LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 10, 2008

I. Public Comment – Issues on Agenda

II. Requested Rezonings / Docket Approval – Yes

III. Approval of Summary-Yes, June 3, 2008, pp.13-17

IV. Budget Amendments – Yes, pp.18-31

V. New Business, 36-88

VI. Continuing Business / Presentations

- A. Services Committee Update (separate, not in packet)
- B. Habitat for Humanities Presentation, Rachel Childers, Executive Director

VII. Council Report

VIII. Mayor's Report – Yes

IX. Public Comment – Issues Not on Agenda

ADMINISTRATIVE SYNOPSIS

New Business Items

A. Authorization to Amend Resolution No. 413-2006 Regarding the Georgetown Street Neighborhood Association. (291-08) (Blues/Langston)
This request will authorize an amendment to Resolution No. 413-2006 regarding the purpose / use of Capital Funds of $5,000 allocated to Georgetown Street Neighborhood Association for a corridor visioning plan. The Association has requested the funds be used for sidewalk replacement in Douglass Park which will enhance the current renovation of the basketball courts in the park.**p.36**

B. Authorization to Rescind a Portion of Resolution No. 413-2006 Regarding the Masterson Station Neighborhood Association. (292-08) (Blues/Langston)
This request will authorize a rescission of a portion of Resolution No. 413-2006 regarding the purpose / use of Capital Funds of $10,000 for the Masterson Station Neighborhood Association. The funds were allocated for a basketball court in the neighborhood park. The Association has made no project plans for the funds.**p.37**

C. Authorization to Amend Resolution No. 413-2006 Regarding the Winburn Neighborhood Association. (293-08) (Blues/Langston)
This request will authorize an amendment to Resolution No. 413-2006 regarding the purpose / use of Capital Funds of $5,000 allocated to the Winburn Neighborhood Association for a corridor vision plan. The Association has requested the funds be used to replace the neighborhood sign and assist homeowners with sidewalk replacement throughout the neighborhood.**p.38**

D. Authorization to Amend Resolution 413-2006 regarding the Oakwood Neighborhood Association. (294-08) (Blues/Langston)
This request will authorize an amendment to Resolution No. 413-2006 regarding the purpose / use of Capital Funds of $23,500 allocated to the Oakwood Neighborhood Association for renovation of the basketball court in Oakwood Park. The Association has requested the funds be used to renovate the community center's public facility located in the park. **p.39**

E. Authorization of a Lease Agreement Between LFUCG and MES Enterprises, LLC for Unit 3 of the Triangle Center Condominiums at 325 W. Main Street. (284-08) (Cole)
This request will authorize a Lease Agreement with MES Enterprises, LLC for Unit 3 of the Triangle Center Condominiums at 325 W. Main Street for Project Synergy (formally STARS). The lease entitles LFUCG to exclusively occupy 5,499 square feet (approximately 1,500 square feet

more than previously) and to have access to another 400 square feet of nonexclusive space. The initial term of the lease is for 14 months effective May 1, 2008, with a one-year renewal option. The rent for the initial term and renewal is $7,491.25 per month. Funds are budgeted.**p.40**

F. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Gainesway Park Development Project. (296-08) (P. King/Cole)
This request will authorize a MOA with the Kentucky Governor's Office of Local Development to extend the Gainesway Park Development Project from June 30, 2008 to June 30, 2009. This extension will allow completion of the project.**p.41**

G. Authorization of an Ordinance to Advertise for Bids to Provide Natural Gas Franchise in Fayette County. (304-08) (Starkweather/Cole)
This request will authorize an Ordinance to advertise for bids for a three-year non-exclusive franchise to provide natural gas in Fayette County. The current 3% franchise fee on gross revenues is maintained. The fee also applies to transportation charges a company may charge a third party company for distributing the third party's gas to Fayette County users when that company does not have distribution facilities within Fayette County.**p.42**

H. Authorization of Change Order No. 3 to Contract with BCD, Inc. Regarding the Gainesway Community Center Improvements Project. (311-08) (Hancock/Cole)
This request will authorize Change Order No. 3 to contract with BCD, Inc. to increase the amount by $15,150.94 for the Gainesway Community Improvements Project. This change includes data / power outlets in the community room, removal of additional rock, the addition of a pass-through window for the kitchen, stain / seal kitchen floor, clean entrance grates, replace rear door glazing, add a vertical grab bar in the restroom, and modify the fire suppression range hood to acceptable working height. Original contract amount was $776,700. Total of previous change orders is $50,754.46. New total contract amount is $842,605.40. Funds are budgeted.**pp.43-45**

I. Authorization of Change Order No. 1 to Contract with Asphalt Paving and Maintenance Regarding the Southland Park Parking Lot Improvements Project. (312-08) (Hancock/Cole)
This request will authorize Change Order No. 1 to contract with Asphalt Paving and Maintenance to increase the amount by $2,501 for the Southland Park Parking Lot Improvements Project. This change includes additional paving requirements, an additional six foot walk, and an additional walk to connect the western corner of lot to Hill N' Dale sidewalk. The original contract amount was $69,987.75. New contract amount is $72,488.75. Funds are budgeted.**pp.46-48**

J. Authorization to Amend Resolution No. 291-2008 regarding a Clerical Error to the 2008 Summer Food Service Program. (295-08) (P. King/Koch)
This request will authorize an amendment to Resolution No. 291-2008 to correct a clerical error to the cost of snacks for the 2008 Summer Food Service Program. This amendment will correct the cost of snacks from $.062 to read $.62. There are no other changes with this amendment.**p.49**

K. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Aviation Museum of Kentucky Project. (313-08) (P. King/Koch)
This request will authorize a MOA with the Kentucky Governor's Office of Local Development to extend the Aviation Museum of Kentucky Project from June 30, 2008 to June 30, 2009. This extension will allow completion of the project.**p.50**

L. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Survivors II Project. (314-08) (P. King/Koch)
This request will authorize a MOA with the Kentucky Governor's Office of Local Development to extend the Survivors II Project from June 30, 2008 to June 30, 2009. This extension will allow completion of the project.**p.51**

M. Authorization of an Amendment No. 5 to Agreement with Amerinational Community Services, Inc. for Loan Servicing for the HOME and Community Development Block Grant (CDBG) Housing Rehabilitation and Homeownership Programs. (315-08) (P. King/Koch)
This request will authorize Amendment No. 5 to Agreement with Amerinational Community Services, Inc. to extend the agreement through June 30, 2009 and add an additional $30,000 for loan servicing for the HOME and CDBG Housing Rehabilitation and Homeownership Programs. The fixed fee per loan for the initial set-up has increased from $25 to $30 per loan and the fee for servicing the loans increased from $8.50 to $9.35 per loan. LFUCG currently maintains a portfolio of approximately 240 loans. Amerinational Community Services, Inc. will be responsible to maintain each individual account and all related tasks.**p.52**

N. Authorization to Accept Scope of Work Detail and Cost Proposal from Potter & Company, LLP Regarding the Fayette County Sheriff's 2008 Property Tax Settlement. (316-08) (Koch)
This request will authorize the acceptance of the scope of work detail and cost proposal for $12,560 from Potter & Company, LLP to provide professional accounting services for the Fayette County Sheriff's 2008 Property Tax Settlement. Funds are budgeted.**pp.53-56**

O. Authorization of an Independent Contractor Agreement Between LFUCG and I/O Solutions, Inc. to Test Applicants Applying for Lieutenant, Captain and Major Within Fire and Emergency Services. (317-08) (Allen/Koch)
This request will authorize the acceptance of an Independent Contractor Agreement at a cost of $13,500 with I/O Solutions, Inc. for the testing of applicants applying for Lieutenant, Captain and Major positions within Fire and Emergency Services. Funds are budgeted.**pp.57-59**

P. Authorization to Accept Award from the Kentucky Division of Forestry on behalf of the Department of Public Works and Development, Division of Streets, Roads and Forestry under the 2008 Kentucky Urban and Community Forestry Program. (298-08) (P. King/D. Kelly)
This request will authorize the acceptance of an award of federal funds in the amount of $5,000 from the Kentucky Division of Forestry on behalf of the Division of Streets, Road and Forestry under the 2008 Kentucky Urban and Community Forestry Program. Funds will be used for the reprinting of the "Reforest the Bluegrass" brochure, reprinting of the "Street Tree Selection and Care" and "Stop Tree Topping" brochures, and for support staff attendance at local conferences and educational programs. The source of federal funds is the US Department of Agriculture. A local match of 50% ($5,000) is required and will be documented in the form of staff time of existing personnel within the division. Total project cost is $10,000.**p.60**

Q. Authorization of a Deed of Acceptance for a Temporary Construction Easement for the Twelfth Street Neighborhood Improvements Project. (299-08) (Rayan/D. Kelly)
This request will authorize a deed of acceptance for a Temporary Construction Easement of 1,501 square feet at a cost of $975 at 1118 North Broadway for the Twelfth Street Neighborhood Improvements Project. Funds are budgeted.**p.61**

R. Authorization of Amendment No. 8 to Contract with ENTRAN (f/k/a American Consulting Engineers, PLC) Regarding the Newtown Pike Extension Project – FY2008. (321-08) (P. King/D. Kelly)
This request will authorize Amendment No. 8 to contract with ENTRAN to increase amount by $752,396 regarding the Newtown Pike Extension Project. This amendment provides for an additional seven (7) months of community liaison services, revision to Phase IV right-of-way plans due to grade revisions near Corman Rail Yard, additional structural and geotechnical work due to these grade revisions, relocation services for Phase I mitigation area renters, monitoring of Corrective Action Plan for Phase I and Phase IV, implementation and management of the Southend Park Mitigation Project Management, and technical assistance for the Community Land Trust, Subconsultants – Third Rock Consultants, FMSM, Dorothy Coleman - Community Liaison, and EHI. Original contract amount was $1,666,698.99. Total of previous amendments is

$3,042,021.52. New contract amount is $5,461,116.51. Funds are budgeted.**pp.62-65**

S. Authorization to Accept Award from the Lexington-Fayette County Health Department for Continuation of the Home Visitation Program at the Family Care Center – FY2009 (297-08) (P. King/Helm)
This request will authorize the acceptance of federal funds of $109,300 awarded to the Lexington-Fayette County Health Department for the continuation of the Home Network Program at the Family Care Center. The Home Network Program provides home visitation services for high-risk families with children from birth up to age two. This program is funded by the Kentucky Cabinet for Health and Family Services in a "pass-through" arrangement with the Health Department as a granting agency. The source of federal funds is the Kentucky Medical Assistance Program (Medicaid) and tobacco settlement dollars. The Home Network is a "fee for service" program which means LFUCG will only receive funding for services delivered. The Grant Budget reflects the expenses of the program and estimates of how much revenue will be generated by the existing staff. It is anticipated that $343,368 in "fee for service" revenue will be generated in 2009. The $109,300 represents the gap between the anticipated revenue and the expenses of the program. A local match of $109,300 has been requested from the FY2009 General Fund Budget. Acceptance of the award is subject to the availability of sufficient funds in FY2009.**p.66**

