

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
MAY 19 through MAY 26, 2008**

MONDAY, MAY 19

Human Rights Commission Community Relations Meeting.....4:30 pm
Conference Room-5th Floor Government Center

Human Rights Commission Monthly Meeting.....5:30 pm
Conference Room-5th Floor Government Center

TUESDAY, MAY 20

Sanitary Sewer Oversight Committee Meeting..... 11:30 am
Conference Room-5th Floor Government Center

Council Link Report Outs & Recommendations (5 links)..... 1:00 pm
Council Chambers-2nd Floor Government Center

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

WEDNESDAY, MAY 21

Exaction Credit Committee Meeting.....9:00 am
Conference Room-9th Floor Government Center

Greenspace Commission Board Meeting.....3:00 pm
Council Chambers-2nd Floor Government Center

Town & Gown Commission Meeting.....4:00 pm
Maxwell St Presbyterian Church, 180 E Maxwell St

Lextran Board Meeting.....6:30 pm
Council Chambers-2nd Floor Government Center

THURSDAY, MAY 22

Mayor's Bicycle Task Force Meeting..... 11:30 am
Conference Room-5th Floor Government Center

Economic Development Task Force Meeting.....5:00 pm
Conference Room-5th Floor Government Center

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

Public Hearing re: Mayor's Proposed Budget.....7:00 pm
Council Chambers-2nd Floor Government Center

FRIDAY, MAY 23

No Meetings

MONDAY, MAY 26

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

May 20, 2008

- I. Public Comment – Issues on Agenda**
- II. Requested Rezonings / Docket Approval – Yes**
- III. Approval of Summary-Yes, May 13, 2008, pp. 8-11**
- IV. Budget Amendments – Yes, pp.12-28**
- V. New Business, pp.31-57**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee**
 - B. Intergovernmental Committee, pp.58-59**
 - C. Emergency Medical Worker Proclamation**
 - D. Corrections Officer Appreciation Day Proclamation**
 - E. LexTran Budget Report (Rocky Burke, General Manager)**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for Biodiesel Fuel Storage Tank Project – FY2008. (259-08) (P. King/D. Kelly)
This request will authorize the acceptance of federal funds of \$88,000 from the KYTC for the public / private partnership with Riley Oil Company for the purchase of a large biodiesel storage tank to continue the success of the Fayette County Biodiesel Fuel program. The public partnership includes the Fayette County Public Schools, LFUCG, LexTran, and the University of Kentucky. Biodiesel fuels will help Fayette County to maintain its air quality designation of "Attainment" for the Particulate Matter 2.5 Air Pollution Standard. The source of federal funds is the Congestion Mitigation Air Quality Program. A local match of 20% (\$22,000) is required and will be funded by the Riley Oil Company.p.31
- B. Authorization of a Memorandum of Agreement (MOA) between LFUCG and LexTran to Facilitate the Placement of Bus Shelters in the Community. (266-08) (D. Kelly)
This request will authorize a MOA between LFUCG and LexTran to facilitate the placement of Bus Shelters to serve the needs of the community. LFUCG and LexTran will work together to obtain any necessary encroachment permits from LFUCG and the Kentucky Transportation Cabinet for proposed locations of shelters and benches.pp.32-37
- C. *Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Environmental Quality. (261-08) (Allen/Taylor) This request will authorize an amendment to Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Environmental Quality. To accomplish this undertaking, the existing LFUCG Division of Water and Air Quality will become known as the Division of Water Quality along with all authorized positions and incumbents, from the Division of Water and Air Quality and the Division of Outer Perimeter Sewer System. The Office of Compliance will be abolished and the Division of Environmental Policy will be created transferring the authorized positions and incumbents with the exception of two positions. The Administrative Officer Senior position and the incumbent will be transferred to the Department of Environmental Quality. The Administrative Officer and the incumbent in the Department of Environmental Quality will be transferred to the Division of Environmental Policy. There is no fiscal impact for this action.p.38
(K1, K4 & K14 – Recommended by the MP Audit)

- D. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Divisions of Fire & Emergency Services and Enhanced 9-1-1. (255-08) (Allen/Bennett)
 This request will authorize an amendment to Section 21-5 of the Code of Ordinances to transfer one (1) position of Staff Assistant (Grade 107N), and the incumbent, from the Division of Fire and Emergency Services to Enhanced 9-1-1. There is no fiscal impact with this action. **p.39**
- E. Authorization of a Professional Service Agreement with Sarah Livers, Sexual Assault Nurse Examiner (SANE) for the Performance of Forensic Examinations. (256-08) (King/Bennett)
 This request will authorize a professional service agreement with Sarah Livers, SANE, to serve on an "on-call" basis for the performance of forensic examinations at the University of Kentucky Emergency Room for a period of April 1, 2008 through December 31, 2008 under the continuation of funding from the Violence Against Women Act from the Kentucky Justice Cabinet. This program is to improve the collection of forensic evidence in sexual assault cases and provide victims of sexual assault more humane treatment during the investigation. Funds are budgeted. **pp.40-43**
- F. *Authorization to Submit Applications to the Kentucky Office of Homeland Security for on behalf of the Department of Public Safety, Divisions of Fire & Emergency Services, Environmental & Emergency Management, Enhanced 9-1-1, and Police, and the Kentucky Blood Center (KBC) under the FY2008 Homeland Security Grant Program. (262-08) (P. King/Bennett)
 This request will authorize the submission of applications to the Kentucky Office of Homeland Security for federal funds from Department of Homeland Security, Homeland Security Grant Program. These programs provide financial assistance to the states to prevent, respond to, and recover from acts of terrorism. All projects must be related to the goals and objectives of the State Homeland Security Strategy. No matching funds are required. Applications will be submitted for the following.
- The Division of Fire & Emergency Services has requested:
 - Funds in the amount of \$150,000 for purchase of a National Incident Management System compliant Salamander FireTRAX computer based wide area network accountability system. This system will provide up-to-the-second reporting of apparatus and crew assignment, location on scene and other critical function such as accountability reports, time and data capture, and will increase the level of safety for personnel operating on emergency scenes. **(L27 and L35 - Recommended by the MP Audit)**
 - Funds in the amount of \$600,000 for purchase of a Heavy Hazardous Materials Command and Response Vehicle to replace the current 1999 medium-size utility vehicle used as

Hazardous Materials One. The new vehicle has a larger crew cab, a defined research area, and enough storage capacity to haul necessary high-tech detection, mitigation, and decontamination equipment.

- The Division of Environmental and Emergency Management has requested:
 - Funds in the amount of \$25,000 to hire a contractor to develop an "All Hazards" disaster preparedness plan for the 2010 World Equestrian Games (WEG). Due to the unprecedented scale and complexity of preparedness required during the WEG, and the lack of planning staff within the Division, hiring a contractor to perform this task is essential. The final plan will be used as a template for future large venue / special events in Fayette County.
- The Division of Enhanced 9-1-1 has requested:
 - Funds in the amount of \$233,600 for the expansion of the Central Kentucky 911 network to include Hardin, Casey, Garrard, Perry, Estill, Meade and Taylor Counties. The purpose of this enhanced communications system is the creation of a redundant infrastructure allowing simplified network connectivity, lower cost and more efficient operations for all parties involved. This system will accept landline, wireless and VoIP emergency calls and fully transfer all voice and data associated with each call; a capacity not currently available between individual communication centers.
 - Funds in the amount of \$7,100,000 for the integration of current UHF and 800 MHz radio communication systems for Police & Fire into one interoperable system capable of direct voice communications among all public safety entities and the University of Kentucky Police Department, Fayette County Sheriff's Office, LexTran, and other Divisions. **(L15 – Recommended by the MP Audit)**
- The Division of Police has requested:
 - Funds in the amount of \$2,434,700 for the purchase and installation of Mobile Data Computers for the Division, Transylvania University Police, Kentucky Horse Park Police, Bluegrass Airport Public Safety, Fayette County School Security, and the Fayette County Sheriff's Office. This also includes funds for the UK Wireless project. This will provide expansion of the current downtown wireless project to cover the area inside of New Circle Road with a wireless mesh and wireless cameras.
 - Funds in the amount of \$122,760 for the purchase of personal protective equipment and upgrades to the Robot for Hazardous

Devices Unit. This equipment is to improve safety of personnel who respond to hazardous incidents and to prepare Improvised Explosive Devices (IED). The federal government has designated 50% of Homeland Security funding for projects that will deter use of IEDs.

