

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

April 29, 2008

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, April 22, 2008, pp.7-11**
- IV. Budget Amendments – None**
- V. New Business, pp.12-28**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee**
 - B. Intergovernmental Committee, pp.29-32**
 - C. Fair Housing Month Proclamation and Awards –
William Wharton, Executive Director, LFUC Human
Rights Commission**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. *Authorization of Vision Solution as the Sole Source Vendor for the Purchase of iTerra High Availability Software, Installation, Training and Maintenance on behalf of the Division of Enhanced 9-1-1. (192-08) (Lucas/Bennett)
This request will authorize Vision Solution as sole source vendor for the purchase of iTerra HA software to provide instant access to redundant hardware and software applications between the communication centers of the Divisions of Fire & Emergency Services and Police at a cost of \$63,518. This application will provide high availability access to each IBM iSeries platform without downtime and will enable full backups, planned and unplanned maintenance and seamless transfer of 9-1-1 applications without affecting 9-1-1 service. Vision Solutions uses direct applied and virtual role technology allowing the zero downtime scenarios. The software, installation, training and maintenance meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.**pp.12-14 (L15 - Project began prior to MP Recommendation)**
- B. Authorization to Accept a Donation from Price Maples, The Starving Artist Outlet on behalf of the Department of Public Safety, Division of Police. (222-08) (Bastin/Bennett)
This request will authorize the acceptance of a painting donated by Price Maples, The Starving Artist Outlet, on behalf of the Division of Police. The painting will be placed in the Office of the Chief.**p.15**
- C. Authorization to Purchase a Temporary Construction Easement for the Meadows-Northland-Arlington Phase 3B Improvements Project. (223-08) (P. King/D. Kelly)
This request will authorize purchase of temporary construction easement at property located at 1408 Bryan Avenue of 329.17 square feet at a cost of \$125 for the Meadows-Northland-Arlington Phase 3B Improvements Project. Funds are budgeted.**p.16**
- D. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for Construction of the Maine Chance Trail – FY2008. (226-08) P. King/D. Kelly)
This request will authorize the acceptance of an award of \$2,000,000 in federal funds for the construction of 3.8 miles of trail through the University of Kentucky Maine Chance Farm. The trail will begin across from the entrance to the Kentucky Horse Park, southward along the western border

of the Farm to a tunnel that provides access under I-75, then emerge from the tunnel to connect to the Coldstream Park trails. The source of federal funds is the Congestion Mitigation Air Quality Project. A 20% (\$500,000) match is required and will come from the value of an easement donated by the University. Total project cost is \$2,500,000.**p.17**

- E. *Authorization to Submit Application to the Kentucky Division of Water, and Accept Award if Offered, for the South Elkhorn Force Main Project. (225-08) (P. King/Taylor)

This request will authorize submission of an application for federal funds in the amount of \$1,146,000 to the Kentucky Division of Water, and accept the award if offered. The funds are for the South Elkhorn Force Main Project. The source of federal funds is the Environmental Protection Agency (EPA) section of the Consolidated Appropriations Act, 2008. The project will provide for the construction of a new 36-inch force main to parallel existing force main. Total project cost of the project is \$13,352,000. Funds of \$12,206,000 will come from the Force Main Construction Account with revenue from bonds that will be sold after the sewer user fee rate increase has been implemented. The South Elkhorn Force Main Project must be completed by September 14, 2010. **p.18 (EPA Consent Decree)**

- F. Authorization of Change Order No. 1 to Contract with Arnold, Dugan and Meyers Regarding the West Hickman Wastewater Treatment Plant Screw Pump Replacement – Phase 2. (227-08) (Martin/Taylor)

This request will authorize Change Order No. 1 to contract with Arnold, Dugan and Meyers for \$12,117 for the West Hickman Wastewater Treatment Plant Screw Pump Replacement – Phase 2. This change includes additional concrete work and cleanup that was encountered during construction. The original contract amount was \$1,250,000. New contract amount is \$1,262,117. Funds are budgeted.**pp.19-22**

- G. *Authorization of Change Order No. 1 to Contract with Hall Contracting of Kentucky, Inc. Regarding Additions to the Town Branch and West Hickman Wastewater Treatment Plants – Electrical Service Switchgear Modifications. (228-08) (Martin/Taylor)

This request will authorize Change Order No. 1 to contract with Hall Contracting of Kentucky, Inc. for \$62,274.35 regarding the Town Branch and West Hickman Wastewater Treatment Plants – Electrical Service Switchgear Modifications. This change includes additional lighting, a gate, and junction box for water drainage for the West Hickman switchgear; extend SCADA conduits, add phase loss relays, primary effluent gate actuators and a laptop for communication for the Town Branch switchgear, and, provide materials needed for an electrical bypass if ever needed for both plants. Original contract amount was \$419,600. New contract amount is \$481,874.35. Funds are budgeted.**pp.23-27 (EPA Consent Decree)**