T. Authorization to Submit Application to the Kentucky Department of Education, and Accept Award if Offered, for Participation in the Child Care Food Program on behalf of the Department of Social Services, Family Care Center – FY2009. (305-08) (P. King/Helm)
This request will authorize the submission of an application to the Kentucky Department of Education, Division of School and Community Nutrition, for federal funds of $62,000 to offset the costs of operating the nutrition program at the Family Care Center. This program provides lunches and meal supplements to all children enrolled in the Child Care Program at the Center. The program pays for food and other related supplies and supports personnel costs of staff members who prepare the food. The reimbursement rate in FY2008 was $1.35 for free breakfast, $2.47 for free lunch, and $.68 for supplements. The reimbursement rates for FY2009 have not been published at this time. Approximately 95% of the participants are eligible for free meals. The source of federal funds is the Department of Agriculture. No matching funds are required; however, the Center has requested $165,820 in the 2009 General Fund Budget subject to the availability of sufficient funds in FY2009.**p.67**

U. Authorization to Submit Application to the Kentucky Department of Education, and Accept Award if Offered, on behalf of the Department of Social Services, Divisions of Youth Services and Family Services for Operation of the National School Lunch Program – FY2009. (306-08) (P. King/Helm)

This request will authorize the submission of an application to the Kentucky Department of Education for federal funds of $35,000 for operation of the National School Lunch Program at the Division of Youth Services, Day Treatment Center and the Division of Family Services, Family Care Center. This program includes breakfast and lunch for teen parent participants at the Family Care Center (grade 9 – 12) and for the students at the Day Treatment Center (grade 6 – 12). The program provides for the purchase of food, supplies and labor. The reimbursement rate in FY2008 was $1.61 for free breakfast and $2.49 for free lunch. Approximately 64% of the participants of these programs are eligible for free lunch. The reimbursement rate for FY2009 has not been published at this time. The source of federal funds is the US Department of Agriculture, National School Lunch Program. No matching funds are required. The Grant Budget includes $116,380 in local funds. These local funds have been requested as grant match in the Divisions' FY2009 General Fund Budgets, subject to the availability of sufficient funds in FY2009.**p.68**

V. Authorization to Accept Additional Funding from the Kentucky Department of Education / 21st Century Community Learning Center Program for Summer Programming for Year Five of the Programming. (310-08) (P. King/Helm)

This request will authorize the acceptance of federal funds in the amount of $80,000 from the Kentucky Department of Education / 21st Century Community Learning Center Program for Summer Programming for year five (5) of the Programming. Funds of $5,000 will be used for the Summer Learning Program for Homework Huddle participants at the Gainesway Empowerment Center and the remaining $75,000 for the fifth-year programming. These funds will be used for salaries and fringe benefits, required professional development, field trip expenses, equipment, materials and supplies, stipends, and contractual services. The source of federal funds is the Department of Education as authorized under the No Child Left Behind Act, Title IV, Part B. No matching funds are required.**p.69**

W. Authorization to Accept Award from the Kentucky Department of Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services for Operation of the Day Treatment Program – FY2009. (318-08) (P. King/Helm)

This request will authorize the acceptance of an award of state funds in the amount of $241,845 from the Kentucky Department of Juvenile Justice on behalf of the Division of Youth Services for operation of the Day Treatment Program. This is a community-based treatment program for

juveniles between the ages of 12 and 17. The program's mission is to treat delinquent youth in their home community to prevent institutionalization and to keep predelinquent youth out of the juvenile justice system. Funds will be used for salaries and operating costs associated with the program. While no local match is required, $311,790 has been requested in the FY2009 General Fund budget for program operation.**p.70**

X. Authorization of an Agreement with the Kentucky Office of Homeland Security (KOHS) for Continuation of the Metropolitan Medical Response System (MMRS) Project. (303-08) (P. King/Bennett)
This request will authorize an Agreement with KOHS to extend the MMRS Project from June 30, 2008 to March 31, 2009. This extension will allow for the completion of the project.**p.71**

Y. Authorization of a Lease Agreement Between LFUCG and Clark-Central LLC on behalf of the Department of Public Safety, Division of Fire and Emergency Services for Purpose of Parking and Storage at 203 E. Third Street. (320-08) (Hendricks/Bennett)
This request will authorize a Lease Agreement with Clark-Central LLC at a cost of $3,000 behalf of the Division of Fire and Emergency Services for parking and storage purpose at lot at 203 E. Third Street for a one year lease beginning July 1, 2008 through June 30, 2009 with renewal for an additional four (4) years. This lot will be used for parking of fire personnel. Funds are budgeted.**p.72**

Z. Authorization to Submit Application to the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board on Behalf of the Department of Public Safety, Division of Enhanced 911 for Improvements to the Regional 911 System. (322-08) (P. King/Bennett)
This request will authorize the submission of an application for state funds in the amount of $371,200 to the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board on behalf of the Division of Enhanced 911 for the expansion of the Central Kentucky 911 network. This expansion will include the jurisdictions of Hardin, Casey, Garrard, Perry, Estill, Meade, and Taylor Counties. The purpose of the enhanced communications system is to create 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. These capabilities are not currently available between individual communications centers. No matching funds are required.**p.73**

AA. Authorization to Submit Application to the US Department of Justice, Office of Justice, Office of Justice Programs on Behalf of the Department of Public Safety, Division of Police for Implementation of a Safe Highway Initiative. (323-08) (P. King/Bennett)

This request will authorize the submission of an application for federal funds in the amount of $400,000 to the US Department of Justice, Office of Justice, Office of Justice Programs on behalf of the Division of Police for implementation of a Safe Highway Initiative. The Division will conduct concentrated patrol activities along the I-64 / I-75 highway system through the use of advanced patrol enforcement techniques to include commercial vehicle inspections and the use of additional resources such as Air Support and Federal Task Forces. Funds will be used to deploy a team consisting of six (6) officers, two (2) canine officers, and one (1) supervisor. The officers will be responsible for making contacts with motorists based on observed violations and / or commercial motor vehicles that are subject to MCSAP safety inspections. Funding will be used primarily for overtime, professional development, professional services, and computer equipment. The federal funds have been requested from the Edward Byrne Memorial Competitive Grant Program under the Enhancing Local Law Enforcement category. No matching funds are required.**p.74**