- Funds in the amount of \$500,000 for purchase of two (2) total containment vessels (TCVs) that will be used when it is necessary to transport a live hazardous device to a more remote location for disposal. To ensure safety when transporting these devices, a TCV is required.
- Funds in the amount of \$150,729 for the Forensic Services Unit for purchase of a FARO Photon Laser Scanner System. This system will allow for pre-event planning and serve as a post incident investigative tool. The system also allows for modeling, simulation, and analysis based on accurate information of what is really at the site.
- The Kentucky Blood Center has requested:
 - funds in the amount of \$24,000 for purchase of an IBM AS/400 I Series (520 model 9406 Operating System OS/400 V5R3MO) to be stored off-site at Kentucky Underground, to serve as a back-up to the Blood Management System Software located at KBC. The Food and Drug Administration requires documentation on all donors. A back-up system will ensure that blood collection, processing and distribution would not stop during a system crash and / or a disaster.
 - Funds in the amount of \$47,410 for purchase of shatter resistant window film to reduce the risk that a disaster would impede KBC's ability to continue its mission of providing blood for life-saving transfusions. The 3M Scotchshield Ultra Safety and Security Film will provide increased protection for the Center and processing facility during a disaster.**pp.44-46**

G. Authorization to Submit Application to the Kentucky Office of Homeland Security, and Accept Award if Offered, on Behalf of the Department of Public Safety, Division of Environmental and Emergency Management (DEEM) for Continuation of the Metropolitan Medical Response System (MMRS) – FY2008. (263-08) (P. King/Bennett)

This request will authorize the submission of an application to the Kentucky Office of Homeland Security, and accept the award if offered, of federal funds in the amount of \$321,000 on behalf of DEEM for the continuation of the MMRS. This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community. The

source of federal funds is the US Department of Homeland Security, Federal Emergency Management Agency.**pp.47-49**

H. *Authorization to Amend Section 13-63(a) of the Code of Ordinances to Increase the Emergency 911 Telephone Service Funding Fee Effective June 1, 2008. (264-08) (Lucas/Bennett)

This request will authorize an amendment to Section 13-63(a) to increase the Emergency 911 Telephone Service Funding Fee by \$.79 per month for a total of \$2.10 per month to be effective June 1, 2008. This will allow full collection of the new rate for the entire fiscal year 2009. This increase is assessed on an individual exchange line basis, limited to a maximum of twenty-five (25) lines per account. This increase will generate an estimated additional \$1,042,800 for FY2009. To eliminate General Funds subsidies to the E911 Fund for ongoing fiscal years, a 4.5% annual adjustment is included to counter the traditional subscriber decrease experienced on exchange lines.**pp.50-51**

I. Authorization of Group Dental Contracts with Delta Dental of Kentucky for Delta Dental Passive Preferred Provider Organization (PPO) and Delta Premier Plan. (260-08) (Allen/Koch)

This request will authorize the acceptance of Group Dental Contracts with Delta Dental of Kentucky for Delta Dental Passive PPO and Delta Premier Plan from January 1, 2008 through December 31, 2008. Both are fully insured plans. There are no administrative services or percent-of-cost-of-claims fees.**pp.52-53**

J. *Authorization to Amend Sections 13-64 and 13-65 of the Code of Ordinances to Increase the Emergency Medical Service Fees effective June 1, 2008. (265-08) (O'Mara/Koch)

This request will authorize amendments to Sections 13-64 and 13-65 of the Code of Ordinances to increase the Emergency Medical Service Fees effective June 1, 2008 for the following services.

Service	Current Rate	Proposed Rate
BLS Emergency	\$294.00	\$650.00
ALS Level 1 Emergency	\$50.00	\$750.00
ALS Level 2	\$497.00	\$900.00
Specialty Care	\$584.00	\$1,000.00
Mileage	\$6.50	\$11.00

These increases are projected to produce \$780,000 during FY2009.
pp.54-55.

K. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of General Services, Division of Parks and Recreation. (108-08) (Allen/Cole)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish two (2) positions of Recreation Supervisor (Grade 110E) and create two (2) positions of Recreation Specialist Sr. (Grade 113E). This also amends Section 22-5 of the Code of Ordinances to abolish one (1) position of Recreation Manager (Grade 114E), three (3) positions of Recreation Supervisor Sr. (Grade 112E), and five (5) positions of Recreation Supervisors (Grade 110E); and creates one (1) position of ESP Manager (Grade 116E), three (3) positions of ESP Supervisor (Grade 114E), and three (3) positions of ESP Coordinator (Grade 112E), and reclassifying the incumbents, within the Division of Parks and Recreation; and corrects any inversions caused by the reclassification, effective retroactive to November 26, 2007; and creates two (2) positions of ESP Coordinator (Grade 112E) effective upon passage of Council. The fiscal impact for the remainder of FY2008 will be \$38,840. Total annual impact is \$67,315. **pp.56-57**

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

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

May 13, 2008

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

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

A motion by CM Myers to approve the summary of 5/6/08, seconded by CM James, passed without dissent.

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

- A. Authorization to Accept an Award from the Kentucky Community & Technical College on behalf of the Kentucky Board of Emergency Medical Services for the Department of Public Safety, Division of Fire & Emergency Services. (243-08) (P. King/Bennett)
- B. Authorization of a Memorandum of Understanding (MOU) with Chrysalis House, Inc. on behalf of the Department of Public Safety, Division of Police. (245-08) (Bastin/Bennett)
- C. Authorization to Approve an Additional Software License Agreement with New World Systems Corporation for the Department of Public Safety, Division of Police, under the Improving Crime Data Grant – FY2008. (249-08) (P. King/Bennett)
- D. Authorization to Accept a Deed of a Temporary Construction Easement for the Twelfth Street Neighborhood Improvements Project. (244-08) (Rayan/D. Kelly)

- E. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Works & Development, Division of Traffic Engineering. (248-08) (Allen/D. Kelly)
 - F. Authorization of Change Order No. 5 to Contract with Nesbitt Engineering, Inc. Regarding the Meadows/Northland/Arlington Public Improvements Design – Phase 3. (254-08) (P. King/D. Kelly)
 - G. Authorization of an Agreement with the Board of Education of Fayette County, Kentucky, for the Summer Food Service Program for 2008. (246-08) (P. King/Koch)
 - H. Authorization to Amend Section 2 of Ordinance No. 5-2008 to Correct a Clerical Error. (247-08) (Allen/Koch)
 - I. Authorization to Amend Ordinance No. 286-2007 Regarding Accrual of Vacation Leave of an Employee Involved in the Implementation of STARS within the Department of Finance and Administration. (252-08) (Koch)
 - J. *Authorization to Amend Sections 21-32(a)(1) and (2) of the Code of Ordinances Regarding Employee Automobile Usage and Reimbursement. (250-08) (Starkweather/Cole)
 - K. Authorization of Facility Usage Agreements and Concession Contracts with Various Youth Baseball Leagues on behalf of the Department of General Services, Division of Parks & Recreation. (251-08) (Hancock/Cole)
 - L. Authorization of an Agreement with The Salvation Army for an Essential Services Project for Homeless Families. (253-08) (P. King/Helm)
- * Denotes Management Partners (MP) Inc. Audit Recommendation

A motion by CM Blues to place item 'J' into the Services Committee, seconded by CM Beard passed with a 12-3 vote.

A motion by CM Stevens to approve new business items A-L, except J, seconded by CM DeCamp passed without dissent.

VI. Continuing Business / Presentations

A. Services Committee Update

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

B. Public Service Recognition Week Proclamation

This proclamation was presented to Comm. Don Kelly.

C. LexTran Bus Shelter Task Force Update

This update was given by Kevin Wentz, Dept. of Public Works & Development.

VII. Council Report

CM Gorton-Announced that on 5/17, the Armed Forces Day picnic at 11:30 -1 pm at Woodland Park; rain site is Dunbar Comm. Ctr at 545 N. Upper St- she would like to encourage everyone to come out; mentioned how excited she is about the services being offered on-line through Parks.

Mayor Newberry also made comments about the on-line services.

CM Myers-Asked Dir. of Code Enforcement, David Jarvis, for an update on the abatement fund; his answer was that this fund is empty and that they are in the process of transferring funds from the demolition fund; CM then asked how funds recaptured; answer-through Dept. of Law; CM are asked Mayor if there was an ordinance that specified that recaptured money go into the General Fund instead of Abatement fund-Comm. Bennett responded that it is a general rule, not an ordinance.

A motion by CM Myers to place the issue of abatement fund recaptured money into the Budget & Finance Committee, seconded by CM Lane, passed without dissent.

CM McChord-A motion by CM McChord to place into the Planning Committee the issue of the electrical inspectors' fee schedule, seconded by CM Myers passed without dissent.

Asked that Steven McElroy, Atty., be added to the agenda for this item. Stated that the management audit has been done and it is nothing more than over 400 recommendations to the Mayor and Council; also stated that he looks forward to having more of the fire bikes that were on the cover of the Employee Extra, used in other departments; restated that this is Bike Week in Lexington and everyone should look on lfucg.com to see the schedule of events.

CM Crosbie- A motion by CM Crosbie to approve the 5/13/08 NDF list, seconded by CM Myers, passed without dissent.

CM Henson-Announced that Golfview Estates NA will meet on 5/19.

VM Gray-Stated that this is Preservation Week and that CM DeCamp was honored with a special Preservation Award.

CM Stevens-Announced that the 5th District will host a meeting at HCHS cafeteria tomorrow for the candidates running for the 5th District seat.

A motion by CM Stevens to place into the Planning Committee the issue of the management audit and the upcoming family care center audit, seconded by CM Henson, passed without dissent.

VIII. Mayor's Report-None

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

Citizen, Lewis Cobb, spoke.

Mayor Newberry asked for a brief status report on the consent decree from Comm. Cheryl Taylor and Dir. Charlie Martin.

A motion by CM Myers to adjourn, seconded by CM Stevens, passed without dissent.

Work Session was adjourned 3:54 pm.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	22141	DIVISION	DEEM	Fund Name	General Fund
				Fund Impact	68,270.00
					68,270.00CR
					.00

To decrease funds for Metropolitan Medical Response System personnel that is not needed at this time and provide funds for decontamination equipment, software, and equipment less than \$5000.

