

**Urban County Council
Schedule of Meetings
October 29, 2007 through November 5, 2007**

MONDAY, OCTOBER 29

No Meetings

TUESDAY, OCTOBER 30

Infill & Redevelopment: Quality of Life Task Force Meeting 8:30 am
Conference Room-7th Floor Phoenix Building

Committee of the Whole (COW) Meeting 11:30 am
Conference Room-5th Floor Government Center

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

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

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

Dog Task Force Meeting 6:00 pm
Conference Room-3rd Floor Phoenix Building

WEDNESDAY, OCTOBER 31

Infill & Redevelopment: Quality of Process Task Force Meeting. 8:30 am
Conference Room-7th Floor Phoenix Building

Rural Settlement Meeting 3:00 pm
Conference Room-5th Floor Government Center

THURSDAY, NOVEMBER 1

Urban County Art Review Meeting 2:00 pm
Conference Room-5th Floor Government Center

Trails Workshop for Council Members 4:00 pm
Conference Room-5th Floor Government Center

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

Ethics Commission Meeting 6:00 pm
Conference Room-Lexington Convention & Visitors Bureau, 301 E Vine St

Council Meeting 7:00 pm
Council Chamber-2nd Floor Government Center

FRIDAY, NOVEMBER 2

No Meetings

MONDAY, NOVEMBER 5

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 30, 2007

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, October 23, 2007, pp.6-9**
- IV. Budget Amendments – Yes, pp.10-16**
- V. New Business-Yes, pp.19-49**
- VI. Continuing Business / Presentations**
 - A. Budget & Finance Committee Summary-CM Stevens, pp.51-52**
 - B. Widening of Newtown Pike from New Circle Road to Interstate 75-Robert Nunley, KYTC-DO7**
 - C. Employees Benefits Update - Michael Allen**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of a Facility Usage Contract with the Fayette County Board of Education on behalf of the Division of Parks and Recreation for the use of Dunbar High School Facilities, Grounds, Personnel and Equipment. (589-07) (Cole)
 This request will authorize a Facility Usage Contract with the Fayette County Board of Education on behalf of the Division of Parks and Recreation for use of Dunbar High School facilities, grounds, personnel, and equipment at a cost of \$1,377.63 for the 2007 – 2008 school-year. Funds are budgeted.**pp.19-20**
- B. Authorization of a Standard Software Maintenance Agreement with New World Systems Corporation (New World) on behalf of the Division of Police. (590-07) (Bennett)
 This request will authorize a Standard Software Maintenance Agreement with New World Systems Corporation (New World) for \$240,369 on behalf of the Division of Police for the standard software maintenance, updates and revisions to the software application package used by the Division of Police. Funds are budgeted.**pp.21-24**
- C. Authorization of a Purchase of Service Agreement (PSA) with the Kentucky Humanities Council, Inc. for the Abraham Lincoln Bicentennial Celebration. (597-07) (Helm)
 This request will authorize a PSA with the Kentucky Humanities Council, Inc. for \$25,000 for the Abraham Lincoln Bicentennial celebration. Funds are to be used for workshops, exhibitions, films, plays, open houses and speakers. Funds are budgeted.**p.25**
- D. Authorization of a Purchase of Service Agreement (PSA) with Simon and Company, Inc. (595-07) (Sheehy/Rabold)
 This request will authorize a PSA with Simon and Company, Inc. at an annual cost not to exceed \$36,000 plus reasonable expenses incurred in the performance of their work up to a total amount not to exceed \$3,000. This agreement will establish and maintain an effective working relationship with Kentucky's Congressional delegation in Washington and with the leadership of key Federal agencies whose activities most impact LFUCG. Funds are budgeted.**pp.26-30**

- E. Authorization of a Change Order No. 2 to Contact with GRW Engineers, Inc. for the Comprehensive Sanitary Sewer Project. (596-07) (D. Kelly)
This request will authorize Change Order No. 2 to contract with GRW Engineers, Inc. to increase the amount by \$84,000 to continue design and administration for the Comprehensive Sanitary Sewer Project. Original project started in 1999 at a cost of \$128,000. New contract total is \$794,188. Funds are budgeted.**pp.31-32**
- F. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of General Services. (594-07) (Allen/Cole)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Staff Assistant (Grade 107N) and create one (1) position of Clerical Assistant (Grade 104N) within the Department of General Services. The fiscal impact for FY2008 will be a savings of \$2,847. The annual savings will be \$4,935.**p.33**
- G. Authorization of an Agreement with Sunflower Kids, Inc. regarding services under the Supervised Visitation and Safe Exchange Program. (598-07) (King/Koch)
This request will authorize an agreement with Sunflower Kids, Inc. for the continuation of the Supervised Visitation and Safe Exchange Program at a cost of \$158,750. Sunflower Kids, Inc. is a private, nonprofit organization under the supervision of a Safe Havens Advisory Board created by the Fayette County Domestic Violence Prevention board. The visitation center provides a safe and affordable supervised visitation and monitors the exchange services to victims of domestic violence, child abuse, stalking and sexual assault. Federal funding is provided by the US Department of Justice, Office on Violence Against Women under the Safe Havens: Supervised Visitation and Safe Exchange Grant Program. Funds will be used for personnel costs, travel, supplies, rent, utilities, security costs, and other operating expenses. Funds are budgeted.**p.34**
- H. Authorization of an Engineering Services Agreement with CDP Engineers, Inc. for a Neighborhood Study and Evaluation Phase of the Green Acres Storm Sewer / Sanitary Sewer Project. (599-07) (King/Koch)
This request will authorize an Engineering Services Agreement with CDP Engineers, Inc. to perform the scope of work for a lump sum of \$260,000 for a neighborhood study and evaluation phase of the Green Acres Storm Sewer / Sanitary Sewer Project. These services are to include the identification of stormwater and sanitary sewer issues and problems within the Green Acres Neighborhood and environs, to develop strategies for the resolution of those problems, and to create hydrologic and hydraulic models of two (2) waterways. The Kentucky Infrastructure Authority provides funding for this project and has approved the use of these funds for this study. Funds are budgeted.**p.35**

- I. Authorization of an Agreement with Kentucky Utilities (KU) regarding the West Hickman Wastewater Treatment Plant. (602-07) (D. Kelly)
This request will authorize an agreement with KU to allow KU to install underground electric and redundant electric facilities at the West Hickman Wastewater Treatment Plant at a cost of \$118,741. Funds are budgeted.**p.36**
- J. Authorization of an Agreement with Kentucky Utilities (KU) regarding the Town Branch Wastewater Treatment Plant. (603-07) (D. Kelly)
This request will authorize an agreement with KU to allow KU to install overhead and underground electric and redundant electric facilities at the Town Branch Wastewater Treatment Plant at a cost of \$275,160. Funds are budgeted.**p.37**
- K. Authorization of a Permanent Storm Sewer, Drainage, Sanitary Sewer Easement and a Temporary Construction Easement at 226 Forest Park Road for the Elizabeth Street Drainage Improvements Project. (592-07) (D. Kelly)
This request will authorize a permanent storm sewer, drainage, sanitary sewer easement of 3,058 square feet and a temporary construction easement of 938 square feet at a cost of \$23,125 at 226 Forest Park Road for the Elizabeth Street Drainage Improvements Project. Funds are budgeted.**p.38**
- L. Authorization of a Reimbursement Agreement with C Brothers LLC and Hillenmeyer Properties LLC for the Lower Town Branch (LTB) Sanitary Sewer Extension. (604-07) (D. Kelly)
This request will authorize a Reimbursement Agreement with C. Brothers LLC for the extension of sanitary sewer facilities, including sanitary sewer trunk lines, force main, and pump station to several properties in the northwest section of Fayette County. Hillenmeyer Properties LLC owns property at 2370 Sandersville Road contracted for purchase by C Brothers LLC. To extend the sanitary sewer facilities, LFUCG has agreed to reimburse C Brothers LLC the difference between the cost of construction of the facilities less the amount of the Privilege Fee at a cost to LFUCG of \$447,780.30.**pp.39-41**
- M. Authorization a Deed of Temporary Construction Easement and a Permanent Sanitary Sewer Easement with Hi Acres Development Co., Inc. and C Brothers LLC for the Lower Town Branch (LTB) Sanitary Sewer Extension. (605-07) (D. Kelly)
This request will authorize a temporary construction easement to C Brothers LLC on Spring Valley (private golf course and club) owned by Hi Acres Development Co., Inc. to construct sanitary sewer lines. A permanent sanitary sewer easement will be given to LFUCG by Hi Acres Development Co., Inc. for operating, inspecting, maintaining, repairing,

reconstructing and removing of the sanitary sewer lines. Funds are budgeted.**pp.42-44**

- N. Authorization of a Resolution for a Partial Sanitary Sewer Easement at 4501, 4513, 4517, 4521, and 4525 Arum Park. (593-07) (Askew)
This request will authorize a resolution for a partial sanitary sewer easement at 4501, 4513, 4517, 4521, and 4525 Arum Park. There is no budgetary impact.**p.45**
- O. Authorization of Changes to Street Names and Individual Numbers to Addresses within Council Districts 2, 3, 5, 6, 7, 9, 10 and 12 for the Enhanced 9-1-1 System. (591-07) (Bennett)
This request will authorize changes of street names and individual numbers within Council Districts 2, 3, 5, 6, 7, 9, 10 and 12 to ensure the proper operation of the Enhanced 9-1-1 system. These changes will eliminate confusing, duplicate and / or improperly named and numbered addresses. There is no budgetary impact.**pp.46-47**
- P. Authorization of a Release of a Utility Easement on Mullikin Property (Shady Hills), Unit 1. (600-07) (Askew)
This request will authorize a release of a Utility Easement on Mullikin Property (Shady Hills), Unit 1. There is no budgetary impact.**p.48**
- Q. Authorization of a Release of a Utility Easement and Sanitary Sewer Easement at 2553 Nicholasville Road (Regency Point Development). (601-07) (Askew)
This request will authorize a release of a Utility Easement and a Sanitary Sewer Easement at 2553 Nicholasville Road (Regency Point Development). There is no budgetary impact.**p.49**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 23, 2007

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

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

A motion by CM Gorton to approve the summary from October 16, 2007 was seconded by CM Ellinger, passed unanimously.