H. Authorization of an Acceptance of a Deed for Property at 305 Dantzler Court for the Elizabeth Street Drainage Project. (229-08) (Martin/Taylor)

This request will authorize an acceptance of a deed for property at 305 Dantzler Court at a cost of \$177,000 for the Elizabeth Street Drainage Project. This acquisition will allow for positive stormwater management and mitigation to the existing watershed in the immediate area as well as downstream. Funds are budgeted.**p.28**

* MP Recommendation, prior to MP Recommendation or EPA Consent Decree

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

5

April 29, 2008 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
192-08 A	21056	E-911	To provide funds for E-911 system redundancy via use of high availability software by reducing professional services account. 4204 37,500 4204 37,500CR 0*
226-08 D	21876-77	Community Development	To establish grant budget for Maine Chance Trail – FY 2008. 3160 2,500,000 3160 2,500,000CR 0*
225-08 E	To Be Determined	Community Development	To provide funds for S. Elkhorn Force Main project by recognizing grant revenue from the Environmental Protection Agency. 3170 1,146,000 3170 1,146,000CR 0*
225-08 E	To Be Determined	Community Development	To provide funds for S. Elkhorn Force Main project in the Sanitary Sewer Construction Fund. Bonds will be issued to offset these costs and paid from the sewer user fee. 4003 12,206,000 12,206,000*

EFFECT ON FUND BALANCES

FUND 3160	0*	NO EFFECT ON:	US DEPARTMENT OF TRANSPORTATION
FUND 3170	0*	NO EFFECT ON:	ENVIRONMENTAL PROTECTION AGENCY
FUND 4003	12,206,000	DECREASE TO:	SANITARY SEWER CONSTRUCTION FUND
FUND 4204	0*	NO EFFECT ON:	ENHANCED 911 FUND

Budget Information For New Business Items
April 29, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	192-08	63,518	4204	Enhanced 911 Fund Budget Journal
B	222-08	NA		
C	223-08	125	3120	US Department of Housing and Urban Development
D	226-08	2,500,000	3160	US Department of Transportation Budget Journal
E	225-08	1,146,000 12,206,000	3170 4003	Environmental Protection Agency Sanitary Sewer Construction Fund Budget Journal
F	227-08	12,117	4003	Sanitary Sewer Construction Fund
G	228-08	62,274	4003	Sanitary Sewer Construction Fund
H	229-08	177,000	2517	2008 Bond Projects Fund

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

April 22, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:02 pm. All Council Members were present, except CMs Gorton and McChord.

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

A motion by CM Blues to approve the docket for 4/24/08 and place on the docket for 6/10/08 a special meeting, public hearing at 6 pm for an ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a Light Industrial (I-1) zone for 13.63 net (13.63 gross) acres of property located at 2040 Sandersville Road (a portion of) subject to certain use and buffering restrictions imposed as conditions of granting the zone change (Woodall Realty), seconded by CM Blevins, passed without dissent.

- III. Approval of Summary – Yes

A motion by CM DeCamp to approve the summary of 4/15/08, seconded by CM Lane, passed without dissent.

- IV. Budget Amendments-Yes

A motion by CM Stevens to approve the budget amendments, seconded by CM Lane, passed without dissent.

- V. New Business

- A. Authorization to Accept a Supplemental Award From the Kentucky Transportation Cabinet (KYTC), Office of Highway Safety on Behalf of the Department of Public Safety, Division of Police for Participation in the *Click It or Ticket* Safety Belt Enforcement Mobilization – FY2008. (198-08) (P. King/Bennett)
- B. Authorization to Submit Application to the US Department of Justice, Community Oriented Policing Services (COPS) Office, and Accept Award if

- Offered, on Behalf of the Department of Public Safety, Division of Police. (200-08) (P. King/Bennett)
- C. Authorization of a Commercial Contract with The Lamar Companies on Behalf of the Department of Public Safety, Division of Environmental and Emergency Management (DEEM). (201-08) (Dugger/Bennett)
 - D. Authorization of an Agreement with Lexington-Fayette County Health Department for Establishment of a Medical Reserve Corps under the Metropolitan Medical Response System (MMRS) Project – FY2008. (202-08) (P. King/Bennett)
 - E. Authorization to Amend Resolution No. 764-2006 Regarding the Public Safety Operations Center (PSOC) Project at the Coldstream Research Campus. (211-08) (Bennett)
 - F. Authorization of an Agreement for Authorized Services with AMS Planning & Research Corporation Regarding the Lyric Theatre Multi-Purpose Arts Facility. (199-08) (Boland/J. Kelly)
 - G. Authorization of an Acceptance of a Deed of Property for Construction of Sanitary Sewer Lines for the North Elkhorn Force Main Project. (220-08) (Martin/Taylor)
 - H. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water and Air Quality. (207-08) (Allen/Taylor)
 - I. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water and Air Quality. (208-08) (Allen/Taylor)
 - J. Authorization of an Agreement for Services with the YMCA on behalf of LFUCG for the Corporate Wellness Program. (209-08) (Allen/Koch)
 - K. Authorization to Submit Application to the Kentucky Department for Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services – FY2009-2010. (210-08) (P. King/Helm)
 - L. Authorization to Accept Donations from the National City Corporation and M&M Sanitation on Behalf of the Department of Social Services, Senior Intern Program. (217-08) (Helm)
 - M. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for the Town Branch Trail – Phase III – FY2008. (212-08) (P. King/D. Kelly)