JOURNAL	22296-97	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	100.00
					100.00CR
					.00

To provide funds for the National Wheelchair Basketball Tournament by recognizing contributions for this purpose.

JOURNAL	22300-1	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	641.88
					641.88CR
					.00

To provide funds for the National Wheelchairs Basketball Tournament by recognizing contributions for this purpose.

JOURNAL	22302-3	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	1,000.00
					1,000.00CR
					.00

To provide funds for the National Wheelchair Basketball Tournament by recognizing contributions for this purpose.

JOURNAL	22304-5	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	17,940.18
					17,940.18CR
					.00

To provide funds to reimburse salaries for Park Patrol hours expended during Special Events by recognizing contributions for this purpose.

JOURNAL	22306-7	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	800.00
					800.00CR
					.00

To provide funds for personnel expenses for the Hooves to Success from Partners for Youth Program by recognizing a contribution for that purpose.

JOURNAL	22308-9	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	3,033.15
					3,033.15CR
					.00

To provide funds to reimburse Parks & Recreation from Bluegrass State Games for material used and to recover funds from Legends for damage to fence from Campus Invasion event by recognizing a contribution for this purpose.

JOURNAL	22310-11	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	10,820.70
					10,820.70CR
					.00

To provide funds to reimburse maintenance overtime account for special events by recognizing a contribution for this purpose.

JOURNAL	22538-39	DIVISION	Special Projects	Fund Name	General Fund
				Fund Impact	1,296.00
					1,296.00CR
					.00

To provide funds for Lexington Arts and Cultural Council by recognizing revenue received from Cafe d'Arts.

JOURNAL	22564-65	DIVISION	Public Works	Fund Name	General Fund
				Fund Impact	24.50
					24.50CR
					.00

To reimburse operating supplies account with revenue received from copies for PDR open records request.

JOURNAL	22568	DIVISION	Human Resources	Fund Name	General Fund
				Fund Impact	1,660.00
					1,660.00CR
					.00

To provide funds to replace two laptops by reducing funds for operating supplies. Laptops being replaced are used for collective bargaining and testing for police/fire hiring and promotionals.

JOURNAL	22461-62	DIVISION	Environmental Quality	Fund Name	Donations Fund
				Fund Impact	3,000.00
					3,000.00CR
					.00

To recognize a donation and provide funds for operating supplies for Return of the Warmth, a plastic bottle (PET) recycling contest during the Great American Cleanup turning plastic bottles into fleece jackets for children across the country.

JOURNAL	22349	DIVISION	Waste Management	Fund Name	Urban Services
				Fund Impact	85,000.00
					85,000.00CR
					.00

To provide funds for Street Sweeper for the downtown area by decreasing funds for Refuse Carts.

JOURNAL	22350	DIVISION	Fleet Services	Fund Name	Urban Services
				Fund Impact	800,000.00
					800,000.00

To provide additional funds to for vehicle fuel and repairs to offset increase in fuel and repair costs.

JOURNAL	22351-52	DIVISION	Environmental Quality	Fund Name	Urban Services
				Fund Impact	174.90
					174.90CR
					.00

To provide funds for Great American Clean Up by recognizing revenue from scrap metal.

JOURNAL	22317-18	DIVISION	Finance	Fund Name	2008 Bond Projects
				Fund Impact	5,500,000.00
					5,500,000.00CR
					.00

To establish a budget for the implementation of Peoplesoft Phase II. Council approved Resolution No. 173-2008 which established a reimbursement resolution for the project.

JOURNAL	22541	DIVISION	Sanitary Sewers	Fund Name	Sanitary Sewer Fund
				Fund Impact	70,000.00
					70,000.00CR
					.00

To provide funds for laboratory reporting software that will coordinate all data available from a common database for all three wastewater treatment plants and the industrial pretreatment section by decreasing funds for sewer equipment.

JOURNAL	22286	DIVISION	Community Development	Fund Name	Homeland Security
				Fund Impact	10,427.00
					10,427.00CR
					.00

To amend MMRS 2006 budget to eliminate negative balances in operating supplies, public safety specialized equipment and other capital equipment.

JOURNAL	22288-89	DIVISION	Community Development	Fund Name	US Dept of Justice
				Fund Impact	150,000.00
					150,000.00CR
					.00

To recognize additional revenue from Confidential Funds (State and Federal) as program income for the Street Sales Drug Enforcement project and to correct revenue account number on original budget.

JOURNAL	22457	DIVISION	Community Development	Fund Name	Health & Human Serv
				Fund Impact	12,000.00
					12,000.00CR
					.00

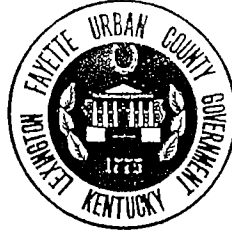
To amend Home Network Project (2007 YEAR) to reduce funds for salaries by \$12,000 to provide for the purchase of computers.

JOURNAL	22459	DIVISION	Community Development	Fund Name	Grants – Other
				Fund Impact	26,778.71
					26,778.71CR
					.00

To amend the Building Bluegrass Bridges project to provide for additional funds in unclassified salaries and part-time salaries and to decrease funds in other personnel and operating accounts.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Services District – General Fund	.00
Fund	1103	Donation Fund	.00
Fund	1115	Urban Service District Fund	.00
Fund	2518	2008 Bond Projects Fund	800,000.00
Fund	4002	Sanitary Sewer Revenue and Construction Fund	.00
Fund	3140	US Department of Justice	.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 Number 22141 **Budget Amendment Date** April 22, 2008
Requesting Division Environmental and Emergency Management
Fund Name General Fund
Fund Number 1101
Contact for Additional Information Hazel M. Lambert

Description

At the time DEEM completed our request to re-appropriate the balance of the MMRS contract money on August 8th 2007 we were in need of personnel money due to the way the personnel in the MMRS grant through Homeland Security was written, but since that time we have received two (2) MMRS grants and our need has changed.

We no longer need personnel money so we are requesting to reduce personnel cost in the contract to zero (0) and move money into a capitol account to purchase a quad shelter for the Fire Department to enhance our communities response capability, to move money into a software account to purchase the mapping tool that will allow WebEOC to connect to the Urban County Government GIS system and the balance of the money to be placed in equipment under \$5,000. This will allow us to purchase needed items for the community for a medical related response and allow us to spend the remaining balances by June 30, 2008 so we will not need to re-appropriate this money anymore.



Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Budgeting

Budget Journal Number 22296-97
 22300-1
 22302-3
Budget Amendment Date 04-25-08

Requesting Division Parks and Recreation

Fund Name General Fund

Fund Number 1101

Contact for Additional Information Becky Crawford – Parks and Recreation

Description
To recover funds for the separate donations to the National Wheelchair Basketball Tournament.



Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Budgeting

Budget Journal Number 22304-5 **Budget Amendment Date** 04-25-08

Requesting Division Parks and Recreation

Fund Name General Fund

Fund Number 1101

Contact for Additional Information Becky Crawford -Parks & Recreation

Description

To recover funds from re-payment of salaries for Park Patrol hours expended during Special Events



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Budgeting

Budget Journal Number 22306-7 **Budget Amendment Date** 04-25-08
Requesting Division Parks and Recreation
Fund Name General Fund
Fund Number 1101
Contact for Additional Information Becky Crawford – Parks and Recreation
Description
To recover funds for donations to the Hooves to Success from Partners for Youth Program.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Budgeting

Budget Journal Number 22308-09 **Budget Amendment Date** 04-25-08

Requesting Division Parks and Recreation

Fund Name General Fund

Fund Number 1101

Contact for Additional Information Becky Crawford – Parks and Recreation

Description

To recover funds re-paid to Parks & Recreation from Bluegrass State Games for materials used and from Legends to repay for damage to fence from Campus Invasion Event.



Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Budgeting

Budget Journal Number 22310-11 **Budget Amendment Date** 04-25-08
Requesting Division Parks and Recreation
Fund Name General Fund
Fund Number 1101
Contact for Additional Information Becky Crawford Parks & Recreation
Description
To recover funds from re-payments to maintenance overtime account for special events.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22461-62 **Budget Amendment Date** 5/5/08
Requesting Division Department of Environmental Quality
Fund Name Donation Fund
Fund Number 1103
Contact for Additional Information Louise Caldwell Grant ext. 2804

Description

Return of the Warmth is a plastic bottle (PET) recycling contest that closes the loop on recycling during the Great American Cleanup (GAC) by turning plastic bottles into fleece jackets for children across the country. The goal is to remove 80 million plastic bottles from the environment with the contest. The donation is to provide additional funds for the Great American Cleanup operating expenses.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22350 **Budget Amendment Date** 4/28/08
Requesting Division Fleet Services
Fund Name Full Urban Services District
Fund Number 1115
Contact for Additional Information Richard Murray 258-3872
Description
To provide additional funds to offset the increase in fuel and repair costs.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22351-52 **Budget Amendment Date** 5/2/08

Requesting Division Department of Environmental Quality

Fund Name Full Urban Services District

Fund Number 1115

Contact for Additional Information Louise Caldwell Grant ext. 2804

Description

To provide operating funds for Great America Cleanup by recognizing revenue from scrap metal recycling. Columbia Heights Neighborhood Association donated funds to Great America Cleanup.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22286 **Budget Amendment Date** 5/01/2008
Requesting Division Community Development
Fund Name US Department of Homeland Security
Fund Number 3200
Contact for Additional Information Irene Gooding--3079