BB. Authorization of a Statement of Affiliation on Behalf of the Department of Public Safety, Division of Fire and Emergency Services under KRS Chapter 39F. (324-08) (Dugger/Bennett)

This request will authorize a Statement of Affiliation on behalf of the Division of Fire and Emergency Services Rescue Team as a Rescue Squad under KRS Chapter 39F. This statement will establish the Division's Special Operations Technical Rescue Team as the only recognized technical rescue team (rescue squad) in Fayette County. This will allow rescue team members coverage under state liability and workers compensation, and would allow for possible FEMA reimbursement for expended equipment while on a mutual aid assistance call. There is no budgetary impact.**pp.75-78**

CC. Authorization of a Deed of Acceptance for Property at 805 Farra Court for the Radcliffe Road Stormwater Improvements Project. (300-08) (Martin/Taylor)

This request will authorize a deed of acceptance for property at 805 Farra Court at a cost of $107,500 for the Radcliffe Road Stormwater Improvements Project. The acquisition of the property is for stormwater management and mitigation to the existing watershed and will allow for positive stormwater mitigation in the immediate area as well as downstream. Funds are budgeted.**p.79**

DD. Authorization of a Deed of Acceptance for Property at 809 Farra Court for the Radcliffe Road Stormwater Improvements Project. (301-08) (Martin/Taylor)
This request will authorize a deed of acceptance for property at 809 Farra Court at a cost of $111,581.19 for the Radcliffe Road Stormwater Improvements Project. The acquisition of the property is for stormwater management and mitigation to the existing watershed and will allow for positive stormwater mitigation in the immediate area as well as downstream. Funds are budgeted.**p.80**

EE. Authorization of an Engineering Services Agreement Between LFUCG and OPS Systems, Inc. on behalf of the Department of Environmental Quality, Division of Water and Air Quality. (302-08) (Martin/Taylor)
This request will authorize an Engineering Services Agreement between LFUCG and OPS Systems, Inc. for $62,200 on behalf of the Division of Water and Air Quality. OPS Systems, Inc. will provide operations software and services for the wastewater treatment plants and the lab. This will allow all data collected by the lab, pretreatment and both wastewater treatment plants to be pulled together and shared easily for trending and monthly reports. Funds are budgeted.**p.81**

FF. Authorization to Amend Resolution No. 94-2008 to Correct a Clerical Error Regarding the Address for the Elizabeth Street Drainage Improvements Project. (307-08) (Martin/Taylor)
This request will authorize an amendment to Resolution No. 94-2008 to correct a clerical error of the address from 227 Floral Park to read 227 Forest Park Road for the Elizabeth Street Drainage Improvements Project.**pp.82-83**

GG. *Authorization of an Engineering Services Agreement Between LFUCG and Tetra Tech, Inc. on Behalf of the Department of Environmental Quality, Division of Water and Air Quality Regarding the Sanitary Sewer Fats, Oils and Grease (FOG) Program. (309-08) (Martin/Taylor)
This request will authorize an Engineering Services Agreement between LFUCG and Tetra Tech, Inc. for $50,000 on behalf of the Division of Water and Air Quality for development of a Sanitary Sewer FOG Program for submission to the US Environmental Protection Agency and the Kentucky Environmental Public Protection Cabinet by March 14, 2009. Funds are budgeted.**p.84 EPA Consent Decree**

HH. Authorization of an Engineering Services Agreement Between LFUCG and Strand Associates, Inc. on behalf of the Department of Environmental Quality, Division of Water and Air Quality Regarding the Investigation and Design Services for Screw Pump Replacement at the Town Branch Wastewater Treatment Plant (WWTP). (308-08) (Martin/Taylor)
This request will authorize an Engineering Services Agreement between LFUCG and Strand Associates, Inc. for $64,000 on behalf of the Division

of Water and Air Quality for the investigation and design services for screw pump replacement at the Town Branch WWTP. Funds are budgeted.**p.85**

II. Authorization to Submit Application to the Environmental Protection Agency (EPA) on Behalf of the Department of Environmental Quality Under the Southeast Diesel Collaborative (SEDC) Program. (319-08) (P. King/Taylor)
This request will authorize the submission of an application for federal funds in the amount of $750,000 to the EPA under the SEDC FY2008 – 2009 Diesel Program. Funds must be used to reduce pollution from heavy duty diesel vehicles and equipment in collaboration with LexTran, Fayette County Public Schools, and Bluegrass PRIDE. LFUCG proposes to retrofit 25 garbage trucks in the Division of Waste Management by using EPA verified emission control technology particulate matter filters. LexTran proposes to use biodiesel as opposed to conventional diesel. Currently LexTran uses 50,000 gallons per year and is requesting the cost differential for the cleaner fuel for their fleet of 71 buses. Bluegrass PRIDE proposes to include clean air education with its current WasteBuster Schools Program in 70 schools throughout Fayette County. Bluegrass PRIDE also proposes to use is current Environmental Educators to implement clean air curricula developed by the Kentucky Division of Air Quality to complement the WasteBuster Program.**p.86**

JJ. *Authorization to Amend Section 22-5 of the Code of Ordinances Within the Department of Environmental Quality, Division of Water and Air Quality. (325-08) (Allen/Taylor)
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to abolish one (1) position of Municipal Engineer Sr. (Grade 119E) and create one (1) position of Project Engineering Coordinator (Grade 119E) within the Division of Water and Air Quality. The term of the position will be for four (4) years to end on April 24, 2012. This fiscal impact for FY2009 is neutral.**p.87 EPA Consent Decree**