- IV. Budget Amendments-None
- V. New Business

- 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)
- B. Authorization to Accept a Deed of Permanent Easement and Temporary Construction Easement for the Star Shoot Parkway Extension Project. (573-07) (D. Kelly)
- 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)
- 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)
- 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)
- F. Authorization to Amend Section 1 of Ordinance No. 205-2007 to Correct a Typographical Error. (585-07) (Allen/Koch)

- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Human Resources. (586-07) (Allen/Koch)
- 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)
- 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).
- J. Authorization of a Purchase of Service Agreement (PSA) with the Lexington Fayette County Airport Board. (581-07) (J. Kelly)
- K. Authorization to Accept Donation of Property at 504 Georgetown Street from the Lexington Habitat for Humanity, Inc. (582-07) (J. Kelly)
- L. Authorization to Acquire Properties for the Expansion of the Lyric Theatre. (583-07) (J. Kelly)
- M. Authorization to Acquire Properties for Additional Parking for the Lyric Theatre. (584-07) (J. Kelly)
- 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)

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

CM Myers is present at Work Session.

VI. Continuing Business / Presentations

A. Corridors Committee Report

This report was given by Chair CM Stevens.

B. Planning Committee Update

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

C. German Marshall Fellows

Ken Kerns, former UCG CAO, gave brief description of program and then requested that the delegation give their name, occupation, country of

residence, and any other comments. The delegation was comprised of citizens from Denmark, Germany, Czech Republic, Macedonia, Amsterdam, and Hungary. Scott Crosbie, former UCG CM was also with the delegation as a Fellows host.

D. Lexington Horsemen

This presentation was done by Susan Harris, Director of Business Development. She stated that the Horsemen have moved to a new division, arena football, which is connected to the NFL.

A motion by CM Ellinger to place into the Budget & Finance Committee, the issue of assisting the Lexington Horsemen in parking and concession issues, seconded by CM Crosbie, passed unanimously.

VII. Council Report

CM Blues-Announced Southend Park NA meeting @ Carver Center on Patterson St on 10/26 at 5:30 pm; and later at 7 pm, Great Acres NA will meet at Masterson Station Clubhouse; stated that there will be 3 meetings held for Don't Borrow Trouble-predatory lending; in the 2nd District on 10/29 at 6 pm at the Community Action Council office on Winburn Dr.

CM Blevins-Announced that UCG is reconvening the Stream Construction and Restoration Task Force on 10/25 at 10 am in the 5th Floor Conference Room.

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

CM James-A motion by CM James to place on the docket for November 1, 2007 a resolution authorizing the execution of a Memorandum of Agreement with the Friends of the Isaac Murphy Memorial Art Garden, Inc Bluegrass Community Foundation, Inc, and the Kentucky Transportation Cabinet at East Third Street and Midland Place and creation of the Isaac Murphy Memorial Garden, seconded by CM Lane, passed unanimously.

CM McChord-Announced that tonight at 5 pm there will be a Knight Foundation's open meeting at the Hyatt about the World Equestrian Games; also invited everyone to the Jesus Prom for the physically and mentally challenged to be held at Southland Christian Church on 11/9/07; thanked Parks & General Services departments for things relating to trails in the 9th District; asked that citizens in the 9th and 10th Districts be patient because of the repaving on Clays Mill Rd.

CM Myers-Thanked Mayor Newberry for agreeing to have Mayor's Night out in the 8th District on 11/27 at 5-7 pm at Tatesbrook Baptist Church at 3724 Appian Way.

A motion by CM Myers to place into the Budget & Finance Committee the following items that the committee look into all financing given to Partnered Agencies with respect to 1. Purchase of Service Agreements; 2. Expectations on how monies can be spent, drawn down, and reported on; 3. A uniform process for the accounting of expenditures; 4. A process for recapturing unspent expenditures; 5. And any other issues deemed important to the committee; and 6. That the committee will report out its recommendations prior to the FY 09 budget, seconded by CM Gorton passed unanimously.

CM Stinnett-Gave update on Dog Task Force and announced the next meeting on 10/30 at 6:30 pm in the Phoenix Building; clarified the TIF (Tax Increment Financing) in regards to the H-L article about a new basketball arena; also clarified that UCG does not have an official report as of yet from the Commission on Immigration.

A motion by CM Stinnett to place into the Services Committee the issue of a multi-way stop ant Kavanaugh and Sanibel Dr and a speed reduction, seconded by CM McChord, passed unanimously.

CM Stevens-A motion by CM Stevens to place into the Services Committee the issues of speeding on Chinoe Rd and a 4-way stop surrounding Christ the King Church, seconded by CM McChord, passed unanimously.

CM Crosbie-Announced that on 10/24/07 at 7 pm Chilesburg NA will meet at Crossroads Christian Church; also announced the Council Office staff and CMs will have an ice cream social on this Thursday in the Govt. Center Ballroom from 12:30-2:30.

VIII. Mayor's Report-None

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

A motion by CM Gorton to go into closed session pursuant to KRS 61.810 (1) (c) for the purpose of discussing pending litigation matters, seconded by CM Crosbie, passed unanimously.

Work Session was adjourned from closed session.

BUDGET AMENDMENT REQUEST LIST

10

JOURNAL	14429-30	DIVISION	Community Development	Fund Name	Grants – Other
				Fund Impact	6,500.00
					6,500.00CR
					.00

To budget local funds for the NFL Police Activities League Football Program. Local funds provide a match for this program.

JOURNAL	14520	DIVISION	Community Development	Fund Name	General Fund
				Fund Impact	6,500.00
					6,500.00CR
					.00

To provide grant match and personnel recovery for the NLF Police Activities League Project.

JOURNAL	14511	DIVISION	Community Development	Fund Name	US Dept of Housing
				Fund Impact	19,760.00
					19,760.00CR
					.00

To amend the FY 2007 HOME budget to realign administrative expenses to provide for expected expenditures. Funds in professional development, minor equipment, repairs and maintenance, computers, and salaries are not needed for the project.

JOURNAL	14513	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	65,185.00
					65,185.00CR
					.00

To provide for Traffic Control equipment on State Roads per Maintenance and Operations Agreement (Res. 222-2007) by decreasing Minor Equipment, Repairs & Maintenance, and Computers. The division desires to purchase additional traffic signal controllers and signal equipment for installation along arterial roadways.

JOURNAL	14516-17	DIVISION	Community Development	Fund Name	US Dept of HHS
				Fund Impact	1,377.00
					1,377.00CR
					.00

To budget additional revenue and expense for the Senior Citizens Center Grant - FY 2008.

JOURNAL	14644	DIVISION	Community Development	Fund Name	US Dept of Homeland
				Fund Impact	10,050.15
					10,050.15CR
					.00

To rebudget accounts in the 2005 CSEPP budget to provide adequate funding in accounts to match expenditures.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Services District – General Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3190	US Department of Health and Human Services	.00
Fund	3200	US Department of Homeland Security	.00
Fund	3300	Grants – Other	.00



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Numbers 14429-30 and **Budget Amendment Date** 10/11/2007
 14520
Requesting Division Division of Community Development
Fund Name Grants – Other and General Fund
Fund Number 3300 and 1101
Contact for Additional Information Irene Gooding--3079

Description

Police have been awarded a grant in the amount of \$6,500 from the National Association of Police Athletics/Activities League, Inc., for expansion of the Division of Police's PAL football program. While no match is required, the national association recommends that in-kind match equal to the amount of the award be documented and reported. A safety officer and three Police Officers work with this activity. It is estimated that approximately 132 hours of safety officer time and 90 hours of Police Officer time will be spent on this project.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 14511 **Budget Amendment Date** 10/16/2007

Requesting Division Community Development

Fund Name US Department of Housing and Urban Development

Fund Number 3120

Contact for Additional Information Irene Gooding--3079

Description

Budget Amendment affects administrative costs for HOME Investment Partnerships Grant for fiscal year 2007. The purpose of the budget amendment is to realign remaining funds to provide for anticipated expenditures in professional services and operating supplies. Funds in professional development, minor equipment, repairs and maintenance, computers, and salaries are not needed for the project.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 14513 **Budget Amendment Date** 10/16/07
Requesting Division Division of Traffic Engineering
Fund Name General Fund
Fund Number 1101
Contact for Additional Information Kimberly Ammeter, Division of Traffic Engineering
 Ron Herrington, Division of Traffic Engineering