Description

This budget amendment corrects negative balance in account 75100 (Operating Supplies) by decreasing account 75800 (Minor Equipment) in the amount of \$841.90. Budget amendment also decreases Account 96200 (Computer Equipment) in the amount of \$9,585.10 to offset negative balance in Account 96450 in the amount of \$3,608.10, where funds were used for purchase of mass casualty litters, and to offset negative balance in Account 96700 in the amount of \$5,977, where funds were used for purchase of medical equipment.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22288-89 **Budget Amendment Date** 5/01/2008
Requesting Division Community Development--3079
Fund Name US Department of Justice
Fund Number 3140
Contact for Additional Information Irene Gooding--3079

Description

This budget amendment recognizes an additional \$150,000 in program income for the Street Sales Grant. The program income comes from the award of Asset Forfeitures by state and federal courts. The U. S. Department of Justice requires that a pro rata portion of asset forfeitures be treated as program income to the grant. The Division of Police is projecting that an additional \$150,000 in Fiscal Year 2008 will be awarded as program income. These funds are budgeted for expenses in Operating Supplies (\$30,000), Equipment < \$5,000 (\$58,355), Professional Development and Training (\$20,000), Computer Equipment (\$20,000), Vehicles (\$10,680)—fees to be used to reimburse the U.S. Marshal's Office and the Drug Enforcement Administration for the transfer of three vehicles for use in undercover drug enforcement, and Public Safety Specialized Equipment (\$10,965)—funds will be used for purchase of interrogation equipment.

The budget amendment also corrects previous budget error of \$70,500 in Revenue Account 44010—has been corrected to be Accounts 44015 (Federal asset forfeiture) and 44045 (State asset forfeiture).



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22457 **Budget Amendment Date** 4/30/2008
Requesting Division Community Development
Fund Name US Department of Health and Human Services
Fund Number 3190
Contact for Additional Information Irene Gooding--3079

Description

To reduce salaries in 2007 Home Network Budget by \$12,000 for the purpose of budgeting \$12,000 in Computers. This will provided for needed replacement of computers in the program. These funds were earned by the project in 2007 and were in excess of the program's expenses.

This budget amendment replaces #1448, which did not get fully executed.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22459 **Budget Amendment Date** 4/29/2008
Requesting Division Community Development
Fund Name Grants - State
Fund Number 3300
Contact for Additional Information Irene Gooding-3079
Description

This budget amendment provides for an increase in Non-Civil Service Salaries (\$21,127.59), increase in Part-Time salaries (\$5,428.14), increase in Pension Contribution (\$557.51), decrease in Other Pay (\$26.93), decrease in Fringe Benefits (\$8,310.78), decrease in Other Benefits (\$2,657.45), decrease in Professional Services (\$10,395), decrease in Operating Supplies (\$5,388.55), increase in Business Travel (\$505.49), and increase in Equipment < \$5,000 (\$159.98). This amendment prepares this project for close-out by realigning budget with actual expenditures in the Home Network section of the Family Care Center.

While there is an increase in total personnel costs, no amendment is made to increase Personnel Recovery as there are no additional employees.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

May 20, 2008 Work Session

29

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
108-08 K	KC 0040	Parks and Recreation	To provide funds for two position reclassifications by reducing funds for the division's personnel contingency account. 1101 12,610 1101 12,610CR* 0*
108-08 K	KC 0041	Parks and Recreation	To provide funds for nine position reclassifications. 4202 26,230 26,230*
259-08 A	BA 1532	Community Development	To establish grant budget for the Biodiesel Fuel Storage Tank Project. 3160 110,000 3160 110,000CR 0*
263-08 G	To Be Determined	Community Development	To provide funds for the continuation of the Metropolitan Medical Response System. 3200 321,000 3200 321,000CR 0*

EFFECT ON FUND BALANCES

FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICES DISTRICT - GENERAL FUND
FUND 3160	0*	NO EFFECT ON:	US DEPARTMENT OF TRANSPORTATION
FUND 3200	0*	NO EFFECT ON:	US DEPARTMENT OF HOMELAND SECURITY
FUND 4202	26,230*	DECREASE TO:	EXTENDED SCHOOL PROGRAM

Budget Information For New Business Items
May 20, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	259-08	110,000	3160	US Department of Transportation Budget Journal
B	266-08	NA		
C	261-08	NA		
D	255-08	NA		
E	256-08	30,000 Budgeted for All SANE Nurses	3140	US Department of Justice
F	262-08	11,388,199		Sate Grant Funds Requested
G	263-08	321,000	3200	US Department of Homeland Security Budget Journal FY 2009
H	264-08	1,042,800	4204	Enhanced 911 Fund Included in FY 2009 Mayor's Proposed Budget
I	260-08		6002	Health Insurance Fund
J	265-08	780,000	1101	General Fund (FY 2009 Revenue)
K	108-08	12,610 26,230	1101 4202	General Fund Extended School Program Fund Budget Journals



259-08

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

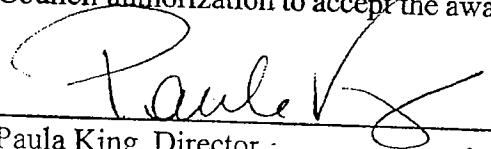
DATE: MAY 9, 2008

SUBJECT REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE KENTUCKY TRANSPORTATION CABINET FOR BIODIESEL
FUEL STORAGE TANK PROJECT—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 Biodiesel Fuel Storage Tank Project. The Kentucky Transportation Cabinet has awarded the LFUCG \$88,000 in federal funds for this public/private partnership with Riley Oil Company for the purchase of a large biodiesel storage tank. The storage tank provides a much needed source of fuel to continue the success of the Fayette County Biodiesel Fuel program that includes four public partners: Fayette County Public Schools, LFUCG, LexTran, and University of Kentucky. It is of paramount importance that Fayette County maintain its air quality designation of ATTAINMENT for the Particulate Matter 2.5 air pollution standard. Biodiesel fuels reduce Particulate Matter (PM) pollution which has been a concern in Fayette County.

The source of federal funds (\$88,000) 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. A 20% local match is required. Match in the amount of \$22,000 will come from Riley Oil Company. An agreement for use of federal funds by Riley Oil Company will be drafted for Council approval once Council has approved acceptance of these funds.

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 WORLD

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





266-08

Mayor Teresa Ann Isaac

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Department of Public Works
Office of the Commissioner

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Don C. Kelly, P.E. Commissioner
Department of Public Works & Development

DATE: May 14, 2008

RE: Authorizing Acceptance in Agreement with LexTran

The purpose of this memorandum is to request authorizing the acceptance of an agreement between Lexington Fayette Urban County Government and LexTran to facilitate the placement of bus shelters throughout the community.

Approval by:



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

HORSE CAPITAL OF THE WORLD

266-08

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is entered into this _____ day of _____, 2008, by and among the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT** (hereinafter LFUCG), 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; and **TRANSIT AUTHORITY OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT** (hereinafter Organization), with offices located at 109 West Loudon Avenue, Lexington, Kentucky 40508.

WITNESSETH:

WHEREAS, public transportation as provided by Organization is essential for maintaining the economic vitality of Lexington; and

WHEREAS, Organization seeks to promote public transportation by installing additional shelters and benches as needed to serve the needs of the citizens of the urban county; and

WHEREAS, the process and permits required in preparation for placement of a bus shelter and a bench will be expedited by assuring the participation of all parties necessary for adequate analysis of proposed locations.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. LFUCG and Organization shall work together to obtain any necessary encroachment permits from LFUCG and the Kentucky Transportation Cabinet for proposed locations of new shelters and benches.

2. Organization shall design shelters and benches which will be handicap accessible, bike compatible, compliant with all state and local requirements, and low maintenance in materials and construction.

3. Both Organization and LFUCG shall participate in the process for the final design and location of shelters and benches. LFUCG shall designate one representative from each of the following divisions to participate in the design and location of proposed shelters and benches in order to expedite the process required to obtain the necessary permits from LFUCG:

Planning, MPO

Traffic Engineering

Engineering

Public Works and Development.

4. Organization shall contract for and supervise the construction and installation of shelters and benches and shall be responsible for all associated expenses. Organization shall be responsible for the removal of any and all construction equipment and materials subsequent to completion of construction and installation, and for the return of the right-of-way to its preconstruction condition or better, with the exception of the new shelter or bench. Any damage to the right-of-way shall be repaired in a manner reasonably satisfactory to LFUCG. All construction shall be conducted in a safe manner and shall permit reasonable pedestrian and vehicular movement. Any permits or approvals required for lane closings shall be the responsibility of Organization with assistance from LFUCG.

5. Organization shall indemnify and hold harmless LFUCG against and from any and all claims, damages, causes of action and demands of any kind or nature, from third parties, arising out of or in connection with the design and construction of shelters and/or benches within and upon the public right-of-way, unless such claims, damages, causes of action or demands are a result of action by LFUCG or its agents or employees.

6. The Organization shall require any and all contractors, providing services or performing work on their behalf to maintain in force at all times during the term of the design and fabrication of the structure contemplated herein Commercial General Liability Insurance 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 act or omission in providing those services. Additionally, the Organization shall also require that they 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 an "additional insured." Organization shall also require that they 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 shall provide that such insurance shall not be cancelled, modified or permitted to lapse without thirty (30) days prior written notice to LFUCG.