- N. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for the Coldstream Park Trail – FY2008. (213-08) (P. King/D. Kelly)
- O. Authorization of Change Order No. 1 to Contract with The Allen Company, Inc. for the Wellington Bike and Pedestrian Facility. (215-08) (P. King/ D. Kelly)
- P. Authorization for Acceptance of a Deed of Permanent Sanitary Sewer Easement and a Temporary Construction Easement for the Cadentown Sanitary Sewer Project. (219-08) (Rayan/D. Kelly)
- Q. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC) for the Newtown Pike Landscaping Project – FY2008. (214-08) (P. King/Langston)
- R. Authorization of a Subordination of Mortgage Agreement with Ventures Properties, LLC. (216-08) (P. King/Koch)

A motion by CM DeCamp to approve new business items A-R, seconded by CM Lane, passed without dissent.

CM McChord is present.

VI. Continuing Business / Presentations

A. Planning Committee Update

This update was given by Co-Chair CM Blues. There were no motions to come forward from this meeting.

B. Tree Day USA Presentation

CM James introduced Tony Barrett, Chair of the Tree Board. Mr. Barrett recognized the Urban Forester, Tim Queary and his staff, and CM James and other Tree Board members. Leah MacSword, Dir. of KY Division of Forestry made presentation to Mayor Newberry for the city of Lexington.

C. Economic Growth in Kentucky-Why does Kentucky lag behind the rest of the South?

CM Lane introduced Dr. Ken Troske, PhD, UK, who made the presentation. Several CMs spoke on this issue.

VII. Council Report

CM Stinnett-Announced that this Thursday at 4 pm in the 5th floor conference room the General Services Council Link will finish meeting; stated that over the weekend there was a mailing sent from Waste Mgmt and he wants

citizens to be aware that there is mulch still available-past the deadline date.

VM Gray-Asked that the COW meeting schedule be redistributed; asked if there could be an update on the Council Links from the chairs on next Tuesday; set a tentative date for the next Economic Dev. Task Force meeting- 5/22/08 at 5 pm: Bill Lear will make a presentation along with Ron Crouch from UL Center of Demographics.

CM DeCamp- Stated that he was disappointed to read that the parking lot next to the Farmers' Mkt was now charging; asked Mayor Newberry if the administration could look into it and find another option.

CM Beard- A motion by CM Beard to approve the NDF list for 4/22/08, seconded by CM Blevins passed without dissent.

A motion by CM Beard to place a resolution on the docket for Thursday, April 24, 2008 authorizing the execution of a lease agreement with the Board of Education of Fayette County, Kentucky for Meadowbrook Golf Course for a period ending November 15, 2008, at a cost of \$1.00, seconded by CM Myers, passed without dissent.

CM Blues- Announced several neighborhood meetings: tonight at 6:30 pm at Green Acres Shelter- Public meeting on Green Acres Stormwater Project; on 4/23 at 6:30 pm 2nd District Presidents' meeting at Marlboro Park Shelter; on 4/26, Oakwood and Radcliffe-Marlboro at 7 pm, at their respective shelters, and at 6:30 pm, Winburn neighborhood at the MLK Park Shelter; also announced that on 4/30 at 6 pm in Council Chambers, there will be a public hearing on the Noise Ordinance.

CM Stevens- Stated that the chairs of the Links met today; also stated that it was nice to receive the Tree Day award; reminded everyone of the Boy Scouts Governor's Luncheon on this Friday at the Hyatt Regency at noon.

CM Myers- Asked VM Gray if he could add a topic to the agenda of the next Economic Dev. Task Force meeting- look at what Atlanta and Georgia did for the Olympics.

VIII. Mayor's Report-Yes

Mayor Newberry stated that CM Dr. Stevens was recognized as one of the American Red Cross heroes.

A motion by CM Beard to approve the Mayor's Report, seconded by CM Myers, passed without dissent.

IX. Public Comment-Issues not on the agenda-Yes

Lewis Cobb, citizen, spoke.

A motion by CM DeCamp to adjourn, seconded by CM Beard, passed without dissent.

Work Session was adjourned at 4:26 pm.