KK. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for the Fiber Optic Cable Installation Program – FY2008. (326-08) (P. King/D. Kelly)
This request will authorize the acceptance of an award of federal funds in the amount of $320,000 from the KYTC for the Fiber Optic Cable Installation Program. This project is in the Lexington Area Metropolitan Planning Organization's approved Transportation Program. This project will provide a more reliable communication medium for the traffic signal system (with the objective of reducing harmful emissions), and to lessen the impact of severe electrical storms and other inclement weather conditions, and will also aberrant telephone line communications on traffic signal communications. Funds will be used to support the costs of fiber optic cable installation and to support the costs of video equipment / data

communications integration. This is the eight year of this effort to convert traffic signals to fiber optic cable. This year's focus is on Man O' War Boulevard (Tates Creek to Nicholasville), Nicholasville Road (Wilson Downing to Tiverton Way), Nicholasville Road (Toronto to Cobblestone), Tates Creek Road (New Circle to Man O' War), and North Broadway (Fire Station No. 8 to Old Paris Pike). The source of federal funds is the Congestion Management / Air Quality Program allocation. A local match of $20% ($80,000) is required and will come from the FY2008 Division of Traffic Engineering Budget.**p.88**

*** Denotes EPA Consent Decree**

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

June 3, 2008

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

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-None

III. Approval of Summary – Yes, May 20, 2008

A motion by CM Beard to approve the summary of 6/3/08, seconded by CM Ellinger, passed without dissent.

IV. Budget Amendments-None

V. New Business

A. Authorization of Amendment No. 3 to Health Services Agreement with Correctional Medical Services, Inc. (CMS) on behalf of the Department of Public Safety, Division of Community Corrections. (267-08) (Bishop/ Bennett)

B. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Fire & Emergency Services. (188-08) (Hendricks/Bennett)

C. Authorization to Amend Section 23-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (268-08) (Allen/Bennett)

D. Authorization to Extend Agreement with the Kentucky Office of Homeland Security on behalf of the Department of Public Safety, Division of Environmental & Emergency Management (DEEM) for Continuation of the Portable Interoperable Communication Tower Project. (269-08) (P. King/ Bennett)

E. Authorization to Extend Agreement with the Kentucky Office of Homeland Security on behalf of the Department of Public Safety, Division of Enhanced 911

for Continuation of the Regional 911 System Project. (270-08) (P. King/Bennett)

F. Authorization to Extend Agreement with the Kentucky Office of Homeland Security on behalf of the Department of Public Safety, Division of Police for the Mobile Data Computer Network Project. (271-08) (P. King/Bennett)

G. Authorization of a Memorandum of Understanding (MOU) between LFUCG and the Department of Veterans Affairs (VA) on behalf of the Department of Public Safety, Division of Police, Regarding Jurisdiction in Law Enforcement Matters on VA Property. (279-08) (Bastin/Bennett)

H. Authorization of a Memorandum of Understanding (MOU) between LFUCG and the Regional Organized Crime Information Center (ROCIC) on behalf of the Department of Public Safety, Division of Police, for the Sharing of Information. (280-08) (Bastin/Bennett)

I. Authorization of Memorandum of Understandings (MOUs) / Mutual Aid Procedures between LFUCG and Surrounding Law Enforcement Agencies on behalf of the Department of Public Safety, Division of Police. (289-08) (Bastin/Bennett)

J. Authorization of a Memorandum of Understanding (MOU) between LFUCG and Murray State University, Kentucky Institute for International Studies (MSU/KIIS) on behalf of the Department of Public Safety, Division of Police. (290-08) (Bastin/Bennett)

K. Authorization of an Agreement with the Fayette County Sheriff for the 2008 Urban Services Property Taxes (a/k/a City Taxes). (272-08) (Askew)

L. Authorization to Rescind Georgetown Street Neighborhood Association Capital Funds from Resolution No. 413-2006 and Transfer Funds to the Department of General Services, Division of Parks & Recreation. (273-08) (Blues/Langston)

M. Authorization to Advertise the Position of Administrative Specialist Senior for the Department of Environmental Quality within LFUCG. (275-08) (Allen/ Koch)

N. Authorization to Submit Application to the Kentucky Department of Juvenile Justice, and Accept the Award, if Offered, on behalf of the Partners for Youth (PFY) Foundation for the Continuation of the of the Truancy Assessment Center (TAC) under Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 – FY2009. (286-08) (P. King/Koch)

O. Authorization of an Amendment to Extend the Competitive Grant Agreement with the United State Department of Housing and Urban Development (HUD) for Continuation of the Housing Opportunities for Persons with AIDS (HOPWA) Program. (287-08) (P. King/ Koch)

P. Authorization of a Memorandum of Understanding (MOU) for the Acceptance of a Deed of a Temporary Construction Easement at 1000 Della Drive for the Appomattox Rd Culvert Replacement Project. (203-08) (Martin/Taylor)

Q. Authorization of a Memorandum of Understanding (MOU) for the Acceptance of a Deed of a Temporary Construction Easement at 989 Holly Springs Drive for the Appomattox Rd Culvert Replacement Project. (204-08) (Martin/Taylor)

R. Authorization of a Memorandum of Understanding (MOU) for the Acceptance of a Deed of a Temporary Construction Easement at 993 Holly Springs Drive for the Appomattox Rd Culvert Replacement Project. (205-08) (Martin/Taylor)

S. Authorization of a Memorandum of Understanding (MOU) for the Acceptance of a Deed of a Temporary Construction Easement at 1901 Appomattox Road for the Appomattox Rd Culvert Replacement Project. (206-08) (Martin/Taylor)

T. *Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water Quality. (274-08) (Allen/Taylor)

U. *Authorization of an Engineering Services Agreement between LFUCG and Tetra Tech, Inc. Regarding the EPA Consent Decree. (283-08) (Martin/Taylor)

V. Authorization of Change Order No. 1 to Contract with Louisville Paving Company for the Douglass Park Basketball Courts Project. (276-08) (Hancock/Cole)

W. Authorization of Change Order No. 1 to Contract with Thorobilt Construction Company for the Gratz Park Kitchen Roof Project. (277-08) (Hancock/Cole)