If Organization subcontracts portions of the work to be performed under this Memorandum of Understanding to subcontractors relied upon principally because of the professional design services rendered by their firm, the Organization shall also require that these subcontractors provide proof to the Organization, via a Certificate of Insurance, that the subcontractor has purchased Professional Liability (Errors and Omissions) insurance, which includes a minimum Limit of Liability of \$1,000,000 per claim and aggregate, in addition to the other types of insurance referenced above for subcontractors. The Organization is responsible for obtaining and maintaining copies of these Certificates of Insurance until final acceptance of work by the parties.

7. Upon completion of construction, Organization shall assume all responsibilities of installation, ownership and maintenance of the shelters and benches and shall indemnify and hold harmless LFUCG against and from any and all claims, damages, causes of action and demands of any kind or nature, from third parties, arising out of or in connection with maintenance of the shelters and benches within and upon the public right-of-way, unless such claims, damages, causes of action or demands are a result of action by LFUCG or its agents or employees. Organization shall maintain the shelters and benches in as good condition as when the construction was completed, with the exception of

ordinary wear and tear, and shall be responsible for replacement of the shelters and benches with a similar or otherwise acceptable shelter or bench should such become necessary, such acceptability to be determined by agreement of the parties hereto.

8. Any intention to create a joint venture or partnership relations between the parties hereto is hereby expressly disclaimed.

10. This Memorandum of Agreement shall be construed under the laws of the Commonwealth of Kentucky wherein the public right-of-way is situated.

11. This Memorandum of Agreement and any addenda or exhibits attached hereto and forming a part hereof set forth all the promises, agreements, conditions and understandings among the parties. No subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties here unless reduced to writing and signed by them, and by direct reference therein made a part hereof.

12. This Memorandum of Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement by and through their authorized agents on the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: _____
Jim Newberry, Mayor



26 1-08

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

M E M O R A N D U M

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Members

FROM: Michael Allen by DNF
Michael Allen, Director
Division of Human Resources

DATE: May 13, 2008

SUBJECT: Create New Division, change name of Division—Department of Environmental Quality

The attached action amends Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Division of Environmental Policy, abolishing the Office of Compliance, and changing the name of the Division of Water and Air Quality to the Division of Water Quality all within the Department of Environmental Quality. This action will become effective upon passage of Council.

To accomplish this undertaking, the existing LFUCG Division of Water and Air Quality will become known as the Division of Water Quality along with all authorized positions and incumbents, from the Division of Water and Air Quality and the Division of Outer Perimeter Sewer System. The Office of Compliance will be abolished and the Division of Environmental Policy will be created transferring the authorized positions and incumbents with the exception of two positions. The Administrative Officer Senior position and the incumbent will be transferred to the Department of Environmental Quality. The Administrative Officer and the incumbent in the Department of Environmental Quality will be transferred to the Division of Environmental Policy.

This Administration requests this action on behalf of Management Audit that was conducted. As the new Division evolves, other potential position transfers or the creation of new positions may be requested. The fiscal impact with this action is neutral.

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

Attachment

cc: Cheryl Taylor, Commissioner, Department of Environmental Quality
Charlie Martin, Director, Division of Water Quality
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 08-0095



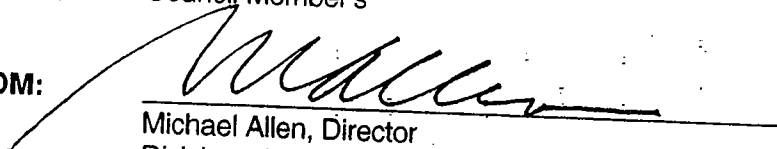
255-08

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources

M E M O R A N D U M

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Member's

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: May 7, 2008

SUBJECT: Transfer Position—Division of Fire and Emergency Services to Division of Enhanced 911

The attached action amends Section 21-5 of the Code of Ordinances, transferring one (1) position of Staff Assistant (Grade 107N), and its incumbent, from the Division of Fire and Emergency Services to the Division of Enhanced 911, effective upon passage by Council.

The Department of Public Safety, recommends transferring this position due to Divisional responsibility adjustments and to insure ongoing staff supervision.

There is no fiscal impact associated with this action.

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

Attachment

cc: Tim Bennett, Commissioner, Department of Public Safety
Michael Allen, Director, Division of Human Resources
Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Accounting

Log # 08-0093



256-08

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: MAY 8, 2008

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE PROFESSIONAL SERVICE
AGREEMENT WITH SARAH LIVERS, SEXUAL ASSAULT NURSE EXAMINER, TO
SERVE ON AN "ON-CALL" BASIS FOR THE PERFORMANCE OF FORENSIC
EXAMINATIONS**

The Lexington-Fayette Urban County Government has received continuation funding (Violence Against Women Act) from the Kentucky Justice Cabinet for the operation of a Sexual Assault Nurse Examiner program. The purpose of this program is to improve the collection of forensic evidence in sexual assault cases and to provide the victims of sexual assault more humane treatment during the investigation. Ultimately, higher rates of reporting will occur along with higher rates of prosecution and conviction. The Kentucky Crime Victims' Compensation Fund also provides financial support for forensic examinations.

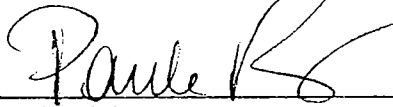
An approved element of the grant-funded project is having certified Sexual Assault Nurse Examiners (S.A.N.E.s) on call twenty-four hours a day to respond to calls for examinations at the University of Kentucky Emergency Room. This will be accomplished by contracting with qualified S.A.N.E.s. It is projected that a total of eight nurses will be placed under contract. Sarah Livers meets all qualifications.

The attached Professional Services Agreement with Sarah Livers for the period of April 1, 2008, through December 31, 2008, outlines the responsibilities and compensation. Funds for these services are budgeted as follows:

FUND	DEPARTMENT ID	SECTION	PROJECT	BUDGET REF	ACCOUNT	AMOUNT
3140	505506	5561	SANE	2008	71200	\$30,000

These funds are for the purpose of paying all contractual nurses for on-call duty, forensic examinations, and for reimbursement for liability insurance.

Council authorization to execute the Professional Services Agreement is hereby requested.



Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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



256-08

PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT, made and entered into on the ____ day of _____, 2008, by and between the Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky pursuant to KRS Chapter 67A, and located at 200 East Main Street, Lexington, Fayette County, Kentucky 40507 (hereinafter referred to as "Government") and Sarah Livers, 233 Hobbs Lane, Cox's Creek, Kentucky 40013 (hereinafter referred to as "Contractor")

WITNESSETH

WHEREAS, the Government has been awarded federal funds from the Commonwealth of Kentucky Justice Cabinet for the implementation and operation of a Sexual Assault Nurse Examiner Program;

WHEREAS, the Government seeks qualified Sexual Assault Nurse Examiners willing to serve on an "on-call" basis for the performance of forensic examinations;

WHEREAS, the Contractor has been selected as an independent contractor for the performance of forensic examinations;

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

SECTION I

OBLIGATIONS OF GOVERNMENT

1. Government agrees to reimburse Contractor \$40.00 for each scheduled "on-call" period. An on-call period is defined as an evening or day shift of eight hours in duration. The Government's Sexual Assault Nurse Examiner Coordinator is responsible for establishing on-call schedule. Reimbursement shall be made within 30 days of invoice.
2. Government agrees to reimburse Contractor at the rate of \$230.00, for each completed forensic examination. Reimbursement shall be made within 30 days of invoice and contingent upon completion of Government's reporting requirements.
3. In the event that Contractor responds to the hospital for the performance of a forensic examination, but is unable to complete the exam because the victim withdraws consent prior to or during the exam, Government agrees to reimburse the Contractor at the rate of \$30.00 per hour for up to three hours. In this event the Contractor will separately invoice the Division of Police for the incomplete call-out. These invoices will be paid from the Division of Police's general fund budget.
4. Government agrees to reimburse Contractor in an amount not to exceed the reasonable cost of a prepaid annual premium for herein described medical liability insurance upon receipt of certificate of insurance and submission of invoice. Reimbursement shall be made within 30 days of invoice.
5. Government agrees to provide a pager to the Contractor at no expense to the Contractor.
6. Government agrees to reimburse Contractor \$50.00 per case for the provision of professional testimony in a court of law.

SECTION II

OBLIGATIONS OF CONTRACTOR

1. Contractor agrees to serve on an "on-call" basis a minimum of six shifts per month, as scheduled by the Government's Sexual Assault Nurse Examiner Coordinator after completion of the Supervision Period. Contractor further agrees to serve a minimum of one "on-call" shift on two of the following holidays during the calendar year 2008: Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Eve, or New Year's Day.
2. Contractor signing this agreement for the first time agrees to serve a Supervision Period of four months, during which she understands that she serve a minimum of ten "on-call" shifts

256-08

per month in order to perform a sufficient number of forensic examinations under the direction of the Government's Sexual Assault Nurse Examiner Coordinator for the purpose of establishing competency. At the discretion of the Government's Sexual Assault Nurse Examiner Coordinator the length of the Supervision Period may be increased or decreased subject to monthly review.