*192-08

Mayor Jim Newberry

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

April 1, 2008

TO: Mayor Jim Newberry and Urban County Council**FROM:** David S Lucas, Director of Enhanced 9-1-1 **RE:** Sole Source procurement for High Availability Disaster Recovery Software**VIA:** Tim Bennett, Commissioner of Public Safety 

The Division of Enhanced 9-1-1 is securing software to provide instant access to redundant hardware and software applications between the two communication centers located at Fire and Police Headquarters. The requested application provides high availability access to each IBM iSeries platform without downtime. This unique feature enables full backups, planned and unplanned maintenance and seamless transfer of 9-1-1 applications without affecting 9-1-1 service. The availability of software to perform this task on our current systems is very limited, and only the product from Vision Solutions uses direct applied and virtual role technology allowing the zero downtime scenario.

The total cost for the present fiscal year is a maximum of \$ 63,518 and is fully budgeted within the Division of Enhanced 911. The requested software, installation, training and maintenance meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Individual equipment listing and cost sheet.
3. Sole Source Procurement Certification
4. Purchase Order Request

Please return completed documents to my attention for final disposition.

*192-08

**Vision Solutions
Customer Quotation**

Prepared For: **David Lucas**

Lexington Fayette Urban County Government
100 Main Street
Lexington, KY 40507

Date: 3/5/2008

Quote Number: 40964

Expires: 3/31/2008

Partner:

Products and Maintenance	Additional LPAR Count	ISeries Model	Feature Code	Enterprise Code	Number of CPUs	CPU Serial Number	List Price Software Lic. Fee	Total Fees
SMB - Itera HA	1	520		P20	1		\$25,000	\$25,000
SMB - Itera HA	1	520		P20	1		\$25,000	\$25,000
Discount (valid through March 2008)								-\$12,500
1 Year Maintenance Fee								\$37,500
								\$7,018

License Use Period:

Maintenance Term Commencing: The first day of the month following date of order acceptance.

Services	Qty/Hrs	Amount
Installation/Training		\$19,000

Travel related expenses for services performed will be billed separately.

Prepaid services must be used within 12 months of date of order acceptance and are not-refundable

Totals	Amount
Products	\$37,500
Maintenance	\$7,018
Services	\$19,000
Total (\$USD)	\$63,518

Prices and terms are valid through the expiration date.

By coming direct to Vision Solutions Lexington Fayette Urban County Government is getting the lowest possible price. No Vision Solutions partner or distributor will be able to give a better price.

There are two options available to accept this quotation and place an order.

(1) Accept this quotation: Sign indicating your acceptance and provide your purchase order number (if applicable)

Signature: Name _____

Title _____

Date: _____

Purchase order # _____ (optional)

(2) Submit purchase order referencing this quotation number.

Note: All orders are subject to review and acceptance by Vision Solutions.

CERTIFICATE OF SOLE SOURCE PROCUREMENT
(Pursuant to KRS)

*192-08

14

Part I

TO: Mayor Jim Newberry and Urban County Council

FROM: David S Lucas, Director of Enhanced 911 

DATE: March 31, 2008

I recommend the purchase of the following:

iTerra High Availability software, installation, training and maintenance

from Vision Solutions., for the total price not to exceed \$ 63,518 without competitive bidding on grounds that this is a sole source purchase because of the following circumstances:

The 9-1-1 infrastructure design dictates the use of backup software capable of constantly monitoring software systems and providing a fully redundant solution. This is required to insure minimal to zero downtime due to planned and/or unexpected system failures

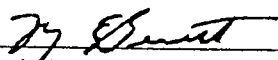
Vision Solutions is the only vendor producing this product for our current hardware that provides zero downtime installation and implementation. Additionally, their product, iTerra HA is fully supported by our current hardware and software vendors.

Part II

I hereby certify that a sole source purchase exists as described above necessitating the above purchase without competitive bidding.

Filed with me this _____ day of _____, 20_____.

Mayor



Commissioner of Requesting Division

Approved as to legality:

Commissioner of Law

Commissioner of Finance

**LEXINGTON DIVISION OF POLICE****222-08**150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: April 15, 2008

RE: Donation of Painting from Price Maples

Please find attached a blue sheet requesting approval for the Lexington Division of Police to accept a painting donated by Price Maples. The Starving Artist Outlet. The painting will be utilized in the Office of the Chief.

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

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

Ronnie Bastin
Chief of Police

RB/rmh

cc: Tim Bennett, Commissioner of Public Safety



223-08

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: APRIL 21, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO PURCHASE EASEMENT AT
1408 BRYAN AVENUE FOR THE MEADOWS-NORTHLAND-ARLINGTON
NEIGHBORHOOD IMPROVEMENT PROJECT PHASE 3B

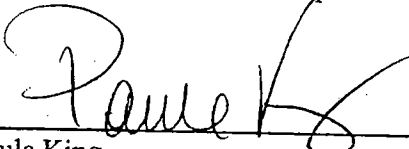
This easement is needed for construction of storm sewerage in the neighborhood. The Meadows-Northland-Arlington Neighborhood Improvement Project is funded by the U.S. Department of Housing and Urban Development Community Development Block Grant.

The Division of Engineering has negotiated a purchase of 329.17 square feet of temporary construction easement at 1408 Bryan Avenue from Rodney J. and J. A. Neal in the amount of \$125.00.