Description

To provide for Traffic Control equipment on State Roads per Maintenance and Operations Agreement (Res. 222-2007) by decreasing Minor Equipment, Repairs & Maintenance, and Computers. The division desires to purchase additional traffic signal controllers and signal equipment for installation along arterial roadways.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 14516-17 **Budget Amendment Date** 9/27/2007
Requesting Division Division of Community Development/Department of Social Services
Fund Name US Department of Health and Human Services
Fund Number 3190
Contact for Additional Information Irene Gooding--3079

Description

The approved grant award for the Senior Citizens Project provides for an additional \$1,377 in federal funds. This budget amendment adds \$1,900 for contractual services and decreases operating supplies by \$523.00. The corrections to the expense side are in accordance with the approved grant application. Funds for contractual services will be used for staff and client training and technical assistance.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 14644 **Budget Amendment Date** 10/18/2007

Requesting Division Community Development

Fund Name US Department of Homeland Security

Fund Number 3200

Contact for Additional Information Irene Gooding--3079

Description

Budget amendment provides for payment for computer equipment for the 2005 CSEPP project. Budget amendment also resolves negative balances in all other personnel and operating accounts.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

17

October 30, 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
594-07	KC 0018	General Services	To provide funds for one position of Clerical Assistant by deleting funds for one position of Staff Assistant and reducing the budget for personnel vacancy credit by the amount of the savings.
F			1101 2,850 1101 2,850CR 0*
604-07	BA 1080	Engineering	To provide funds for developer reimbursement for construction of Trunk Sewer (along Sandersville Road) for Lower Town Branch (LTB-1).
L			4002 450,000 450,000*

EFFECT ON FUND BALANCES

FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICES DISTRICT – GENERAL FUND
FUND 4002	450,000*	DECREASE TO:	SANITARY SEWERS R & O

Budget Information for New Business Items

October 30, 2007 Work Session

Item	Number	Amount	Fund	Name / Description
A	589-07	1,378	1101	General Services District Fund
B	590-07	161,047	1101	General Services District Fund
		79,322	4204	Enhanced 911 Fund
C	597-07	25,000	1101	General Services District Fund
D	595-07	39,000	1101	General Services District Fund
E	596-07	84,000	4002	Sanitary Sewer Revenue and Operating Fund
F	594-07	(2,850)	1101	General Services District Fund
				Budget Amendment
G	598-07	158,750	3140	US Dept Of Justice
H	599-07	260,000	3400	Grants - State
I	602-07	118,741	4003	Sanitary Sewer Construction Fund (Plus monthly fee of \$1,656.40 for an annual total of \$19,876.80).
J	603-07	275,160	4003	Sanitary Sewer Construction Fund (Plus monthly fee of \$1,543.69 for an annual total of \$18,524.28).
K	592-07	23,125	2522	Public Works
L	604-07	447,780	4002	Sanitary Sewer Revenue and Operating Fund Budget Amendment (BA is for \$450,000)
M	605-07	10	4002	Sanitary Sewer Revenue and Operating Fund
N	593-07	NA		
O	591-07	NA		
P	600-07	NA		
Q	601-07	NA		



589-07
OCT 12 REC'D
GENERAL SERVICES
COMMUNITY DEVELOPMENT

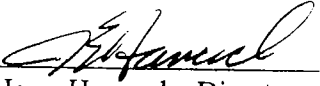
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Mayor Jim Newberry

FAYETTE URBAN COUNTY GOVERNMENT

Division of Parks and Recreation

TO: Mayor Jim Newberry
Urban County Council Members

FROM: 
Jerry Hancock, Director
Parks and Recreation

SUBJECT: Facility Usage Contract

DATE: October 11, 2007

This is a request for Council's approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation. This contract is for the purpose of using FCPS facilities – P.L. Dunbar High School. This contract covers the 2007-2008 school year.

Please contact me if there are any questions.

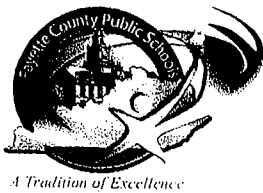
Cc: Kimra Cole, Commissioner of General Services

JH:msm

HORSE CAPITAL OF THE WORLD

469 Parkway Drive Lexington, KY 40504 (859) 288-2900 LexCall (859)425-2255 GTV3 (859)258-3011 www.lfucg.com

589-07

**EXHIBIT A****DESIGNATION OF FACILITY/GROUNDS, PERSONNEL AND EQUIPMENT****APPLICANT:** LFUCG - Parks and Recreation Football**USAGE FEE:** **\$1,377.63****FACILITY:** P. L. Dunbar High**DATE(S):** 11/5, 11/6, 11/7, & 11/8/07 6:00 - 8:00 pm**TIME(S):** 11/10/2007 12:30 - 5:00pm & 11/11/07 1:30 - 7:00 pm

AREA(S) TO BE USED	NO. AREAS	NO. HOURS PER AREA	TOTAL NO. HOURS	HOURLY UTILITY / MAINTENANCE FEE	TOTAL UTILITY / MAINTENANCE COST
Classroom / Library	0	0	0	\$17.25	\$0.00
Auditorium	0	0	0	\$36.00	\$0.00
Cafeteria	0	0	0	\$36.00	\$0.00
Kitchen	0	0	0	\$18.75	\$0.00
Gymnasium	1	4.5	4.5	\$50.50	\$227.25
Football Field	1	6.5	6.5	\$103.75	\$674.38
Running Track	0	0	0	\$43.25	\$0.00
Baseball Field	0	0	0	\$27.50	\$0.00
Softball Field	0	0	0	\$27.50	\$0.00
Other	0	0	0	\$14.50	\$0.00
Subtotal					\$901.63
DISTRICT EMPLOYEES (If Applicable)	NO. EMPLOYEES	NO. HOURS PER EMPLOYEE	TOTAL NO. HOURS	HOURLY PERSONNEL FEE	TOTAL PERSONNEL COST
Custodian(s)	1	14	14	\$34.00	\$476.00
Food Service Manager(s) II	0	0	0	\$35.25	\$0.00
Technical Support Staff	0	0	0	\$38.00	\$0.00
Law Enforcement Officer(s)	0	0	0	\$44.50	\$0.00
Other	0	0	0	\$0.00	\$0.00
Subtotal					\$476.00
Total					\$1,377.63
ADDITIONAL RENTAL FEES (If Applicable)					\$0.00
Grand Total					\$1,377.63

COMMENTS:

To include PA & Scoreboard on the field and PA with 4 -6 tables and chairs in the Gym.



Lexington-Fayette Urban County
Division of Police

MEMORANDUM

Lexington, Kentucky

DATE OF ISSUE

July 16, 2007

EFFECTIVE DATE

590-07

NUMBER 21

RESUBMITTED
COP:

07/0640

To:

Jim Newberry, Mayor
Urban County Council

SUBJECT:

Council Action (Blue Sheet) –
New World Systems Corporation
Standard Software
Maintenance Agreement

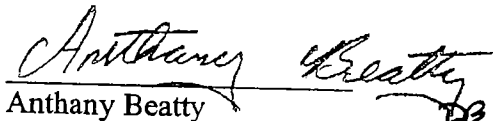
From:

Anthony Beatty
Chief of Police

Please find attached the blue sheet and Standard Software Maintenance Agreement between New World Systems Corporation (New World) and Lexington-Fayette Urban County Government. This agreement provides standard software maintenance support services provided by New World, upgrades and revision to the software application package. The attached agreement requires the Mayor's signature. This agreement is for one year beginning July 1, 2007.

This maintenance agreement is fully budgeted. Budgetary impact for FY08 will be \$240,369.

Please return the original signed agreement to the Chief's Office upon completion.


Anthony Beatty
Chief of Police

AB/rmh

Attachment

NEW WORLD SYSTEMS CORPORATION
STANDARD SOFTWARE MAINTENANCE AGREEMENT

590-07 22

This Standard Software Maintenance Agreement (SSMA) between **New World Systems Corporation (New World)** and Lexington Fayette Urban County Government (**Customer**) sets forth the standard software maintenance support services provided by **New World**.

1. Service Period

This SSMA shall remain in effect for a period of one (1) year from (start date) 7/1/07 to (end date) 6/30/08.

2. Services Include

The following services or features are available under this SSMA:

- (a) Upgrades, including new releases, to the Licensed Standard Software (prior releases of Licensed Standard Software application packages are supported no longer than nine (9) months after a new release is announced by **New World**);
- (b) Temporary fixes to Licensed Standard Software (see paragraph 6 below);
- (c) Revisions to Licensed Documentation;
- (d) Reasonable telephone support for Licensed Standard Software on Monday through Friday from 8:00 a.m. to 8:00 p.m. (Eastern Time Zone); and
- (e) Invitation to and participation in user group meetings.

Items a, b, and c above will be distributed to **Customer** on magnetic media or other means, as appropriate. After installation, **Customer** shall return any magnetic media to **New World**.

Additional support services are available as requested by **Customer** using the then-current hourly rates or applicable fees. Exhibit B of your original License Agreement has a description of support services available.

3. Maintenance for Modified Licensed Standard Software and Custom Software

Customer is advised that if it requests or makes changes or modifications to the Licensed Standard Software, these changes or modifications (no matter who makes them) make the modified Licensed Standard Software more difficult to maintain. If **New World** agrees to provide maintenance support for Custom Software or Licensed Standard Software modified at **Customer's** request, then the additional **New World** maintenance or support services provided shall be billed at the then-current Exhibit B hourly fees plus reasonable expenses.

