government to William L. Hassett, Jr. as a trustee under the Restated Revocable Living Trust for the Benefit of William L. Hassett, Jr., Charles D. Mitchell, Jr., Elizabeth Mitchell, Executrix, Estate of James L. Mitchell and Anne Hassett Zelle, upon the expiration of the contract extension for the 166 N. Martin Luther King Blvd. on December 31, 2011. **[Dept. of General Services, Baradaran, BS 209-11]**
33. A Resolution ratifying the probationary civil service appointment of: Brian Reynolds, Environmental Inspector, Grade 113N, \$17.132 hourly, in the Div. of Water Quality, effective June 27, 2011; ratifying the probationary sworn appointment of: Matthew Brotherton, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective May 23, 2011; ratifying the permanent civil service appointment of: Pamela Proctor, Accountant, Grade 113E, in the Div. of Accounting, effective June 13, 2011. **[Div. of Human Resources, Jarvis]**
34. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: David Price, \$12.459 hourly, Andrew Jackson, \$12.097 hourly, Sherman Cook, \$13.912 hourly, Carson Ritchie, \$12.459 hourly, Sonya Taylor, \$16.814 hourly, Anthony Sullivan, \$12.459 hourly, Ross Strong, \$13.524 hourly, Robert Bailey, \$18.750 hourly, Eric Wheeler, \$16.814 hourly, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resources, Jarvis]**
35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Sanitary Sewer Easement, releasing a portion of a sanitary sewer easement on property located at 3050 Spurr Rd. **[Dept. of Law, Graham, BS 207-11]**
36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing a portion of a utility easement and a portion of a storm water detention easement on property located at 1650 Bryan Station Rd. **[Dept. of Law, Graham, BS 208-11]**
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Settlement Agreement with TCF National Bank, for payment of liens and securing of Pennington Place, 205-215-245 Codell Dr. **[Dept. of Law, Graham, BS 215-11]**

38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY2012 for excess worker's compensation insurance from New York Marine & General Insurance Co. at a cost not to exceed \$303,672; excess property, boiler and machinery insurance from Public Entity Property Insurance Program at a cost not to exceed \$260,806; excess special liability from National Casualty Co. at a cost not to exceed \$460,995; and aviation liability from Old Republic Insurance Co. and Phoenix Aviation Managers at a cost not to exceed \$8,054; and subject to sufficient funds being appropriated for the purposes; and authorizing the Mayor to execute all relevant documents. **[Dept. of Law, Graham, BS 216-11]**
39. A Resolution approving the granting of an inducement to Specialty Vehicle Acquisition Corp. (SVAC d/b/a ASC), pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by ASC for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement ASC has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 222-11]**
40. A Resolution approving the granting of an inducement to Transposagen Biopharmaceuticals, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Transposagen Biopharmaceuticals, Inc. for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Transposagen Biopharmaceuticals, Inc. has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 223-11]**
41. A Resolution approving the granting of an inducement to Lockheed Martin Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Lockheed Martin Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations

contained in the Ky. Business Investment Act and any agreement Lockheed Martin Corporation has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 224-11]**

42. A Resolution approving the granting of an inducement to Neogen Corporation, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Neogen Corporation for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Neogen Corporation has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 225-11]**
43. A Resolution approving the granting of an inducement to Tempur-Pedic International, pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Tempur-Pedic International for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement Tempur-Pedic International has with the Ky. Economic Development Finance Authority and the Urban County Government related to the project; and taking other related action. **[Mayor's Office, Atkins, BS 226-11]**
44. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues, for use of baseball fields. **[Div. of Parks & Recreation, Hancock, BS 206-11]**
45. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizen's Police Academy Alumni Association (CPAAA) of various items and \$660 for the Junior Citizen Police Academy Program and \$350 for supplies to the Bureau of Patrol, Div. of Police. **[Div. of Police, Bastin, BS 198-11]**
46. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an ACH Credit Authorization with Open Portal Solutions, Inc., for credit deposits. **[Div. of Police, Bastin, BS 219-11]**

IX. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointment of Mr. Timothy Brooks to the Arboretum Advisory Committee, with a term to expire 1-1-2012. Mr. Brooks will fill the unexpired term of Mr. Terrence Schneider.
2. Recommending the reappointment of Mr. James Griggs to the Board of Adjustment, with a term to expire 7-1-2015.
3. Recommending the reappointments of Ms. Kacy Allen-Bryant, Ms. Cindy Derer, Mr. Robert Lynch, Mr. John Riley, Mr. John Roth, and Mr. Gary Wallace to the Board of Health, with terms to expire 6-30-2013.
4. Recommending the appointments of Mr. Chris Ford, Ms. Peggy Henson, Mr. David O'Neill, and Ms. Joanna Rodes to the Community Action Council, with terms to expire 12-31-2014.
5. Recommending the appointment of Ms. Claire Brickman to the Domestic Violence Prevention Board, with a term to expire 1-1-2015.
6. Recommending the appointment of Ms. Kimberly Brennen to the Library Board of Advisors, with a term to expire 1-9-2014. Ms. Brennen will fill the unexpired term of Mr. Matthew Holt.
7. Recommending the appointment of Mr. Chris Ford to the Parks and Recreation Advisory Board, with a term to expire 1-14-2015. Mr. Ford will fill the District Council Member role.
8. Recommending the appointment of Ms. Leigh McKee to the Rural Land Management Board, with a term to expire 4-1-2015.

X. COMMUNICATION FROM THE MAYOR (FOR INFORMATION ONLY)

1. Acting assignment of Mary C.S. Felty, Deputy Director for Administrative Services, Grade 120E, in the Div. of Water Quality, effective June 13, 2011.

XI. ANNOUNCEMENTS

XII. PUBLIC COMMENT