Funds for purchase of the easement are budgeted in account:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3120	303202	3211	91713	CDBG	2006	C03

Council authorization to accept deed of temporary easement is hereby requested.



Paula King
Director

Xc: Division of Engineering

HORSE CAPITAL OF THE WORLD

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





226-08

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**

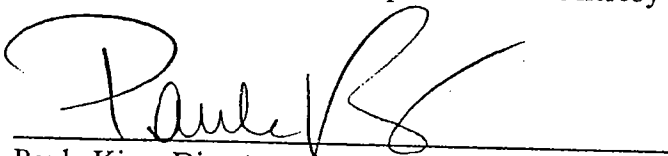
DATE: APRIL 22, 2008

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE KENTUCKY TRANSPORTATION CABINET FOR
CONSTRUCTION OF THE MAINE CHANCE TRAIL—FY 2008**

The Urban County Council approved the submission of a grant application to the Kentucky Transportation Cabinet on February 22, 2007 (Resolution No. 68-2007), requesting federal funds for the construction of Maine Chance Trail. The Kentucky Transportation Cabinet has awarded the LFUCG \$2,000,000 in federal funds for this project. Funds will be used to construct 3.8 miles of trail through the University of Kentucky Maine Chance Farm. The trail begins across from the entrance to the Kentucky Horse Park and travels southward along the western border of Maine Chance Farm to a tunnel that provides access under I-75. The trail will emerge from the tunnel and connect to existing trails in Coldstream Park.

The source of federal funds (\$2,000,000) is the Congestion Mitigation Air Quality (CMAQ) program, authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the U.S. Department of Transportation. The purpose of CMAQ is the support of surface transportation and other related projects that contribute to air quality improvements through the reduction of traffic congestion. A 20% local match is required. Match in the amount of \$500,000 will come from the value of an easement to be donated by the University of Kentucky. Total project cost is \$2,500,000.

Council authorization to accept the award is hereby requested.


Paula King, Director

Xc: Don Kelly, Commissioner, Department of Public Works and Development

HORSE CAPITAL OF THE WORLD200 East Main Street 6th Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com



*225-08

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: APRIL 22, 2008

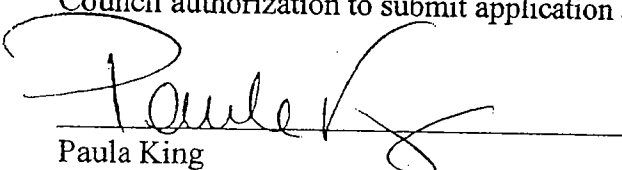
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION AND
ACCEPT AWARD, WHEN OFFERED, TO THE KENTUCKY DIVISION OF
WATER FOR FEDERAL FUNDS FROM THE ENVIRONMENTAL
PROTECTION AGENCY FOR SOUTH ELKHORN FORCE MAIN PROJECT

The Environmental Protection Agency (EPA) section of the Consolidated Appropriations Act, 2008 included federal funds in the amount of \$1,146,000 for Lexington-Fayette Urban County Government's South Elkhorn Force Main construction project. While this project has been included as an earmark in the federal budget, EPA requires the submission of an application for these funds. The application will be submitted to the Kentucky Division of Water.

The project will provide for the construction of a new 36-inch force main to parallel existing force main. The total cost of the project is \$13,352,000. Other funds (\$12,206,000) will come from account # 4003-303408-3468-92811-2009-SE_FORCE_MAIN-CONSTRUCTION. These other funds are revenue from bonds that will be sold after the sewer user fee rate increase, effective May 1, 2008, has been implemented.

The South Elkhorn Force Main Project must be completed 30 months from the March 14, 2008 date of lodging, resulting in a deadline of September 14, 2010. Failure to meet this deadline will result in stipulated penalties under the Consent Decree.

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


Paula King
Director

Xc: Cheryl Taylor, Commissioner of the Department of Environmental Quality

HORSE CAPITAL OF THE WORLD

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





227-08

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Water & Air Quality

TO: Mayor Jim Newberry
Urban County Council

FROM: Charles Martin, P.E., Director *CM*
Division of Water & Air Quality

DATE: April 14, 2008

SUBJECT: Change Order for Arnold, Dugan and Meyers for miscellaneous changes
needed to the West Hickman WWTP Screw Pump Replacement Project –
Phase 2.

The Division of Water & Air Quality requests approval of change order #1 for Arnold, Dugan and Meyers for miscellaneous changes to the West Hickman WWTP Screw Pump Replacement Project Phase 2. The original contract amount was \$1,250,000.00. Change Order #1 is for \$12,117.00 for a revised total contract amount of \$1,262,117.00, resulting in a net increase of 1% from the original contract amount.

This contract required Arnold, Dugan and Meyers to purchase and install replacement pumps for Screw Pump #2 including other components necessary to control and operate the pumps. This change order is for additional concrete work and clean – up that was encountered during construction. Costs reflect labor and materials only; no design charges will be requested for the changes.