3. Contractor agrees to respond to a page within ten minutes and to report to the University of Kentucky Medical Center emergency room within a reasonable amount of time after receiving a page.
4. Contractor agrees to conduct forensic examinations of sexual assault victims, including but not necessarily limited to collection and preservation of evidence, in compliance with the policies, procedures, and protocols of the Government's Sexual Assault Nurse Examiner Program and the University of Kentucky Medical Center. Contractor acknowledges receipt of policies, procedures, and protocols.
5. Contractor agrees to cooperate with the Government's Division of Police, all other law enforcement agencies utilizing the services, all county attorneys, all Commonwealth Attorneys, the Bluegrass Rape Crisis Center, and employees of the University of Kentucky Medical Center. Contractor shall make no additional charge for time spent in meetings with police, prosecutors, or for appearances in court.
6. Contractor agrees to maintain medical liability insurance, throughout the term of the Agreement, in the principal amount of not less than One Million (\$1,000,000) Dollars per occurrence and Three Million (\$3,000,000) Dollars aggregate, per policy year, for any act or omission in the furnishing of professional medical services. Said policy of insurance shall name the Lexington-Fayette Urban County Government and University of Kentucky Medical Center as 'additional insureds' thereunder. Contractor shall negotiate and contract with an insurance company for this coverage and deliver proof of insurance to the Government. If this Agreement is terminated before the expiration of the prepaid period by either party for any reason, insurance shall be cancelled with pro rata amount being refunded to the Government.
7. Contractor agrees to maintain throughout the term of this Agreement current Kentucky Registered Nurse License (unrestricted), current credentials issued by the Kentucky Board of Nursing as a Sexual Assault Nurse Examiner, and maintain membership in International Association of Forensic Nurses. Such memberships, credentials, and licensure shall be at the expense of the Contractor. Evidence of license and memberships shall be provided to the Government.
8. Contractor agrees to attend a monthly meeting at the Government's Division of Police and complete one conference per year in the field of forensics at Contractor's expense.
9. Contractor agrees to submit invoices to the Government for on-call service and for forensic examinations at least once and no more than twice per month.
10. Contractor agrees to maintain contact with the Government for a period of three years following termination of her agreement at no additional cost. Such contact includes but is not necessarily limited to notification of current home address, telephone number, and place of employment for the three-year period. Contractor agrees to comply with all subpoenas for all cases in which she performed examinations at no additional cost for the three-year period.
11. Contractor agrees to comply with the Government's Blood Borne Pathogen Occupational Exposure Policies. Contractor acknowledges that she will be fully responsible for any medical care or expenses related to an occupational exposure.
12. Contractor agrees that she will not provide services as a Legal Nurse Consultant on sexual assault cases while under contract with the Government for performance of forensic examinations and for a period of three years following termination of this agreement.

SECTION III

GENERAL CONDITIONS

1. This Agreement shall be effective from April 1, 2008, through December 31, 2008.
2. This Agreement may be terminated by either party for any reason upon thirty (30) written days notice to the other party. In the event of termination, the Contractor shall be paid in full

for all services performed to the date of such termination in accordance with Section I, Paragraph 1 and Paragraph 2.

3. The Government acknowledges and agrees that this professional services agreement shall not in any way interfere with or prevent the engagement of the Contractor in other employment, presently or otherwise. Such other employment is not to interfere with the performance of duties under this Professional Services Agreement.
4. The Contractor acknowledges that she is an independent contractor under this agreement and not an employee of the Government for any purpose.
5. The Contractor certifies, in accordance with Executive Order 12549 (Debarment and Suspension February 18, 1986) that to the best of her knowledge and belief, that she:

Is not presently debarred, suspended, proposed for debarment, declared negligible, or voluntarily excluded from covered transactions or contract by and Federal department or agency for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 as amended, Executive Order 11246 as amended or any other federal law;

- a. Has not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - b. Is not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (a) of this certification; and
 - c. Has not within a three-year period preceding this proposal had one or more public (Federal, State, or local) transactions or contracts terminated for cause or default.
5. This Professional Services Agreement represents the entire and integrated agreement between the Government and the Contractor and supersedes all prior negotiations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Contractor and the Government.
 6. This Agreement shall be governed by the laws of the Commonwealth of Kentucky.

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

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

BY: _____
Jim Newberry, Mayor

ATTEST:

Clerk of the Urban County Council

CONTRACTOR

BY: Sarah Livers
Sarah Livers



262-08 44

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: MAY 13, 2008

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATIONS
TO THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR
REQUESTING FEDERAL FUNDS FOR VARIOUS PUBLIC SAFETY
PROJECTS UNDER THE 2008 STATE HOMELAND SECURITY GRANT
PROGRAM**

The Kentucky Office of Homeland Security is accepting applications from local governments requesting federal funding from the Fiscal Year 2008 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism. The states have the responsibility for apportioning funding to local governments. All projects must be related to the Goals and Objectives of the State Homeland Security Strategy. No matching funds are required.

The Division of Fire and Emergency Services has prepared two applications:

1. Funds in the amount of \$150,000 for purchase of a NIMS (National Incident Management System) compliant **Salamander FireTRAX computer based wide area network (WAN) accountability system**. FireTRAXX maintains inventories of all apparatus types, daily staffing levels, and qualifications. On an emergency scene it will provide up-to-the-second reporting of apparatus and crew assignment, location on scene, as well as other critical functions such as accountability reports, time and data capture. The installation of FireTRAXX will increase the level of safety for personnel operating on emergency scenes within Fayette County.

2. Funds in the amount of \$600,000 for a Heavy Hazardous Materials Command and Response Vehicle to replace the current Hazardous Materials One (Haz Mat One) vehicle. The current Haz Mat One went into service in 1999 in a medium sized utility vehicle. It only has a two person cab, has no command and research space, and it cannot haul all the first in hazardous materials mitigation equipment the Division of Fire has. There are over 50 Extremely Hazardous Sites (EHS) in Fayette County. In 2007 there were 1,125 hazardous materials spills or releases in Fayette County. The Division of Fire and Emergency Services Hazardous Materials Response Team is charged with mitigating any uncontrolled hazardous material release within Fayette County in order to minimize those threats. The requested new vehicle will have a larger crew cab, a defined research area, and enough storage capacity to haul necessary high tech detection, mitigation, and decontamination equipment. Its presence assures high risk emergency scenes

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

have a higher potential for safer and more effective outcomes in saving lives, minimizing property loss, and reducing environmental impact.

The Division of Environmental and Emergency Management has prepared the following application:

Funds in the amount of \$25,000 to hire a contractor to develop an **"All Hazards" disaster preparedness plan** for 2010 World Equestrian Games (WEG). Due to the unprecedented scale and complexity of preparedness activities that the WEG will necessitate, and the lack of planning staff within DEEM, hiring a contractor to perform this task is viewed as essential. The final plan will also be used as a template for future large venue/special events in Fayette County. The contractor will work under the supervision of the DEEM director, and will be responsible for:

- Researching all applicable local, state and federal operations plans and documents relevant to preparedness requirements for a National Special Security Event.
- Coordinating (on behalf of DEEM) with relevant local, state and federal agencies to collect information and participate in interagency preparedness meetings related to the WEG
- Develop a final **"All Hazards" disaster preparedness plan specific to the 2010 WEG**
- Plan will be prepared in accordance with the Federal Special Events format

Division of Enhanced 9-1-1 has prepared two applications:

1. Funds in the amount of \$233,600 for the **expansion of the Central Kentucky 911 network to include additional jurisdictions:** Hardin, Casey, Garrard, Perry, Estill, Meade and Taylor Counties. The purpose of the enhanced communications system is the creation of a redundant infrastructure allowing simplified network connectivity, lower cost and more efficient operations for all parties involved. The regional system will accept landline, wireless and VoIP emergency calls and fully transfer all voice and data associated with each call; capabilities not currently available between individual communication centers.

2. Funds in the amount of \$7,100,000 for the **integration of current UHF & 800 Mhz radio communication systems** for Police & Fire into one interoperable system capable of direct voice communications among all Public Safety entities. Includes the capacity for other entities to participate such as UKPD, FCS, LexTran, and other UCG Divisions. Additional capabilities include ability to operate in other jurisdictions and host roaming units visiting from state, federal and international entities. (1775 units at \$4000/each)

The Kentucky Blood Center (KBC) has prepared the following applications:

1. Funds in the amount of \$24,000 for purchase of an **IBM AS/400 iSeries (520 model 9406 Operating System OS/400 V5R3MO)** to be stored off-site at Kentucky Underground, serving as a back-up to the Blood Management System Software for KBC that is handled by the IBM AS/400 Operating System located at the Lexington Donor Center. The Food and Drug Administration, which regulates KBC, requires documentation on all donors. A back-up system would ensure that blood collection, processing and distribution would not stop during a system crash and/or disaster. This is an important security issue not only for the day-to-day operations of KBC but for crisis situations as well.

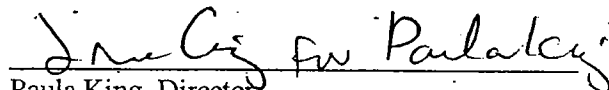
2. Funds in the amount of \$47,410 for purchase of **shatter resistant window film** that will reduce the risk that a disaster would impede KBC's ability to continue its mission of providing blood for life-saving transfusions. The 3M Scotchshield Ultra Safety and Security Film will

provide increased protection for the KBC Donor Center and Processing Facility during a disaster. With its puncture and tear resistance, it can hold glass together when broken due to impact, keeping KBC's facility and staff safe during tornados or earthquakes.