4. Billing

Maintenance costs will be billed annually as detailed on the following page. (Any Exhibit B support or service hours and travel costs incurred are billed weekly for the previous calendar week.) If taxes are imposed, they are the responsibility of the **Customer** and will be remitted to **New World** upon being invoiced.

5. Additions of Software to Maintenance Agreement

Additional Licensed Standard Software licensed from **New World** will be added to the SSMA as they are installed at **Customer's** location. Maintenance costs for the additional software will be billed to **Customer** on a pro rata basis for the remainder of the current maintenance year and on a full year basis thereafter.

6. Requests for Software Correction on Licensed Standard Software

At any time during the SSMA period, if **Customer** believes that the Licensed Standard Software does not conform to the current specifications set forth in the user manuals, **Customer** must notify **New World** in writing that there is a claimed defect and specify which feature and/or report **Customer** believes to be defective. Before any notice is sent to **New World**, it must be reviewed and approved by the **Customer** Liaison. Documented examples of the claimed defect must accompany each notice. **New World** will review the documented notice and when a feature or report does not conform to the published specifications, **New World** will provide software correction service at no charge. A non-warranty request is handled as a billable Request for Service (RFS) using Exhibit B Support Services.

The no charge software correction service does not apply to any of the following:

- (a) situations where the Licensed Standard Software has been changed by anyone other than New World personnel;
- (b) situations where **Customer's** use or operations error causes incorrect information or reports to be generated; and;
- (c) requests that go beyond the scope of the specifications set forth in the current User Manuals.

7. Maintenance Costs for Licensed Standard Software Packages Covered for IBM AS/400-620

New World agrees to provide software maintenance at the costs listed below for the following **New World** Licensed Standard Software packages installed at **Customer's** location:

<u>Application Package</u>	<u>Number of Modules</u>
1. Aegis® Computer Aided Dispatch (CAD)	10
2. Aegis® Law Enforcement Records Software	22
3. Aegis® Public Safety Interface Software	2
4. Aegis® Data Management and Retrieval Tools	2
5. Aegis® Mobile Management Server Software	2
6. Aegis® Mobile Software on the RS6000	3
7. Aegis® Mobile Client Laptop Software	5
8. Aegis® Mobile Software on the iSeries 400 or MSP Server	1

ANNUAL

MAINTENANCE COST: \$240,369

(1-Year Plan, billed annually on June 5th)

Note: Unless extended by **New World**, the above costs are available for 90 days after submission of the costs to **Customer**. After 90 days, **New World** may change the costs.

ALL INVOICES ARE DUE FIFTEEN (15) DAYS FROM BILLING DATE.

8. Non-funding Provision

590-07

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In the event **Customer** does not appropriate funds to complete payments due under this SSMA, the amount due for the fiscal year not appropriated shall be terminated; provided, however, the **Customer** shall have given **New World** written notice ninety (90) days prior to the anniversary date on which they are exercising the non-funding provision, and further provided that any other payments due to **New World** are fully paid, and further provided that **New World's** obligations and services under this SSMA shall also be terminated. Without **Customer's** fulfillment of the above provisions, **Customer's** obligation to pay **New World** the annual SSMA payments remains in effect through the expiration date of this SSMA Agreement.

9. Terms and Conditions

This Agreement is covered by the Terms and Conditions from our Licensing Agreement signed by Lexington Fayette Urban County Government (**Customer**) on July 19, 2000.

ACCEPTED BY:

Customer: Lexington Fayette Urban County Govt.

Name: _____

Title: _____

Date: _____

ACCEPTED BY:

New World Systems Corporation

Name: _____

Title: _____

Date: _____

By signing above, each of us agrees to the terms and conditions of this Agreement and as incorporated herein. Each individual signing represents that (s)he has the requisite authority to execute this Agreement on behalf of the organization for which (s)he represents and that all the necessary formalities have been met. If the individual is not so authorized then (s)he assumes personal liability for compliance under this Agreement.



597-07

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Social Services

MEMORANDUM

To: Mayor Jim Newberry
Members of the Council
Joe Kelly, Sr. Advisor for Management

FROM: Marlene Helm
Marlene Helm, Commissioner

DATE: October 22, 2007

SUBJECT: Agreement with Kentucky Humanities Council

I am requesting approval to enter into an agreement with the Kentucky Humanities Council, Inc., to assist them in providing various events honoring the Abraham Lincoln Bi-Centennial Celebration. The events will include workshops, exhibitions, films, plays, and speakers.

Cost is \$25,000 and is fully budgeted.

HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 859.258.3800 Fax 859.258.3406 www.lfucg.com



595-07

Mayor Jim Newberry

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
JOE KELLY, SENIOR ADVISOR FOR MANAGEMENT

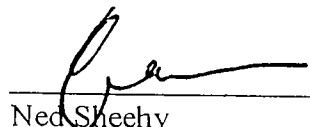
FROM: NED SHEEHY, DIRECTOR OF GOVERNMENT RELATIONS
MAYOR'S OFFICE

DATE: OCTOBER 22, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE A PURCHASE OF
SERVICE AGREEMENT WITH SIMON AND COMPANY, INC.

In an effort to establish and maintain effective working relationships with Kentucky's Congressional delegation and with various Federal agencies, the administration requests Council authorization to enter into a Purchase of Service Agreement with Simon and Company, Inc., a Washington-based firm specializing in local government concerns. Working in partnership with me, Simon and Company will allow Lexington to have a much more effective presence in Washington, ultimately benefiting the citizens of Fayette County. Funds for the services provided by Simon and Company are budgeted. The Purchase of Service Agreement, including the scope of services to be provided, is attached for your information.

Council authorization to execute agreement is requested.



Ned Sheehy
Director of Government Relations
Mayor's Office

Cc: Shayne Rabold, Mayor's Office

**AGREEMENT
PROFESSIONAL SERVICES
FOR
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**

THIS AGREEMENT is made and entered into as of by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky pursuant to Chapter 67A of the Kentucky Revised Statutes, 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "LFUCG"), and **SIMON AND COMPANY INCORPORATED**, with offices at 1660 L Street, N.W., Suite 501, Washington, D.C. (hereinafter the "Consultant").

WITNESSETH:

WHEREAS, the Federal Government, in its legislative and regulatory capacity, has a significant effect upon LFUCG's ability to provide services to its residents; and

WHEREAS, Consultant has established a successful track record of representing municipal interests among Federal legislative and regulatory decision making processes; and

WHEREAS, LFUCG desires to retain the services of the Consultant and the Consultant is willing to provide them.

NOW, THEREFORE, in consideration of the foregoing and mutually agreed upon promises, conditions and covenants hereinafter set forth, LFUCG and the Consultant agree as follows:

1. **SCOPE OF SERVICES.** Consultant shall use its best efforts to accomplish the following objectives for LFUCG, as defined in the Concept Paper, which is attached hereto and incorporated herein by reference (the "Concept Paper").

- A. Consult with LFUCG's Mayor (hereinafter the "Mayor"), or his designee, to define the key priority projects which constitutes LFUCG's Federal affairs agenda and which will advance the interests of LFUCG in the development and execution of Federal policy.
- B. Establish and maintain an effective working relationship with Kentucky's Congressional delegation in Washington and with the leadership of the key Federal agencies whose activities most impact LFUCG, including, but not limited to, the Department of Housing and Urban Development, the Department of Transportation, and the Environmental Protection Agency.
- C. Provide timely, accurate information to the Mayor, or his designee, to facilitate prosecution of LFUCG's Federal interests, including, but not limited to:
 - 1) Timely notification of the availability of Federal funding for projects or activities of benefit to LFUCG's residents.
 - 2) Timely notification of development of Federal legislation and/or regulatory matters in areas such as environmental protection, public safety, transportation initiatives, criminal justice, economic and community development.
 - 3) Timely notification of the potential of new Federal mandates which do not have accompanying funding provisions and assure LFUCG has reasonable opportunity to explain its circumstances before such mandates are imposed.

- D. Provide the Mayor or his designee with periodic briefings and reports describing the nature of contacts made and the progress in accomplishing specific objectives established by the Mayor.
- E. Coordinate the periodic trips by LFUCG officials to Washington to arrange access for such officials to meet with legislative and executive staff and elected officials, as needed, to advance LFUCG's Federal affairs agenda.

2. **COMPENSATION.** The professional services included herein shall be provided at an annual cost not to exceed \$36,000.00, payable in monthly installments of \$3,000.00 each. In addition, the Consultant shall be entitled to reimbursement for reasonable expenses incurred in the performance of this work up to a total amount not to exceed \$3,000.00. The Consultant shall submit a detailed monthly report indicating work performed for LFUCG, and shall provide sufficient documentation for reimbursable expenses prior to payment. Under no circumstance will LFUCG reimburse the Consultant for the purchase of alcoholic beverages.

3. **TERM.** The term of engagement shall commence on September 1, 2007 and shall terminate on August 31, 2008. Subject to the availability of budgeted funds, LFUCG may choose to extend or renew this engagement under the same terms and conditions by notifying the Consultant in writing at least thirty (30) days prior to the expiration of the original engagement period.

4. **CANCELLATION.** LFUCG, through its Council, the Mayor or his designee, may cancel the engagement for services for any reason, and without any liability therefore, upon giving the Consultant thirty (30) days prior written notice sent to the last known address of the Consultant. Upon cancellation, LFUCG shall pay the Consultant on the basis of the actual services satisfactorily performed and reasonable costs incurred up to the time of the cancellation as calculated by LFUCG. Under most circumstances, this will be some percentage of any outstanding \$3,000 monthly fee.