The funds are fully budgeted in 4003-303401-3421-92711.

cc: Cheryl A. Taylor, Commissioner, Department of Environmental Quality
Tiffany Rank, P.E., Municipal Engineer Senior, Division of Water & Air Quality

HORSE CAPITAL OF THE WORLD

301 Lisle Industrial Ave Lexington, KY 40511 (859) 425-2400

LexCall 859-425-2255

www.lfucg.com

227-08

CONTRACT HISTORY FORMContractor: Arnold, Dugan & MeyersProject Name: West Hickman Wastewater Treatment Plant
Screw Pump Replacement - Phase 2Contract Number and Date: 900 06/29/2007Responsible LFUCG Division: Water & Air Quality

CHANGE ORDER DETAILS

Summary of Previous Change Orders to Date:	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount	<u>\$1,250,000.00</u>	
B. Previous Change Order Total:	<u>\$0.00</u>	<u>0%</u> <i>Line B/Line A</i>
C. Current Contract Amount:	<u>\$1,250,000.00</u>	
D. Amount of this Chage Order :	<u>\$12,117.00</u>	<u>1%</u> <i>Line D/Line A</i>
E. New Contract Amount:	<u>\$1,262,117.00</u>	<u>101%</u> <i>Line E/Line A</i>

SIGNATURE LINESREVIEWED BY: T. H. RankDATE: 4/14/08DIVISION DIRECTOR: [Signature]DATE: 4-16-08

227-08

Change Order No. 1
Resolution # 235-2007
West Hickman Wastewater Treatment Plant
Screw Pump Replacement - Phase 2

Lexington-Fayette Urban County Government
Lexington, Kentucky

OWNER: Lexington-Fayette Urban County Government
 200 East Main Street
 Lexington, Kentucky 40507

CONTRACTOR: Arnold, Dugan & Meyers
 2712 River Green Circle
 Louisville, KY 40206

SUMMARY OF INFORMATION

Date of Change Order:	April 2, 2008
Date of Contract:	June 29, 2007
Date of Notice to Proceed:	August 3, 2007
Official Start Date:	August 13, 2007
Length of Contract (calendar days):	365
Date of Contract Completion: (Final Completion Date)	August 12, 2008
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	August 12, 2008
Change in Contract Time in CO#1 (calendar days)	0
Revised Contract Date: (Final Completion Date)	
Original Contract Amount	\$1,250,000.00
Previous Change Order Total:	\$0.00
Current Contract Amount:	\$1,250,000.00
Change Order (1) Amount:	\$12,117.00
Revised Contract Amount:	\$1,262,117.00
Percent Change from Original:	1%

Review attached information for General Description

TOTAL	\$12,117.00
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*228-08

Mayor Jim Newberry

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Charles Martin, P.E., Director *CM*
Division of Water & Air Quality

DATE: April 14, 2008

SUBJECT: Change Order for Hall Contracting of Kentucky, Inc. for additions to the Town Branch and West Hickman Wastewater Treatment Plants – Electrical Service Switchgear Modifications

The Division of Water & Air Quality requests approval of change order #1 for Hall Contracting of Kentucky, Inc. for upgrades to the Town Branch and West Hickman Wastewater Treatment Plants – Electrical Service Switchgear Modifications. The original contract amount was \$419,600.00. Change Order #1 is for \$62,274.35 for a revised total contract amount of \$481,874.35, resulting in a net increase of 15% from the original contract amount.

This contract required Hall Contracting of Kentucky, Inc. to purchase and install new switchgear equipment to accept the redundant power provided by Kentucky Utilities. This change order will add additional lighting, a gate, and a junction box for water drainage for the West Hickman switchgear; extend SCADA conduits, add phase loss relays, primary effluent gate actuators and a laptop for communications for the Town Branch switchgear; and provide materials needed to provide an electrical bypass if ever needed for both plants. Costs reflect labor and materials only; no design charges will be requested for the changes.

The funds are fully budgeted in 4003-303401-3421-92711.

cc: Cheryl A. Taylor, Commissioner, Department of Environmental Quality
Tiffany Rank, P.E., Municipal Engineer Senior, Division of Water & Air Quality

HORSE CAPITAL OF THE WORLD

301 Lisle Industrial Ave Lexington, KY 40511 (859) 425-2400

LexCall 859-425-2255

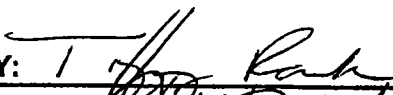
www.lfucg.com

CONTRACT HISTORY FORMContractor: Hall Contracting of Kentucky, Inc.Project Name: Town Branch and West Hickman WWTPs -
Electrical Service Switchgear ModificationsContract Number and Date: 912 09/17/2007Responsible LFUCG Division: Water & Air QualityCHANGE ORDER DETAILS