The Division of Police has prepared the following applications:

1. Funds in the amount of \$2,434,700 for the purchase and installation of **Mobile Data Computers** for the Division of Police, Transylvania University Police, Kentucky Horse Park Police, Bluegrass Airport Public Safety, Fayette County School Security, and Fayette County Sheriff. Project also includes funds for the UK Wireless Project. This will provide expansion of the current downtown wireless project to cover the area inside of New Circle Road with a wireless mesh and wireless cameras.
2. Funds in the amount of \$122,760 for the purchase of **personal protective equipment and upgrades to the Robot for the Hazardous Devices Unit**. The purpose of this equipment is to improve safety of personnel who respond to hazardous incidents and to prepare for the use of **Improvised Explosive Devices (IED)**. The federal government has designated 50% of Homeland Security funding for projects that will deter use of IEDs.
3. Funds in the amount of \$500,000 for purchase of two total containment vessels that will be used when it is necessary to transport a live hazardous device to a more remote location for disposal. In order to safely transport these devices without endangering persons and property along the travel route, a **Total Containment Vessel (TCV)** is required.
4. Funds in the amount of \$150,729 for the Forensic Services Unit for purchase of a **FARO Photon Laser Scanner System**. The laser scanner system will allow for pre-event planning and serve as a post incident investigative tool. A laser scanner system allows for modeling, simulation, and analysis based on accurate information of what is really at the site. Areas of high vulnerability can be documented prior to an incident and thus allow for preventative measures to be taken.

Council authorization to submit the applications is hereby requested.


Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



263-08

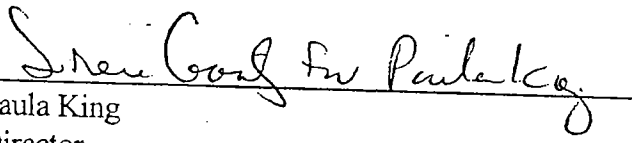
Mayor Jim Newberry

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: MAY 13, 2008****SUBJECT: AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY
OFFICE OF HOMELAND SECURITY, AND ACCEPT AWARD IF
OFFERED, FOR CONTINUATION OF THE METROPOLITAN
MEDICAL RESPONSE SYSTEM—FY 2008**

The Division of Environmental and Emergency Management has prepared an application for submission to the Kentucky Office of Homeland Security requesting federal funds in the amount of \$321,000 for continuation of the Metropolitan Medical Response System (MMRS). This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the MMRS program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community. These are federal funds that originate from the Federal Emergency Management Agency in the U.S. Department of Homeland Security.

The attached work plan provides details of how the DEEM anticipates allocating these federal funds

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


Paula King
Director

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

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

**Lexington, KY Metropolitan Medical Response System (MMRS)
FY-08 Grant (Proposed Work Plan)**

Lexington expects to be awarded @ \$321K under the FY-08 Grant. Period of performance is until @ June 2010. These funds will be broken out as follows:

- **\$80K Major (Capital) Equipment**
Funds will be used to purchase major equipment to support the health and medical response to CBRNE and mass casualty incidents. Examples include: Detection equipment, field shelter components (ZUMRO), mobility assets for mass casualty / HAZMAT equipment, etc. A particular emphasis will be placed on ensuring Lexington is adequately postured to support the World Equestrian Games in 2010.
- **\$70K Minor Equipment**
Funds will be used to purchase equipment to support the health and medical response to CBRNE and mass casualty incidents, with an emphasis on pre-hospital treatment, and hospital triage. Examples include: PPE, mass casualty equipment, triage supplies, etc. A particular emphasis will be placed on ensuring Lexington is adequately postured to support the World Equestrian Games in 2010.
- **\$65K MMRS Project Coordinator salary / benefits package**
Provide an additional year of funding (beginning in June 2009) for the existing MMRS Coordinator position. MMRS Coordinator manages all aspects of the MMRS program to include preparation and execution of MMRS work plans for the FY-06 Grant, FY-07, FY-08 Grant, Regional Health and medical planning, etc. MMRS Coordinator also acts as the primary Health and Medical Emergency planning advisor to the LFUCG
- **\$30K Professional Services**
Continue to fund an inventory / equipment manager to maintain current inventory and control system for MMRS related equipment purchases. Wide variety of MMRS equipment and logistic purchases (and pending purchases) requires dedicated support to order, receive, control, issue, inventory, survey, and rotate DECON, Mass casualty, mass care equipment. Due to the expected large influx of equipment and supplies being obtained in support of the World Equestrian Games, maintaining this capability is essential.
- **\$25K Exercise Development / Support**
Funds will be used to support exercise development and / or backfill personnel costs for a Full Scale Exercise designed to evaluate Mass Casualty plans related to the World Equestrian Games. Target for exercise execution will be Fall 2009.
- **\$16K WebEOC Hosting**
Continue funding to support the commercial hosting of the Healthcare Planning Region 13 / 14 WebEOC disaster management software servers. One server will be located in Lexington, and a backup will be located outside Fayette County. Based on current cost estimates, \$16K will cover approximately 1.5 years of hosting expenses.
- **\$10K Medical Reserve Corps (MRC)**
Funds will be used to continue development and operations of the MRC in Fayette County, as authorized under the FY-08 MMRS grant. The MRC will continue to address the need for a trained cadre of volunteer medical personnel to assist first responders should a natural or man-made disaster occur. The MRC will be supervised and implemented by the Lexington-Fayette County Health Department (LFCHD).

- **\$10K Mass Fatality / Natural Death Surge supplies / equipment**
Funds will be used to augment regional Hospital Preparedness Program (HPP) monies already programmed for this capability area. Local coroner and Division of Emergency Management will be the recipients of supplies and equipment purchased under this funding line.
- **\$10K Pandemic Influenza supplies**
Funds will be used to augment supplies and professional services funding (PANFLU plan maintenance) already programmed for this capability area under the Hospital Preparedness Program (HPP) and MMRS grants.
- **\$5K Professional Development / Travel**
Training / travel funds to support the full time MMRS position within the Division of Environmental and Emergency Management (DEEM). Training / travel to be consistent with the focus areas outlined in the MMRS FY 08 Grant package.



264-08

50

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Enhanced 9-1-1

May 13, 2008

TO: Mayor Jim Newberry and Urban County Council

FROM: David S Lucas, Director of Enhanced 9-1-1 *(signature)*

RE: Update 911 Funding Fee

VIA: Tim Bennett, *JB* Commissioner of Public Safety

This request will increase the Emergency 911 Telephone Service Funding Fee (Section 13-63(a), Code of Ordinances) by \$ 0.79 to \$ 2.10 per month. This fee increase is assessed on an individual exchange line basis, limited to a maximum of 25 lines per account.

An effective date of June 1, 2008 is requested, allowing full collection of the new rate for the entire 2009 fiscal year. The increase is estimated to generate an additional \$1,042,800 for FY2009. To eliminate General Fund subsidies to the E911 Fund for ongoing fiscal years, a 4½ % annual adjustment is included to counter the traditional subscriber decrease experienced on exchange lines.

All funds collected will be expended on acceptable 9-1-1 expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)

Please return completed documents to my attention for final disposition.

DRAFT 05-14-08

ORDINANCE NO. _____-2008

AN ORDINANCE AMENDING SECTION 13-63(a) OF THE CODE OF ORDINANCES INCREASING THE SPECIAL 911 EMERGENCY TELEPHONE SERVICE FUNDING FEE FROM \$1.31 TO \$2.10 PER MONTH, PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE TO THE FEE OF FOUR AND ONE HALF PERCENT (4.5%) PER ANNUM, EFFECTIVE EVERY JULY 1, COMMENCING JULY 1, 2009, AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY AGREEMENTS OR MEMORANDUM OF UNDERSTANDING WITH ANY BILLING OR COLLECTION ENTITIES IN ORDER TO EFFECTUATE THE INTENT OF THIS SECTION, ALL EFFECTIVE JUNE 1, 2008.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That subsection (a) of Section 13-63 of the Code of Ordinances be and hereby is amended to read as follows:

(a) Pursuant to KRS 65.760(3) there is hereby established a special "911" emergency telephone service funding fee of two dollars ten cents (\$2.10) per month to be collected from each telephone subscriber located in Fayette County, Kentucky and served by the 911 emergency telephone service. The fee shall be assessed on an individual exchange line basis limited to a maximum of twenty-five (25) exchange lines per account. This fee shall automatically increase by four and one half percent (4.5%) per annum, effective every July 1, commencing July 1, 2009. The mayor shall have the authority to sign any agreements and memorandum of understanding with the billing or collection entities as necessary to effectuate the intent of this section.

Section 2 - That this Ordinance shall become effective on June 1, 2008.

PASSED URBAN COUNTY COUNCIL:

MAYOR



260-08

52

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

M E M O R A N D U M

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: May 8, 2008

SUBJECT: DELTA DENTAL OF KENTUCKY
PASSIVE PPO PLAN

Attached please find a copy of the Delta Dental of Kentucky Passive PPO dental insurance plan for the period January 1, 2008 through December 31, 2008. This is a fully-insured plan. There are no ASO or percent-of-cost-of-claims fees.