5. **INDEMNIFICATION AND INSURANCE.** The Consultant or any of its agents or subcontractors to the extent permitted by law, agrees to defend, indemnify and save harmless LFUCG, its employees, volunteers and elected officials, from and against all liabilities, claims, actions, expenses, obligations, losses, fines, and assessments resulting from or arising out of any error or omission, negligence or intentional misconduct or any other action relating to the provision of the services specified herein. Indemnification will include, in addition to the above, attorney's fees, costs related to investigation and defense and any

other expenses related to any such claim, action or proceeding. The Consultant will not be liable for such claims, actions, obligations, losses, fines, penalties and assessments resulting from or arising out of any error or omission, negligence or intentional misconduct of LFUCG, its agents, and employees. The Consultant will provide and maintain in force at all times during the term of the services contemplated herein Commercial General Liability Insurance and Errors and Omissions Coverage against claims which may arise from or in connection with the work performed in the principal amount of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate, per policy year, for any claim, act or omission in providing those services. Additionally, the Consultant will maintain during the term of the services Commercial Automobile Liability Insurance coverage with combined single limits of not less than \$1,000,000 per occurrence. Said policies shall name "The Lexington-Fayette Urban County Government, its elected and appointed officials, employees, agents, boards, consultants, assigns, volunteers and successors in interest," as "additional insureds." The Consultant will also maintain Workers Compensation Insurance as required by the Kentucky Revised Statutes and Employer Liability Coverage equal to \$1,000,000. All policies of insurance shall be placed with an insurer authorized to do business in the Commonwealth of Kentucky with a rating classification of no less than VIII, as defined by the most current Best's Key Rating Guide. The policy will provide that such insurance will not be cancelled, modified or permitted to lapse without thirty (30) days prior written notice to LFUCG.

6. **INDEPENDENT CONTRACTOR.** The Consultant acknowledges that and agrees that its employees or agents are not employees of LFUCG for any purpose whatsoever. Simon is an independent contractor at all times during the performance of the services specified.

7. **ASSIGNMENT.** The Consultant will not assign the performance of its services under this agreement without the prior written approval of the Mayor or his designee.

8. **APPLICABLE LAW.** The terms of this engagement shall be governed by the laws of the Commonwealth of Kentucky, both as to interpretation and performance. Any ambiguity is to be construed in favor of LFUCG.

9. **AMENDMENTS.** This Agreement embodies the entire agreement between the parties and shall not be altered except in writing signed by both parties.



596-07

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Division of Engineering

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Marwan A. Rayan, P.E.
Urban County Engineer *MAR*

DATE: October 16, 2007

RE: Amendment No. 2 to Design Contract
Comprehensive Sanitary Sewer Project

The Division of Engineering would like to request a modification to the design contract with GRW Engineers, Inc., in the amount of \$84,000, to continue design and administrative services for the referenced, ongoing project.

This contract work began in 1999, to provide planning, analysis and preliminary engineering, to determine the scope of services required for full design of capital projects to provide sanitary sewers to the Phase 1 unsewered areas. The conclusion of that work estimated the effort required to provide full design for all Phase 1 areas, resulting in the first contract amendment in May, 2000, for a total contract amount of \$710,188.

By 2002, with designs virtually complete and the various project costs known, the Urban County Government and GRW Engineers began an extensive quest for an appropriate funding mechanism. After several years of evaluation with no workable financial solutions found, two successful grant applications were filed for Kentucky Infrastructure Authority (KIA) funding.

The need for design services continues during the present construction of sewer systems in Bracktown and the Wilderness Road area, as well as for preparation of bid packages for upcoming Phase 1 project areas. The Division of Engineering recommends approval of this design contract modification. Funds are budgeted within 4002-303202-3223-92810.

Attachments

MAR:WAB:NDT

C: Don Kelly, P.E. Charles Martin, P.E. Robert Bayert, P.E., P.L.S.
Rodney Chervus, P.E. William Bowie, P.E., P.L.S. File

2008.P366.403.cssp1015

HORSE CAPITAL OF THE WORLD

CONTRACT HISTORY FORM

596-07

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Contractor: GRW ENGINEERS, INC.
Project Name: COMPREHENSIVE SANITARY SEWER PROJECT - REMAINING
~~UNSEWERED~~ UNSEWERED AREAS (LFUCG PROJECT NO. 366)
Contract Number and Date: CONTRACT #4150 (JUNE 17, 1999)
Responsible LFUCG Division: ENGINEERING

CHANGE ORDER DETAILS

A. Original Contract Amount: \$128,000.00
Next Lowest Bid Amount:
\$ N/A
B. Amount of Selected Alternate or Phase: \$ N/A
C. Cumulative Amount of All Previous Alternates or Phases: \$ N/A
D. Amended Contract Amount: \$710,188.00
E. Cumulative Amount of All Previous Change Orders: \$582,188.00 81.98 %
(Line E / Line D)
F. Amount of This Change Order: \$84,000.00 11.83 %
(Line F / Line D)
G. Total Contract Amount: \$794,188.00

SIGNATURE LINES

Project Manager: William A. Bowie, Jr. Date: 16 OCTOBER 2007
Reviewed by: RA Bryant Date: 10/18/07
Division Director: MR Ray Date: 10/18/07

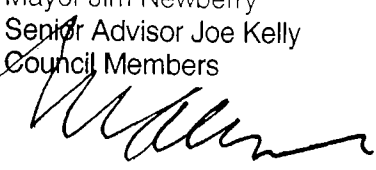


594-07

Jim Newberry, Mayor

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

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Members

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: October 22, 2007

RE: Abolish/Create Position—Department of General Services

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Staff Assistant (Grade 107N) and creating one (1) position of Clerical Assistant (Grade 104N) all within the Department of General Services, effective upon passage by Council.

The Department of General Services requests this action due to the fact that the position of Clerical Assistant is more in line with the needs of the mailroom rather than the position of Staff Assistant.

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 FY2008, fifteen (15) pay periods, as a result of this action is a savings of \$2,847 includes benefits. The annual savings is \$4,935 including benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Clerical Assistant	\$0	\$20,104.50	\$20,104.50
Vacant	Staff Assistant	\$24,086.66	\$0	\$24,086.66

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

Attachment

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

Log #08-0040



598-07

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 23, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AN
AGREEMENT WITH SUNFLOWER KIDS, INC. FOR THE
PERFORMANCE OF SERVICES UNDER THE SUPERVISED
VISITATION AND SAFE EXCHANGE PROGRAM/U.S. DEPARTMENT
OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN--FY 2008

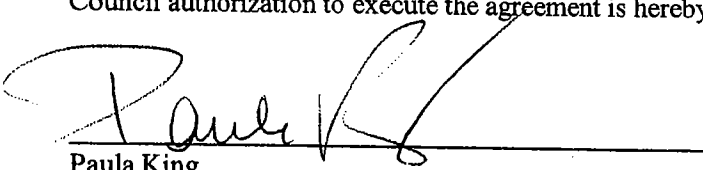
On October 4, 2007 (Ordinance No. 229-2007), the Lexington-Fayette Urban County Council approved acceptance of continuation funds in the amount of \$200,000 from the U.S. Department of Justice, Office on Violence Against Women under the Safe Havens: Supervised Visitation and Safe Exchange Grant Program.

The approved application provides for the support of a visitation center to be operated by Sunflower Kids, Inc., a private, nonprofit organization. This organization, under the supervision of a Safe Havens Advisory Board, created by the Fayette County Domestic Violence Prevention Board will provide safe and affordable supervised visitation and monitored exchange services to victims of domestic violence, child abuse, stalking, and sexual assault. The proposed agreement with Sunflower Kids, Inc., provides for the organization to perform activities specified in the approved grant agreement, federal award, and in accordance with applicable federal regulations. The amount of federal funds to be used by Sunflower Kids, Inc., is \$158,750. These funds will be used for personnel costs, travel, supplies, rent, utilities, security costs, and other operating expenses.

Funds are budgeted:

FUND	DEPT ID	SECT	ACCOUNT	ACTIVITY	BUD REF	PROJECT
3140	606101	6011	71200	DEFAULT	2008	SAFE HAVENS

Council authorization to execute the agreement is hereby requested.


Paula King
Director

Cc: Marlene Helm, Commissioner, Department of Social Services

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com

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599-07

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 22, 2007

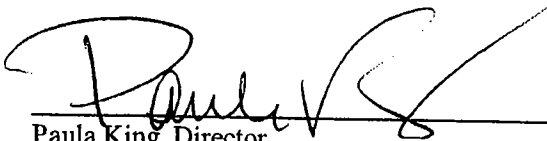
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH CDP ENGINEERS FOR A NEIGHBORHOOD STUDY AND
EVALUATION PHASE FOR THE GREEN ACRES STORM
SEWER/SANITARY SEWER PROJECT FUNDED FROM THE
KENTUCKY INFRASTRUCTURE AUTHORITY

On January 25, 2007 (Ordinance # 17-2007), Council approved the acceptance of an award of \$2,600,000 from the Kentucky Infrastructure Authority for sanitary and storm sewer projects in the Green Acres Subdivision. The purpose of the project is the study, design, and construction of possible storm water and sanitary sewer improvements in Green Acres subdivision and environs to help alleviate flooding and sanitary sewer issues. In response to RFP #19-2007, nine firms submitted Proposals and Statements of Qualifications. On August 9, 2007, a selection committee composed of representatives of the Mayor's Office, Council, Division of Water and Air Quality, Division of Engineering, Department of Environmental Quality, Purchasing, and Community Development reviewed the proposals and selected CDP Engineers, Inc., to perform the neighborhood study. The basis for this selection included: strong team to be assigned to the project, reasonable cost, diversity of team, good neighborhood plan, excellent track record with other projects, and a well thought-out environmental and holistic approach to the problem. CDP Engineers, Inc., has agreed to perform the scope of work for a lump sum price of \$260,000. Kentucky Infrastructure Authority has approved the use of these funds for this study.