<u>Summary of Previous Change Orders to Date:</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount	\$419,600.00	
B. Previous Change Order Total:	\$0.00	0% <i>Line B/Line A</i>
C. Current Contract Amount:	\$419,600.00	
D. Amount of this Chage Order :	\$62,274.35	15% <i>Line D/Line A</i>
E. New Contract Amount:	\$481,874.35	115% <i>Line E/Line A</i>

SIGNATURE LINES

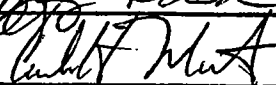
REVIEWED BY:



DATE:

4/14/08

DIVISION DIRECTOR:



DATE:

4-16-08

Change Order No. 1
Resolution # 389-2007
Town Branch and West Hickman Wastewater Treatment Plants -
Electrical Service Switchgear Modifications

Lexington-Fayette Urban County Government
Lexington, Kentucky

OWNER: Lexington-Fayette Urban County Government
200 East Main Street
Lexington, Kentucky 40507

CONTRACTOR: Hall Contracting of Kentucky, Inc
3800 Crittenden Drive
Louisville, KY 40209

SUMMARY OF INFORMATION

Date of Change Order:	April 2, 2008
Date of Contract:	September 17, 2008
Date of Notice to Proceed:	September 6, 2007
Official Start Date:	September 17, 2007
Length of Contract (calendar days):	180
Date of Contract Completion: (Final Completion Date)	March 31, 2008
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	March 31, 2008
Change in Contract Time InCO#1 (calendar days)	0
Revised Contract Date: (Final Completion Date)	
Original Contract Amount	\$419,600.00
Previous Change Order Total:	\$0.00
Current Contract Amount:	\$419,600.00
Change Order (1) Amount:	\$62,274.35
Revised Contract Amount:	\$481,874.35
Percent Change from Original:	15%

Review attached information for General Description

Potential Change Orders - Town Branch & West Hickman WWTP Electrical Service Switchgear Modifications									
Project:		TB & WH WWTP Electrical Service and Switchgear Modification Lexington, Kentucky Contract #912				Key Ow = Owner Om = Omission A/E = Architect/Engineer C = Contractor			
No.	Date	Brief Description	Price	Change Requested by					CO No.
				Ow	A/E	C	Om		
1	03/20/2008	Change: Addition of two new light fixtures for West Hickman switchgear location. Reason: After reviewing the arrangement of the new equipment LFUCG realized additional lighting was necessary.	\$3,680.65	X					1
2	03/20/2008	Change: Addition of fence gate for access to the new West Hickman switchgear. Reason: The engineer had planned on using the existing gate to access the switchgear. However due to safety concerns of having to walk thru the existing substation to access the new gear a new gate was added.	\$1,175.56	X			X		1
3	03/20/2008	Change: Extend SCADA conduits at the Town Branch switchgear to the Non-Potable Building to connect to our existing SCADA. Reason: Once the connection is made we will be able to monitor the status of our feeds and our power usage.	\$7,507.59	X			X		1
4	03/21/2008	Change: Materials needed to bypass the switchgear if it was ever necessary. Reason: After evaluating possible reliability issues LFUCG and the engineer decided to add one more safety factor to the equation. If something did happen and the switchgear failed with 15KV 600Amp switchgear bypass materials on hand we would be able to bypass the gear and continue to bring power to the plant.	\$3,820.52	X	X				1
5	03/20/2008	Change: Addition of a utility junction box to KU's conduit. Reason: When the contractor was installing the conduit LFUCG noticed a high water table in this area. The utility junction box was added to keep water from getting into the switchgear cabinet.	\$3,403.87	X	X				1
Page TOTAL			\$19,588.19						

229-08



Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Division of Engineering

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: Mary Bennett *MB*
Engineering Technician

Date: April 14, 2008

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

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for the acquisition of 305 Dantzler Court. The deed will be from John and Mary Fox at a cost of \$177,000.00 for the acquisition of the entire property. The purchase price is based on the appraisal obtained by the Division of Engineering.

The purpose of the acquisition is for stormwater management and mitigation to the existing watershed. Recommendation for the purchase comes from both the assigned consultant and the Division of Engineering staff. The stormwater consultant and engineering staff concur that acquisition of the property would allow for positive stormwater mitigation in the immediate area as well as downstream.

Funds for the payment are currently budgeted.

Approved by:

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

[Signature]
Cheryl Taylor, Commissioner
Department of Environmental Quality

Attachments

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

08.P384.406.bluesheetp1

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

URBAN COUNTY COUNCIL
Inter-Governmental Committee

April 22, 2008

CM James chaired the meeting, calling it to order at 1:00 pm. All members were present.

I. Pay Equity Issue

Michael Allen – HR Director – presented pay equity information, explaining inversions and how/when they occur. He referred to the pay equity ordinance of 2002 and how it tied to further pay equity action in 2006.

CM Stinnett asked the difference between pay equity and inversions and was told there was none. CM Stinnett also wanted to know if there were currently any pay equity issues pending.