X. Authorization to Approve Contract with Lose and Associates to Update the Parks Master Plan and Provide a Master Plan for Hisle Park. (278-08) (Hancock/Cole)

Y. Authorization of Lease Renewal Agreements between LFUCG and the Kentucky State Police (KSP) and the Kentucky Transportation Cabinet (KYTC) for Office Space at 162 E. Main Street. (285-08) (Cole)

Z. Authorization of Supplemental Agreement No. 2 to Agreement with the Kentucky Transportation Cabinet (KYTC) for the Liberty / Todds Road Widening and Reconstruction Project – Section I. (281-08) (P. King/D. Kelly)

AA. Authorization to Accept Award from the Kentucky Heritage Council on behalf of the Department of Public Works & Development, Division of Historic Preservation for the Survey and Planning Project – FY2009. (282-08) (P. King/D. Kelly)

BB. Authorization of a Temporary Construction Easement for the Loudon Avenue Improvements Project. (288-08) (P. King/D. Kelly)

*** Denotes EPA Consent Decree**

A motion by CM Blues to approve new business items A-BB, seconded by CM Henson passed without dissent.

VI. Continuing Business / Presentations

A. Committee of the Whole Budget Update

This update was given by VM Gray. There were no motions to come forward from this meeting.

VII. Council Report

CM Blues-Announced several Great American Clean Ups for 6/7/08: Georgetown Street Area-meeting at O'Rear Ctr, call Michael Haskins @ 425-9950; St Martin's Village NA, call Robert Jefferson @ 252-1203; and Oakwood NA, call Ben Bell @ 253-9152; also, congratulated his Legislative Aide and her twins, Deana and Dean on their graduation from college-Deana from Midway and Dean from Princeton.

A motion by CM Blues to approve the NDF list for 6/3/08, seconded by CM Henson, passed without dissent

CM Henson-Announced the Golfview NA yard sale will be all day on 6/7/08.

CM Blevins-A motion by CM Blevins to place into the Budget & Finance Committee, after the budget process, the review of the inter fund transfers in August or after, seconded by CM Lane, passed without dissent.

A motion by CM Blevins to organize a task force to include the members of the Public Works Council Link (CMs James, DeCamp, and Blevins) to oversee the implementation of Waste Management's efficiency procedures, seconded by CM Lane, passed without dissent.

CM Crosbie-Announced that tonight at 6:30 pm there will be an ice cream social at Crossroads Christian Church by the Chilesburg NA; also, stated that the Free Friday Flicks have begun at Jacobsen Park.

CM McChord-Stated that Lexington made national news, not necessarily good news, the carbon footprint; stated that the government should focus on $$$ specifically given for economic development.

CM Stevens-Stated that he has received several complaints about yard signs; asked the Comm. of Law for an opinion on this issue.

VIII. Mayor's Report-None

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

Citizen, Eric Patrick Marr, spoke.

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

Work Session was adjourned 3:25 pm.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	22660	**DIVISION**	Parks and Recreation	**Fund Name**	General Fund
				Fund Impact	165,000.00
					165,000.00CR
					.00

To provide funds for furniture and equipment for the William Wells Brown Community School including a kitchen, a multi purpose room, a computer lab, gym and weight room equipment.

JOURNAL	22672-73	**DIVISION**	Special Projects	**Fund Name**	Donation Fund
				Fund Impact	120,000.00
					120,000.00CR
					.00

To establish a budget for the 4th of July Festival based on estimated revenues.

JOURNAL	23160	**DIVISION**	Government Communications	**Fund Name**	Urban Service Fund
				Fund Impact	4,450.00
					4,450.00CR
					.00

To provide funds for portion of salaries for full time employees in the Division of Government Communications/GTV3 who performed work in the Urban Services Fund, by reducing funds for Other Services.

JOURNAL	23178-79	**DIVISION**	Police	**Fund Name**	Police Confiscated
				Fund Impact	40,000.00
					40,000.00CR
					.00

To provide funds in equipment less than $5,000 for the purchase of (38) tasers by recognizing revenues/DEA deposits.

JOURNAL	23260	**DIVISION**	Sanitary Sewers	**Fund Name**	Sanitary Sewer Const.
				Fund Impact	127,530.00
					38,039,735.71CR
					37,912,205.71CR

To clean-up the Sanitary Sewer Construction budgets to reflect the current Sewer model. Prior year budgets included the recognition of a bond funds that were never issued and the use of projected fund balance for projects that were never completed.

JOURNAL	22662	**DIVISION**	Community Development	**Fund Name**	US Dept of Justice
				Fund Impact	82,555.63
					82,555.63CR
					.00

To correct overtime account for Cold Case Squad Grant and to amend budget in accordance with the grant adjustment notice approve by Justice Cabinet on February 22, 2008.

JOURNAL	22666-67	**DIVISION**	Community Development	**Fund Name**	US Dept of Agriculture
				Fund Impact	39,000.00
					39,000.00CR
					.00

To correct the account number for intergovernmental revenue for the National School Lunch program and to recognize additional state funds for the National School Lunch program at the Family Care Center.

JOURNAL	22670	**DIVISION**	Community Development	**Fund Name**	US Dept of Agriculture
				Fund Impact	59,000.00
					59,000.00CR
					.00

To correct the account number for intergovernmental revenue for the Child Care Food Program.

JOURNAL	22774	**DIVISION**	Community Development	**Fund Name**	US Dept of Justice
				Fund Impact	9,203.76
					9,203.76CR
					.00

To realign the Project Safe Neighborhood 2004 budget to provide for actual expenditures.

JOURNAL	22776	**DIVISION**	Community Development	**Fund Name**	US Dept of Justice
				Fund Impact	69,503.17
					69,503.17CR
					.00

To realign the Project Safe Neighborhood 2005 Budget to provide for actual expenditures and to correct account error for Overtime.