Funds are budgeted:

FUND	DEPT ID	SECT	ACCOUNT	ACTIVITY	BUD REF	PROJECT
3400	303204	3334	92210	DEFAULT	2007	GREEN-ACRES

Council authorization to execute agreement is hereby requested.


Paula King, Director

Xc: Don Kelly, Commissioner of Public Works

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com

F:\WP51\HCD\GRANTS\STATE\GREEN ACRES\8-002





602-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water and Air Quality

To: Mayor Jim Newberry
Urban County Council

From: Charles H. Martin By: T. H. Runk
Charles H. Martin, P.E., Director
Division of Water and Air Quality

Date: October 24, 2007

Re: KU System Extension for Redundant Power to West Hickman WWTP

The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and Kentucky Utilities (KU). The agreement would allow LFUCG to pay KU to extend their system to provide the redundant power required for West Hickman WWTP.

The cost for extending KU's system for West Hickman WWTP is \$118,741.00.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.



603-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Water and Air Quality

To: Mayor Jim Newberry
Urban County Council

From: Charles H. Martin By: T. H. Rank
Charles H. Martin, P.E., Director
Division of Water and Air Quality

Date: October 24, 2007

Re: KU System Extension for Redundant Power to Town Branch WWTP

The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and Kentucky Utilities (KU). The agreement would allow LFUCG to pay KU to extend their system to provide the redundant power required for Town Branch WWTP.

The cost for extending KU's system for Town Branch WWTP is \$275,160.00.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.



592-07

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Division of Engineering

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Mary Bennett *MB*
Engineering Technician

Date: October 11, 2007

Re: Resolution Authorizing Acceptance of Deed
Project No. 384 – Elizabeth Street Drainage Improvements

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of permanent storm sewer, drainage, sanitary sewer and temporary construction easements for the Elizabeth Street Drainage Improvements Project. The deed will be from Paige and Matthew Good at a cost of \$23,125.00 for the acquisition of 3,058 square feet of permanent storm sewer, drainage, sanitary sewer and 938 square feet of temporary construction easements from the property located at 226 Forest Park Road.

Funds for the payment are currently budgeted. Acceptance of the deed in payment of the consideration is recommended.

Approved by:

Charles H. Martin, P.E.
Director, Division of Water and Air Quality

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

Attachments

c: Robert Bayert, P.E. David Carroll, P.E. Glenda George Yvonne Stone File

08.P384.406.blue226forestpk

HORSE CAPITAL OF THE WORLD



604-07

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

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

DATE: October 24, 2007

RE: Lower Town Branch (LTB) Reimbursement Agreement/Easement

Approval is requested of a Reimbursement Agreement with C Brothers, LLC for construction of a sanitary sewer trunk line across property owned by Hi Acres Development Co. and operated as Spring Lake Golf Course. Approval is also requested of acceptance of a permanent sanitary sewer easement across the golf course property for the facilities to be constructed.

In July 1, 1998, the Urban County Government established a privilege fee agreement for Lower Town Branch (LTB) for the extension of sanitary sewer facilities to several properties in the northwest section of Fayette County, including property owned by C Brothers, LLC ("Developer"). A privilege fee schedule was established so that, as developed, properties to be served would pay a proportionate share of the costs of the sewer facilities.

LFUCG has constructed a portion of the facilities but has not extended the trunk line sewer necessary to provide sewers to the Developer's property. The Developer is ready to develop its property but needs sanitary sewer access in order to do so. The Urban County Divisions of Engineering and Water and Air Quality have determined it is in the best interest of LFUCG to have the Developer construct the LTB trunk sewer during its development. Otherwise, the Developer would construct only a sewer line sufficient to serve its property after development and the trunk line would still need to be constructed at a later time. The eastward extension of this sewer line will enable LFUCG to eliminate a pump station from that area's sewer system.

The Reimbursement Agreement provides that LFUCG will reimburse the Developer for the costs of constructing the trunk sewer line less the amount of the privilege fee which would have been owed had the LFUCG already constructed it. The permanent easement is being dedicated without cost to LFUCG and will provide future access to maintain the trunk line as part of LFUCG's sanitary sewer system.

The low bidder on the project was Lenco Excavation. Taking the amount of Lenco's bid for construction of the trunk line, plus corresponding engineering and inspection costs, restoration of the golf course property after construction, and after set-off of the privilege fee otherwise owed by the Developer, the cost to LFUCG for reimbursement to the Developer is \$447,780.30

Representative's of the Divisions of Engineering and Water and Air Quality will be available to answer questions at your Work Session.

It is requested that this request to be processed expeditiously to enable the developer to construct the trunk line during the next two months, which is the slow season for the golf course.

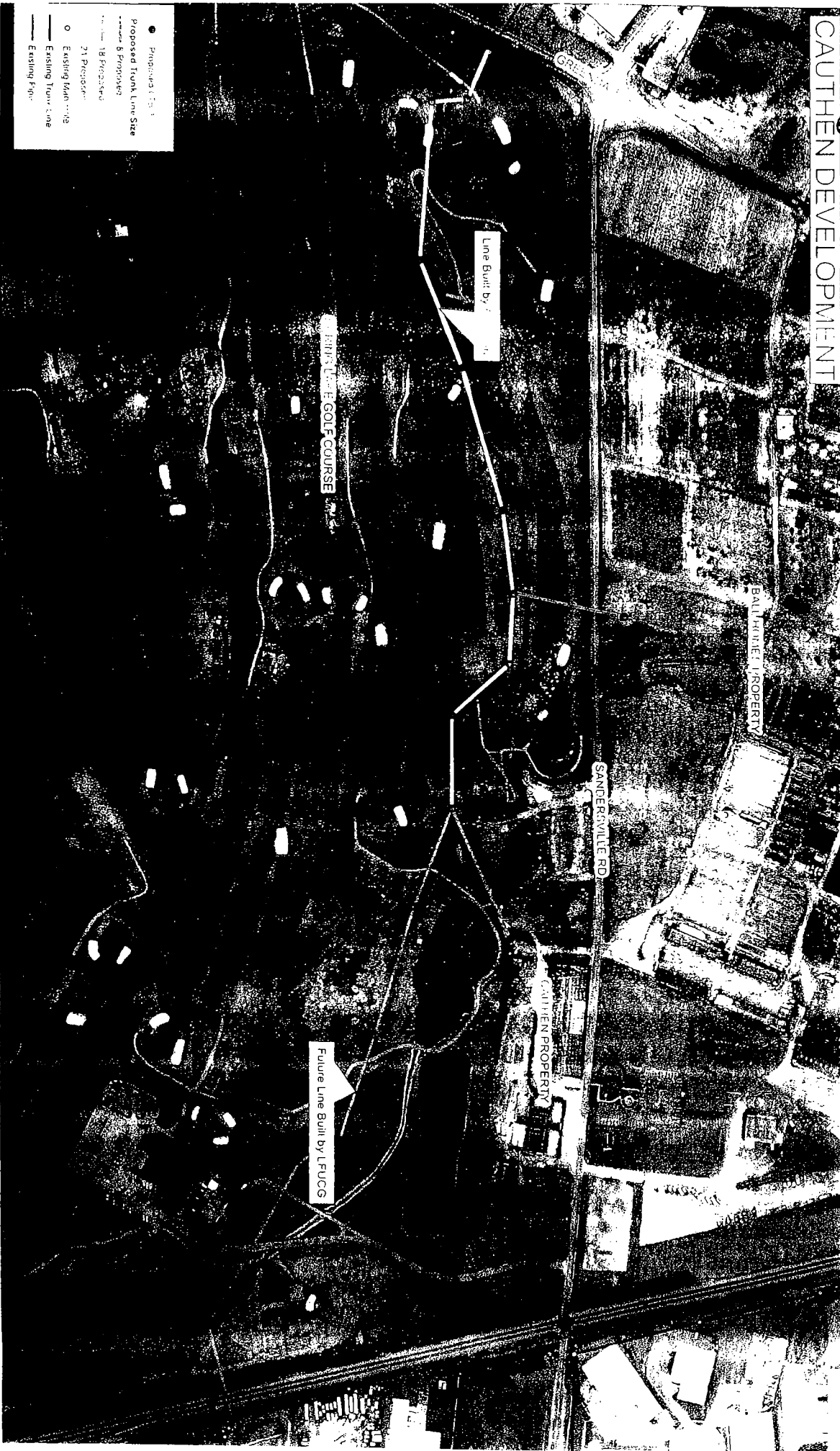
c: Don C. Kelly, P.E. File

HORSE CAPITAL OF THE WORLD

101 East Vine Street 4th Floor Lexington, KY 40507 Ph: (859) 258-3410 Fax: (859) 258-3458 www.lfucg.com

604-07

CAUTHEN DEVELOPMENT



Proposed Trunk Line Size
Existing Trunk Line
Future Line Built by LFUCG

604 4107

Exist
21"