Mr. Allen told the committee equity issues actually start when an employee is hired, but is not evident until the six month probationary period is completed. Mr. Allen said HR is now requesting the hiring division/department fund any equity/inversion issues at the time of hire.

CM Stinnett asked for a break-down of inversions by division/department.

CM Blevins asked if all inversions were currently caught up and stated the Council needs to be made aware of inversions that cause a substantial financial impact.

CM James referred to the ordinance (section 2) asking Mr. Allen if the existing ordinance satisfies all pay equity issues.

Mr. Allen replied the ordinance was created to address a large amount of inversions that continued to build over a long period of time creating a large pay equity discrepancy. He said the 2006 action was an accumulation of what was started in 2002.

CM James asked about back pay referring to older work session summaries containing pay equity/back pay discussions.

Mr. Allen said the actions at that time were deemed necessary in order to act on the ordinance.

CM James wanted to know the process or procedure an employee uses to address a pay equity issue with HR.

Mr. Allen replied the reviews are usually informal and are handled via emails, phone calls, etc. He explained the equity issues handled by the 2002 ordinance were handled by a formal process; due only to the large number involved, but are not typically handled as such.

CM DeCamp recalled the pay equity as a huge undertaking, saying employees waited a long time for resolution and commended HR for their efforts to resolve it.

CM Stinnett remarked about a presentation that was forthcoming about a new pay system. He asked Mr. Allen if a new pay structure was adopted how the existing ordinance would be affected.

Mr. Allen replied if it were not abolished at the very least would have to be amended, since it would be in direct contrast to any proposed, new pay structure system.

II. Boards/Commissions

Anna Hartje Butcher, - Mayors Office outlined an April 16, 2008 memo listing Boards, Commissions and Committees which were presented to Council for consideration for elimination and consolidation. The memo updated the Committee on research conducted on each and recommendation for review.

A motion by CM Myers to adopt the recommendations for elimination/consolidation submitted by administration and brings forward to the full Council for review and consideration, seconded by CM Crosbie, passed without dissent.

Glenda George, - Law Dept. presented details of a draft ordinance designed to amend the Ethics Act – Boards and Commissions. The changes would require members of all Urban County Government boards/commissions to comply with the Ethics Act. To complete this action several amendments were recommended. These included disclosure requirements and other criteria. Also more specific definitions of language such as “agency, officers, regulatory authority, and public funds”.

CM Beard asked if advisory boards, such as Raven Run are included in this proposal and they are not.

CM Stevens had several questions about the draft and expressing concern it may be more severe than the proposal was originally intended and suggested a more in depth review of the amendments.

CM Blevins asked about possible consequences associated with the draft and wanted to know how many boards/commissions would be affected. He asked if there would be a new list available after the recommended eliminations and consolidations.

VM Gray asked about administration cost associated with the draft, such as applications, forms, document management, etc.

CM Myers replied the new disclosure form would be included with existing documentation that must be completed before a member can be confirmed to a board or commission.

CM Stinnett stated there would be administrative cost associated with the addition of 8-9 new entities since the responsibility would be on the Council Clerks office to oversee the necessary documentation and record retention. He asked Susan Lamb, Council Clerk to confirm what if any additional work load or cost might be incurred.

VM Gray recommended a through examination and a matrix of costs before approving the proposal. He expressed concern that an unintended effect might discourage community participation.

CM Myers asked the committee to look at why the Ethics Act was implemented reminding them there are several boards/commissions with substantial amounts of and spending authority which the public should be aware of.

Glenda George asked the committee about an effective date of the proposed new ordinance and noted that in order bring all boards/commissions under the amended Ethics Act; training by HR would be required.

CM Blues asked to know more about the impact on HR to affect the training mentioned and asked if there would be attendance requirements as stipulations for board members.

After further discussion, several Council Members supported the need for more information, a matrix and financial impact a motion by CM Myers to adopt the amendments proposed in the draft Ethics Act ordinance art and move forward to the full council was withdrawn.

Tracy Jones, - Law Department talked about the reporting policy and presented a draft resolution requiring boards and commissions to provide certain information to the administration for posting to the LFUCG website. This only pertains to those created in the LFUCG Code of Ordinances. It would require

boards/commission to provide information such as bi-laws, citations, meeting minutes, etc.

CM James stated her support for website use and recommended stating in the resolution who/how the website information will be obtained and who/how would load and maintain the data provided.

Shaye Rabold, Chief of Staff told the committee the maintenance and oversight of the website should be discussed with LFUCG IT Department.

CM DeCamp expressed need for more specific language in the draft.

CM Blevins asked about an effective date and was told that had not yet been determined and that a redraft of the resolution is in order before proceeding further.

No motions brought forward.

III. Update on Committee Items

CM Beard asked for clarification on the referral process of items to any standing committees by council members that did not serve as a member of that respective committee. Paul Schoninger, Council Research Analyst to provide further information.

A motion by CM James to adjourn seconded by CM Beard, passed without dissent.

The meeting adjourned at 2:33 p.m.