JOURNAL	22780	**DIVISION**	Community Development	**Fund Name**	US Dept of Transp.
				Fund Impact	20,000.00
					20,000.00CR
					.00

To decrease traffic control and markings account and provide funds for fiber equipment and installation to continue the Fiber Installation Project.

JOURNAL	23150	**DIVISION**	Community Development	**Fund Name**	US Dept of Justice
				Fund Impact	19,470.00
					19,470.00CR
					.00

To amend Arrest Policies grant in accordance with grant adjustment notice approved by U.S. Department of Justice, decreasing equipment costs and increasing expenditures for personnel.

JOURNAL	23155	**DIVISION**	Community Development	**Fund Name**	US Dept of Justice
				Fund Impact	5,819.62
					5,819.62CR
					.00

To realign Anti-Gang Initiative 2007 budget to provide for actual expenditures and to provide funds for overtime in the proper account.

JOURNAL	23258	**DIVISION**	Community Development	**Fund Name**	US Dept of Transp.
				Fund Impact	2,032.56
					2,032.56CR
					.00

To realign budget for Bicycle Coordinator Project with actual expenditures.

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	1131	Police Confiscated Federal Fund	.00
Fund	4002	Sanitary Sewer Revenue and Construction Fund	37,912,205.71CR
Fund	3100	US Department of Agriculture	.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Budgeting

Budget Journal Number	22660	**Budget Amendment Date**	05/19/08
Requesting Division	Parks and Recreation		
Fund Name	General Fund		
Fund Number	1101		
Contact for Additional Information	Becky Crawford – Parks and Recreation		

Description

To provide funds for furniture and equipment for William Wells Brown Community School including a kitchen, a multi purpose room, a computer lab, gym and weight room equipment. Parks will have a full time Community Center Director on site and will provide Community Center and ESP programming year around. LFUCG has contributed $3.0 million and money from the contingency fund will not be returned until after the school opens in August.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	23260	**Budget Amendment Date**	06-04-2008
Requesting Division	Sanitary Sewers		
Fund Name	Sanitary Sewers Construction Fund		
Fund Number	4003		
Contact for Additional Information	Connie Underwood		

Description

To clean-up the Sanitary Sewer Construction budgets in PeopleSoft to reflect the recently adopted Sewer model. Prior year budgets included the recognition of bond funds ($14.5 million) that were never issued and the use of budgeted fund balance. Therefore, since the bonds were never issued and since this is an open fund, the budgets that were rolled forward need to be removed.

Budgets for the projects reflected in the current sewer model will be added as they occur in the future and will be funded from future bond issues and fund balance.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	22662	**Budget Amendment Date**	5/14/2008
Requesting Division	Community Development		
Fund Name	US Department of Justice		
Fund Number	3140		
Contact for Additional Information	Irene Gooding--3079		

Description

Budget Amendment corrects the account number for Overtime from account # 63410 to account #63150; in accordance with Grant Adjustment Notice approved by the Kentucky Justice and Public Safety Cabinet, provides additional funds for professional development ($14,782.19); and corrects the negative balance in Computer Equipment, account number 96200, in the amount of $3,563.44.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	22666-67	**Budget Amendment Date**	5/13/2008
Requesting Division	Community Development		
Fund Name	US Department of Agriculture		
Fund Number	3100		
Contact for Additional Information	Irene Gooding-3079		

Description

Original budget amendment incorrectly identified the source of intergovernmental revenue as State (44040) in the amount of $39,000. Intergovernmental revenue is actually federal funds (Account #44010). Budget amendment also recognizes an additional $430 in revenue in State Revenue Matching Funds and budgets these funds for the purchase of food supplies.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	22670	**Budget Amendment Date**	5/13/2008
Requesting Division	Community Development		
Fund Name	US Department of Agriculture		
Fund Number	3100		
Contact for Additional Information	Irene Gooding-3079		

Description

Original budget amendment incorrectly identified the source of intergovernmental revenue as State (44040) in the amount of $59,000. Intergovernmental revenue is actually federal funds (Account #44010).

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	22774	**Budget Amendment Date**	5/21/2008
Requesting Division	Community Development		
Fund Name	US Department of Justice		
Fund Number	3140		
Contact for Additional Information	Irene Gooding-3079		

Description

In order to close out Project Safe Neighborhood 2004 grant, this budget amendment increases Pension contribution by $61.10, increases Fringe benefits by $27.06, and increases Other Benefits (Medicare and Unemployment) by $20.60; Increases Professional Services by $7,156.60, increases Telecommunications by $1,199.40, and decreases Professional Development by $8,465.40; increases Operating Supplies by $739.00, and decreases Transfer to Other Funds by $738.36.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	22776	**Budget Amendment Date**	5/21/2008
Requesting Division	Community Development		
Fund Name	US Department of Justice		
Fund Number	3140		
Contact for Additional Information	Irene Gooding-3079		

Description

In order to close out Project Safe Neighborhood 2005 grant, this budget amendment decreases Civil Service Salaries by $2,656.36 (incorrect account number) and increases Police and Fire Salaries by $2,570.96; Increases overtime by $63,133.40 and decreases Other Pay by $51,518.70 (incorrect account number); increase Pension contribution by $1,891.00, decreases Fringe benefits by $8,097.57and increases Other Benefits (Medicare and Unemployment) by $1,164.49; Decreases Professional Services by $7,015.31, increases Professional Development by $721.32; increases Repairs and Maintenance by $22.00, decreases Computer expense by $209.03 and decreases Telecommunications by $6.20.