8" for
Bill Homes

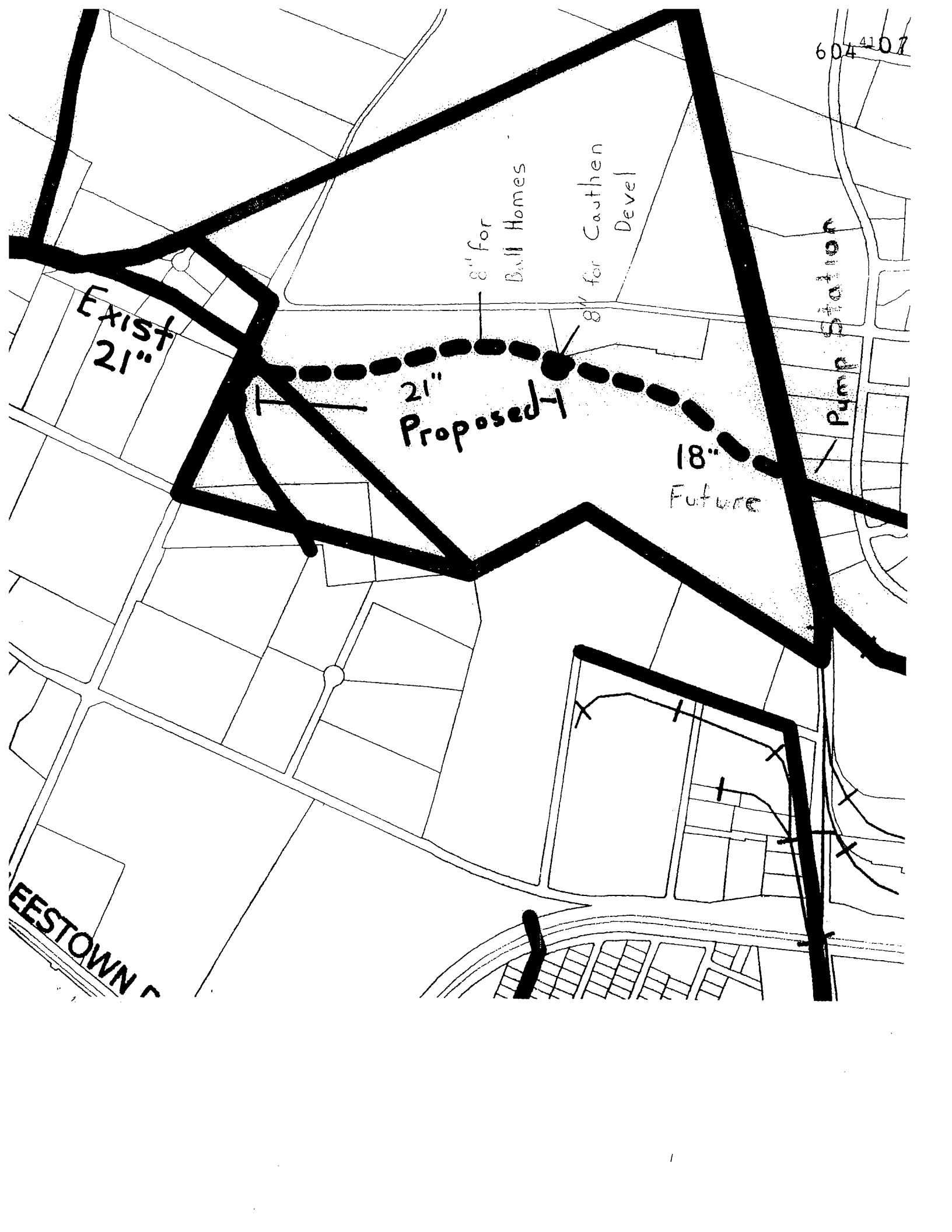
8" for Caution
Devel

21"
Proposed

18"
Future

Pump Station

EESTOWN





605 - 07

Mayor Jim Newberry

Division of Engineering

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

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

DATE: October 24, 2007

RE: Lower Town Branch (LTB) Reimbursement Agreement/Easement

Approval is requested of a Reimbursement Agreement with C Brothers, LLC for construction of a sanitary sewer trunk line across property owned by Hi Acres Development Co. and operated as Spring Lake Golf Course. Approval is also requested of acceptance of a permanent sanitary sewer easement across the golf course property for the facilities to be constructed.

In July 1, 1998, the Urban County Government established a privilege fee agreement for Lower Town Branch (LTB) for the extension of sanitary sewer facilities to several properties in the northwest section of Fayette County, including property owned by C Brothers, LLC ("Developer"). A privilege fee schedule was established so that, as developed, properties to be served would pay a proportionate share of the costs of the sewer facilities.

LFUCG has constructed a portion of the facilities but has not extended the trunk line sewer necessary to provide sewers to the Developer's property. The Developer is ready to develop its property but needs sanitary sewer access in order to do so. The Urban County Divisions of Engineering and Water and Air Quality have determined it is in the best interest of LFUCG to have the Developer construct the LTB trunk sewer during its development. Otherwise, the Developer would construct only a sewer line sufficient to serve its property after development and the trunk line would still need to be constructed at a later time. The eastward extension of this sewer line will enable LFUCG to eliminate a pump station from that area's sewer system.

The Reimbursement Agreement provides that LFUCG will reimburse the Developer for the costs of constructing the trunk sewer line less the amount of the privilege fee which would have been owed had the LFUCG already constructed it. The permanent easement is being dedicated without cost to LFUCG and will provide future access to maintain the trunk line as part of LFUCG's sanitary sewer system.

The low bidder on the project was Lenco Excavation. Taking the amount of Lenco's bid for construction of the trunk line, plus corresponding engineering and inspection costs, restoration of the golf course property after construction, and after set-off of the privilege fee otherwise owed by the Developer, the cost to LFUCG for reimbursement to the Developer is \$447,780.30

Representative's of the Divisions of Engineering and Water and Air Quality will be available to answer questions at your Work Session.

It is requested that this request to be processed expeditiously to enable the developer to construct the trunk line during the next two months, which is the slow season for the golf course.

c: Don C. Kelly, P.E. File

A VIEW OF THE WORLD

CAUTHEN DEVELOPMENT



- Proposed Line 1
- Proposed Line 2
- Proposed Line 3
- Proposed Line 4
- Proposed Line 5
- Proposed Line 6
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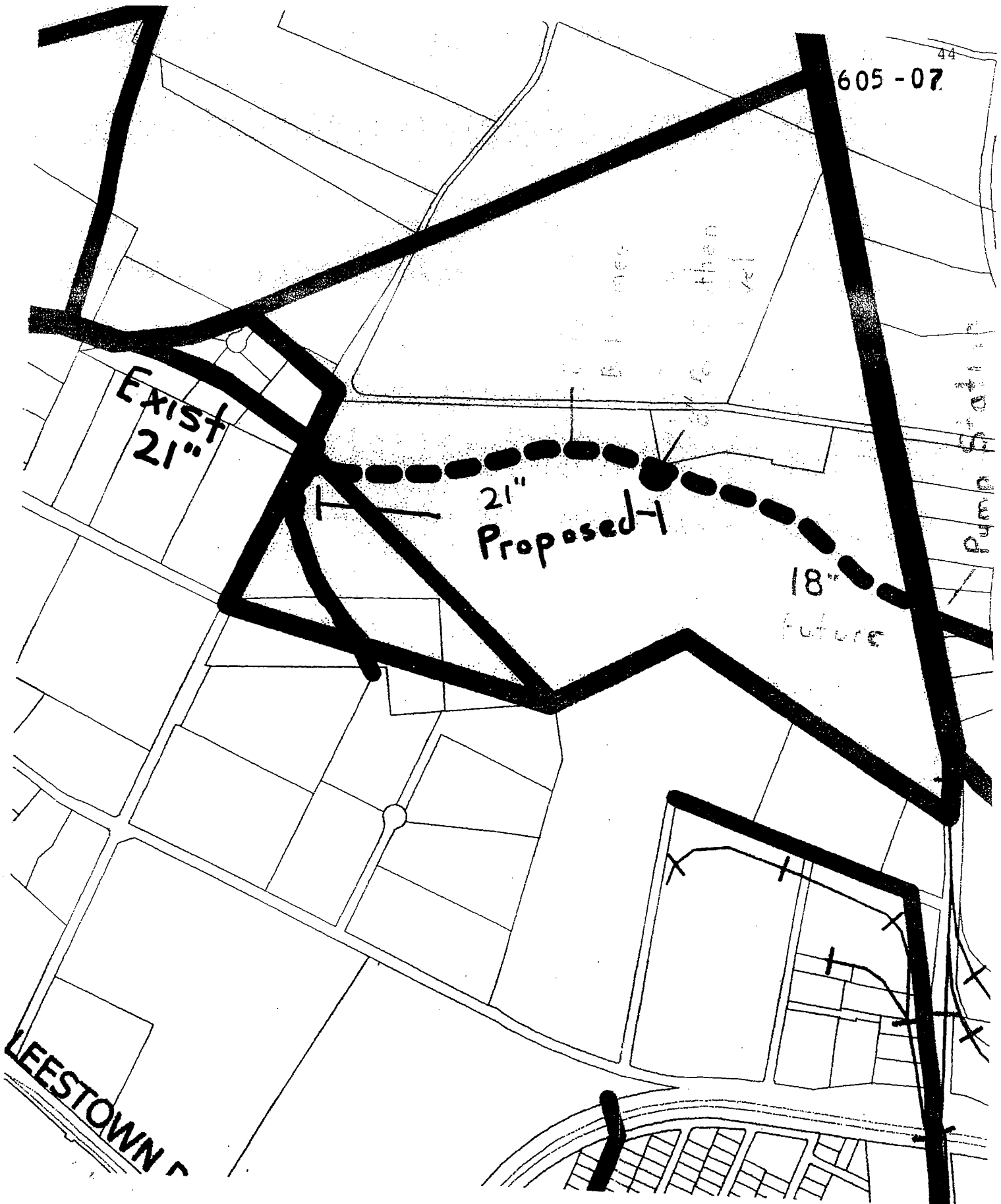
605-07

Exist
21"

21"
Proposed

18"
future

LEESTOWN





593-07

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Jim Newberry, Mayor
Members, Urban County Council

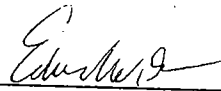
FROM: Department of Law

DATE: October 19, 2007

RE: Release of Easement
4501, 4513, 4517, 4521, and 4525 Arum Park

This memo is to request a Resolution authorizing the Mayor to sign a Partial Release of Easement, releasing a portion of a sanitary sewer easement located at 4501, 4513, 4517, 4521, and 4525 Arum Park.