The monthly employee rates for the fully-insured Passive PPO plan are as follows:

Employee	\$20.00
Employee + Spouse	40.00
Employee + Children	50.00
Employee + Family	76.00

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

Attachment

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

Log # 08-0094



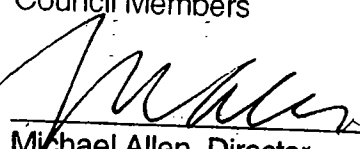
260-08

53

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources**M E M O R A N D U M**

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: May 8, 2008

SUBJECT: DELTA DENTAL OF KENTUCKY
PREMIER PLAN

Attached please find a copy of the Delta Dental of Kentucky Premier dental insurance plan for the period January 1, 2008 through December 31, 2008. This is a fully-insured plan. There are no ASO or percent-of-cost-of-claims fees.

The monthly employee rates for the fully-insured Premier plan are as follows:

Employee	\$28.00
Employee + Spouse	56.00
Employee + Children	53.00
Employee + Family	86.00

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

Attachment

Log # 08-0094

265-08⁵⁴

MPA

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Revenue

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

From: Bill O'Mara, Director *WPO*
Division of Revenue

Date: May 13, 2008

Subject: Proposed EMS Fees

The Emergency Medical Service or ambulance billing rates are significantly below other cities' and counties' rates. The low rates prevent us from recovering a significant amount of our costs of providing this service. The vast majority of these bills are paid by Medicare and insurance companies. Increasing the rates will have minimum effect on individual citizens, but will permit us to begin recovering more of our costs. The last rate increase was in 2000.

Since it will take several years to realize the full impact of the rate increases through increased Medicare and insurance reimbursement rates, we must increase the rates now in order to ever realize increased reimbursements.

Service	Current Rate	Proposed Rate
Mileage	\$6.50	\$11.00
BLS Emergency	\$294.00	\$650.00
ALS Level 1 Emergency	\$50.00	\$750.00
ALS Level 2	\$497.00	\$900.00
Specialty Care	\$584.00	\$1,000.00

These increases are projected to produce \$780,000 during FY09. It is requested the new billing rates be approved and effective June 1, 2008.

If you have questions or need Additional information, please contact me.

HORSE CAPITAL OF THE WORLD

200 East Main Street, Lexington, KY 40507 (859)258-3340 LexCall 859-425-2255

FAX 859-258-3352

www.lfucg.com

265-08

ORDINANCE NO. _____-2008

AN ORDINANCE AMENDING SECTION 13-64 OF THE CODE OF ORDINANCES TO INCREASE THE CHARGE FOR SPECIALTY CARE INTER-HOSPITAL TRANSPORTATION TO \$1,000.00, AND AMENDING SECTION 13-65 OF THE CODE OF ORDINANCES TO INCREASE THE CHARGES FOR BASIC LIFE SUPPORT SERVICES TO \$650.00, FOR ADVANCED LIFE SUPPORT LEVEL 1 EMERGENCY SERVICES TO \$750.00, AND ADVANCED LIFE SUPPORT LEVEL 2 SERVICES TO \$900.00.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 13-64 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

- (a) A fee of one thousand dollars (\$1,000.00) shall be charged each time specialty care transport is provided by the division of fire and emergency services.
- (b) The fee charged pursuant to subsection (a) of this section shall be adjusted annually each January 1, beginning January 1, 2009, by a percentage equal to the annual adjustment of Medicare's reimbursement rate.

Section 2 - That Section 13-65 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

- (a) The commissioner of finance shall collect fees for life support services, whenever transportation is furnished by the emergency medical treatment unit of the division of fire and emergency services, as follows:
 - (1) Six hundred fifty dollars (\$650.00) for basic life support services;
 - (2) Seven hundred fifty dollars (\$750.00) for advanced life support level 1 emergency; and
 - (3) Nine hundred dollars (\$900.00) for advanced life support level 2.
- (b) In addition to the fee collected under subsection (a) of this section, the commissioner of finance shall collect a fee of eleven dollars (\$11.00) for each mile of patient transportation furnished by the emergency medical treatment unit of the division of fire and emergency services.
- (c) The fees charged pursuant to subsections (a) and (b) of this section shall be adjusted annually each January 1, beginning January 1, 2009, by a percentage equal to the annual adjustment of Medicare's reimbursement rate.

Section 3 - That this Ordinance shall become effective on the date of its passage.



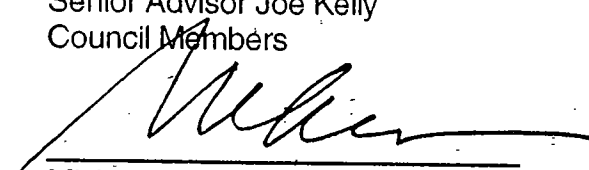
108-08

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Members

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: May 14, 2008

RE: **Reclassify Positions—Division of Parks and Recreation**

The attached action amends Section 21-5 of the Code of Ordinances, abolishing two (2) positions of Recreation Supervisor (Grade 110E) and creating two (2) positions of Recreation Specialist Sr. (Grade 113E); this action also amends Section 22-5 of the Code of Ordinances, abolishing one position of Recreation Manager (Grade 114E); abolishing three (3) Recreation Supervisor Sr. (Grade 112E); and abolishing five (5) Recreation Supervisors (Grade 110E) and creating one position (1) of ESP Manager (Grade 116E); three positions of ESP Supervisor (Grade 114E); and three (3) positions of ESP Coordinator (Grade 112E) and reclassifying the incumbents within the Division of Parks and Recreation and correcting any inversions caused by the reclassification, effective November 26, 2007 and creating two positions of ESP Coordinator (Grade 112E) effective upon passage of Council.

The Division requests this action as a result of the increase in the participants in the Extended School Program. The program has grown over the years which resulted in additional responsibilities regarding enrollment, staff, and programming. The positions responsibilities are year round.

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

The fiscal impact for FY2008 (15 pay periods) will be \$38,835.22 and will be funded using Extended School Fund balance and Parks General Fund personnel contingency account. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Brian Rogers	ESP Manager	\$37,901.76	\$47,557.12	\$9,655.36
Ann Feazell	ESP Supervisor	\$36,791.04	\$42,338.40	\$5,547.36
Sandy Jones	ESP Supervisor	\$36,791.04	\$41,660.32	\$4,869.28

Lee Prater	ESP Supervisor	\$36,791.04	\$40,470.56	\$3,679.52
Martha Duncan	Recreation Specialist Sr.	\$32,375.20	\$42,396.64	\$10,021.44
Martha McFarland	Recreation Specialist Sr.	\$40,154.40	\$47,775.52	\$7,621.12
Harold Kouns	ESP Coordinator	\$30,486.56	\$37,286.08	\$6,799.52
Leslie Adams	ESP Coordinator	\$32,687.68	\$35,626.24	\$3,238.56
Ben Thompson	ESP Coordinator	\$28,882.88	\$31,772.00	\$2,889.12
Total Annual Impact with benefits \$67,314.39				

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

Attachment
DF

cc: Kimra Cole, Commissioner, Department of General Services
Jerry Hancock, Director, Division of Parks and Recreation
Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 07-1112
07-1113
07-1114
08-0053

URBAN COUNTY COUNCIL
Inter-Governmental Committee

MAY 13, 2008

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

I. Boards/Commissions

Postponed until the June 13, 2008 committee meeting.

II. Grievance Procedures

Leslie Jarvis, Senior Manager Human Resources, gave a PowerPoint presentation regarding the grievance procedure.

CM James suggested her office be the place that all surveys are sent and logged in by an intern or volunteer. She stated they may get more responses this way.

Ms. Jarvis stated that is something she will have to speak to her director and commissioner about. She stated she would hope the feedback would be recorded appropriately and the entity handling the grievance process is provided the feedback so they will know what about the process needs to be improved.

CM James agreed.

III. Council Standing Committees

CM Myers gave background information regarding this issue. He would like to get the discussion started on how to make the committee structure more effective and efficient. He stated he has spoken to the Mayor regarding this and he would like to look at the committees being structured around the different divisions of government.

Paul Schoninger went over the research information that is included in the packet regarding what other communities are doing with their committees.

CM Myers stated some people have mentioned looking at structuring the committees like the link committees. He stated he thinks the current structure is broken. He stated he would like to have a sub committee start looking at this.

CM Beard asked what is broken about the present structure.

CM Myers stated part of it is it takes too long for things to get through the committee and secondly, the committees don't do a good job of soliciting input from the community regarding an issue.

CM Beard stated that could be fixed without restructuring the committees.

CM Myers stated it takes too long once something is put into a committee because the committees only meet once month. He stated he doesn't have an agenda as to how he would like it to look but there is a lot of room for improvement.

CM Beard stated continuity would get broken up if the committees kept getting formed and broken up continuously. He stated he doesn't want them to try and micro manage the administration.

CM Blues stated they could look at limiting the items on an agenda.

CM Blevins asked what is the thought process of getting issues through the committees faster.

CM Myers stated the more focused the committee the more issues through the committee in the same 30 day period. He stated hopefully they can decrease the amount of time they meet.

CM James stated her recommendation for a sub committee would be have the chairs of each standing committee as a starting base.

CM Myers asked to be included in the sub committee.

CM James stated sure.

IV. Update on Committee Items

CM Stinnett asked if the grievance procedure will stay in committee.

CM James stated she will keep it in committee so when the survey responses come out the information will be reported to the committee before going to full council.

CM Beard suggested merging Boards and Commissions That Adhere to Ethics Commission and Review Current Boards and Commissions.

The meeting adjourned at 1:36 p.m.