The proposed Release has been reviewed and approved by the Divisions of Engineering, Water and Air Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.



Edward W. Gardner
Corporate Counsel

Enclosure

cc: Joe Kelly, Mayor's Office
Council Office

G:EWG/mem101907Release

00141730.DOC

HORSE CAPITAL OF THE WORLD

****P. O. Box 34028** Lexington, KY 40588-4028 (859) 258-3500 Fax: (859)258-3538 www.lfucg.com

****Please note new mailing address**



591-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Enhanced 9-1-1

October 17, 2007

TO: Mayor Jim Newberry and Urban County Council
FROM: David Lucas, Enhanced 9-1-1 Director *DL*
RE: Address changes for Enhanced 9-1-1 compliance

This request will change street names and individual numbers to addresses within various Council Districts. The attached listing reflects the individual addresses to be changed that are located within the 2nd, 3rd, 5th, 6th, 7th, 9th, 10th and 12th Council Districts.

The street name and/or number changes are needed to ensure the proper operation of the Enhanced 9-1-1 system. The corrections eliminate several confusing, duplicate and/or improperly named and numbered addresses in Fayette County.

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

The following documents are attached:

1. Administrative review form (Blue sheet).
2. Individual address list.

HORSE CAPITAL OF THE WORLD

591-07

715 CHILES AVE		721 CHILES AVE	2
325 CULPEPPER RD		333 CULPEPPER RD	5
2321 ELKHORN RD		2320 ELKHORN RD	6
2345 ELKHORN RD		2344 ELKHORN RD	6
538 E HIGH ST		530 E HIGH ST	3
2680 NEWTOWN PIKE		2672 NEWTOWN PIKE	12
2213 RICHMOND RD	REF PLAT M-983, IDLE HOUR SUBDIVISION	2209 RICHMOND RD	5
217 PASADENA DR		2385 HUGUENARD DR	10
621 MANNINGTON PL UNIT 1		3250 MANNINGTON CT	9
621 MANNINGTON PL UNIT 2		3252 MANNINGTON CT	9
621 MANNINGTON PL UNIT 3		3254 MANNINGTON CT	9
621 MANNINGTON PL UNIT 4		3256 MANNINGTON CT	9
621 MANNINGTON PL UNIT 5		3258 MANNINGTON CT	9
621 MANNINGTON PL UNIT 6		3260 MANNINGTON CT	9
621 MANNINGTON PL UNIT 7		3262 MANNINGTON CT	9
621 MANNINGTON PL UNIT 8		3264 MANNINGTON CT	9
621 MANNINGTON PL UNIT 9		3266 MANNINGTON CT	9
621 MANNINGTON PL UNIT 10		3268 MANNINGTON CT	9
621 MANNINGTON PL UNIT 11		3270 MANNINGTON CT	9
238 MCDOWELL RD UNIT 101		238 MCDOWELL RD UNIT 1	5
238 MCDOWELL RD UNIT 100		238 MCDOWELL RD UNIT 2	5
238 MCDOWELL RD UNIT 201		238 MCDOWELL RD UNIT 3	5
238 MCDOWELL RD UNIT 200		238 MCDOWELL RD UNIT 4	5
754 WILDERNESS RD		2135 WILDERNESS CT	7
743 WILDERNESS RD		2139 WILDERNESS CT	7
750 WILDERNESS RD		2143 WILDERNESS CT	7
755 WILDERNESS RD		2154 WILDERNESS CT	7
753 WILDERNESS RD		2158 WILDERNESS CT	7
507 WILDERNESS RD		2347 WILDERNESS PL	7
511 WILDERNESS RD		2351 WILDERNESS PL	7
515 WILDERNESS RD		2355 WILDERNESS PL	7
519 WILDERNESS RD		2359 WILDERNESS PL	7
521 WILDERNESS RD		2363 WILDERNESS PL	7
523 WILDERNESS RD		2367 WILDERNESS PL	7
525 WILDERNESS RD		2371 WILDERNESS PL	7
537 WILDERNESS RD		2375 WILDERNESS PL	7
518 WILDERNESS RD		512 WILDERNESS RD	7
514 WILDERNESS RD		516 WILDERNESS RD	7
538 WILDERNESS RD		541 WILDERNESS RD	7
589 WILDERNESS RD		591 WILDERNESS RD	7
747 WILDERNESS RD		742 WILDERNESS RD	7



600-07

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Jim Newberry, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: October 22, 2007

RE: Release of Easement
Mullikin Property (Shady Hills)

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement, releasing a utility easement located on the Mullikin Property (Shady Hills), Unit 1.

The proposed Release has been reviewed and approved by the Divisions of Engineering, Water and Air Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Corporate Counsel

Enclosure

cc: Joe Kelly, Mayor's Office
Council Office

G:EWG/mem102207Release

00141849.DOC

HORSE CAPITAL OF THE WORLD

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**Please note new mailing address



601-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Jim Newberry, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: October 23, 2007

RE: Releases of Easements
2553 Nicholasville Road

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement, releasing a utility easement, and a Release of Easement, releasing a sanitary sewer easement, on property located at 2553 Nicholasville Road (Regency Point Development).

The proposed Releases have been reviewed and approved by the Divisions of Engineering, Water and Air Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Corporate Counsel

Enclosure

cc: Joe Kelly, Mayor's Office
Council Office

G:EWG/mem102307Release

00141965.DOC

HORSE CAPITAL OF THE WORLD

**P. O. Box 34028

Lexington, KY 40588-4028 (859) 258-3500

Fax: (859) 258-3538

www.lfucg.com

**Please note new mailing address

URBAN COUNTY COUNCIL

BUDGET & FINANCE COMMITTEE SUMMARY

October 23, 2007

Dr. Stevens chaired the committee meeting, calling it to order at 1:00 pm. All committee members were present except CM Moloney.

I. Quarterly Report of Internal Audits-Sahli

-The Internal Audit Process

Bruce Sahli, Director of Internal Audit, gave an overview of this process.

-Summary of Audit Results, Senior Citizens Center Audit

Mr. Sahli gave the results of this audit. CM Gorton thanked Mr. Sahli for his work; she also asked if anyone goes back to make sure the action plan of the audited agency was put into place and Mr. Sahli answered yes. CM Gorton also asked about the cash that is received from the parking of the UK games. Mr. Sahli stated that the money goes into a donation fund account, which is matched by the state and federal govts. Mr. Sahli stated that they have taken a hard look at this collection process because they were worried about liability issues.

-Summary of Audit Results, Bid & Request for Proposal Process Audit

Mr. Sahli gave the results of this audit. CM Myers thanked Mr. Sahli for his work; CM Myers asked Mr. Sahli if this process is observation or mandate. Mr. Sahli said that most are risk observation but there are some that are based on best practice.

CM Stevens asked how the departments are chosen to be audited; Mr. Sahli answered that mainly by the nature of the business of the office. He does perform a risk assessment in order to come up with a list. The list is usually driven by the amount of revenue/expenditures involved, complexity of operations, decentralization of the operation, changes in management, and/or processes. CM Stevens went ahead to state that in the future there will be a clause in the PSAs about auditing of outside agencies that receive LFUCG funds.

CM Ellinger asked what the best process is if a citizen comes to them with an issue. Mr. Sahli stated that the issue needs to come to him first; he will then investigate the issue and decide if it is justified. Another question asked was how many audits are performed each year. Mr. Sahli stated that 12-14 projects are approved by Council then there are some special requests. His plan is to address the most important risks to UCG.

Jerry Southers, Council Office Budget Analyst, asked a question. VM Gray asked about the history of the Internal Audit Office. Mr. Sahli responded.

II. General Review of Budget in Brief Booklet FY 2008

This review was given by Connie Underwood, Division of Budgeting. CM Stevens and Comm. Koch spoke. CM Stinnett thanked Budgeting for the books and then asked about the FTE #s (full time equivalent) –all employees are included, not just full time.

CM Gorton asked about the difference in totals on pages 2-3 for all the funds listed. Ms. Underwood stated that she would find out. CM Stevens asked about the total # listed for the Council Office. Ms. Underwood stated that it includes the CMs also.

The meeting adjourned at 1:50 pm.