The end result of the project budget was the provision of more overtime services by the Division of Police and less contractual services provided by outside agencies.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 22780 **Budget Amendment Date** 5/21/2008

Requesting Division Community Development

Fund Name US Department of Transportation

Fund Number 3160

Contact for Additional Information Irene Gooding-3079

Description

Budget amendment decreases Traffic Control and Markings by $20,000 and increases Streets and Roadways (Fiber Installation) in the amount of $20,000 in order to purchase additional fiber equipment and to continue the installation of fiber.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 23150 **Budget Amendment Date** 4/11/2008

Requesting Division Community Development

Fund Name US Department of Justice

Fund Number 3140

Contact for Additional Information Irene Gooding--3079

Description

In accordance with Grant Adjustment Notice approved by the U.S. Department of Justice, budget amendment provides for additional personnel costs for support of two Victim Advocates (increasing salaries by $5,670, pension by $6,650, decreasing fringe benefits by $3,116.09, and increasing other benefits by $370; increasing professional services by $6,780 to include participation of the Executive Director of the Fayette County Domestic Violence Prevention Board; decreasing telephone and communications equipment by $9,300; decreasing computer equipment by $7,044.70, and decreasing office equipment by $9.21.

The original budget was based upon out-of-date information on pension and benefits and was also based upon estimated personnel costs. The budget amendment bases these personnel costs on current rates and upon actual salaries paid to Victim Advocates.

The original budget provided for installation of communications equipment between Police and County Attorney that was later determined to be unnecessary.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	23155	**Budget Amendment Date**	5/22/2008
Requesting Division	Community Development		
Fund Name	US Department of Justice		
Fund Number	3140		
Contact for Additional Information	Irene Gooding-3079		

Description

Budget amendment corrects overtime account number from 63410 to 63150 and realigns budget to provide for actual expenditures: increases Pension Contribution by $118.82; increases Fringe Benefits by $59.26, increases Other Benefits (FICA and Unemployment) by $5.27, and decreases Professional Services by $183.35.

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number	23258	**Budget Amendment Date**	5/22/2008
Requesting Division	Community Development		
Fund Name	US Department of Transportation		
Fund Number	3160		
Contact for Additional Information	Irene Gooding-3079		

Description

Budget amendment increases Non-Civil Service Salaries by $1,080.18, increases Pension Contribution by $952.38, decreases Fringe Benefits by $1,944.13 and decreases Other Benefits by $88.43. The purpose of this budget amendment is to realign the budget with actual expenditures. Employee supported by this project was reclassified, recreating need for additional funds in salary and pension and less in Fringe and Other Benefits.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

June 10, 2008 Work Session

If the item listed below is on the Agenda, approval of the listed Item includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
297-08 S	To Be Determined	Community Development	To provide funds to continue Home Visitation Project at the Family Care Center – FY 2009. 3190 452,668 3190 452,668CR 0*
298-08 P	To Be Determined	Community Development	To provide funds for the Kentucky Division of Forestry under the 2008 Kentucky Urban and Community Forestry Program. 3100 10,000 3100 10,000CR 0*
305-08 T	To Be Determined	Community Development	To provide funds for Child Care Food Program for the Family Care Center – FY 2009. 3100 227,820 3100 227,820CR 0*
306-08 U	To Be Determined	Community Development	To provide funds for National School Lunch Program – FY 2009. 3100 151,880 3100 151,880CR 0*
310-08 V	To Be Determined	Community Development	To provide funds for 21st Century Community Learning Center – FY 2009. 3180 80,000 3180 80,000CR 0*
318-08 W	To Be Determined	Community Development	To provide funds for Day Treatment Services in the division of Youth Services – FY 2009. 3400 553,635 3400 553,635CR 0*

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
326-08 KK	To Be Determined	Community Development	To provide funds for Fiber Optic Cable Installation Project – FY 2008. 3160 400,000 3160 400,000CR 0*

EFFECT ON FUND BALANCES			
FUND 3100	**0***	**NO EFFECT ON:**	**US DEPARTMENT OF AGRICULTURE**
FUND 3160	**0***	**NO EFFECT ON:**	**US DEPARTMENT OF TRANSPORTATION**
FUND 3180	**0***	**NO EFFECT ON:**	**US DEPARTMENT OF EDUCATION**
FUND 3190	**0***	**NO EFFECT ON:**	**US DEPARTMENT OF HEALTH & HUMAN SERVICES**
FUND 3400	**0***	**NO EFFECT ON:**	**GRANTS - STATE**

Budget Information For New Business Items

June 10, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	291-08	NA		
B	292-08	(10,000)	1101	General Service District Fund
C	293-08	NA		
D	294-08	NA		
E	284-08	104,877	2518	2008 Bond Projects Fund
F	296-08	NA		
G	304-08	NA		
H	311-08	15,151	4024	PFC – Parks Projects
I	312-08	2,501	2517	2008 Bond Projects Fund
J	295-08	NA		
K	313-08	NA		
L	314-08	NA		
M	315-08	30,000	3120	US Department of Housing and Urban Services
N	316-08	12,560	1101 1115	General Service District Fund Urban Service District Fund
O	317-08	13,500	1101	General Service District Fund
P	298-08	10,000	3100	US Department of Agriculture Budget Journal FY 2009
Q	299-08	975	2522	Public Works Bond
R	321-08	752,396	3160	US Department of Transportation
S	297-08	452,668	3190	US Department of Health and Human Services Budget Journal FY 2009
T	305-08	227,820	3100	US Department of Agriculture Budget Journal FY 2009
U	306-08	151,880	3100	US Department of Agriculture Budget Journal FY 2009
V	310-08	80,000	3180	US Department of Education Budget Journal FY 2009

Budget Information For New Business Items

June 10, 2008 Work Session

W	318-08	553,635	3400	Grants – State Budget Journal FY 2009
X	303-08	NA		
Y	320-08	3,000	1101	General Service District Fund
Z	322-08	371,200		State Grant Funds Requested
AA	323-08	400,000		Federal Grant Funds Requested
BB	324-08	NA		
CC	300-08	107,500	2517	2007 Bond Projects Fund
DD	301-08	111,581	2517	2007 Bond Projects Fund
EE	302-08	62,200	4002	Sanitary Sewer Revenue and Operating Fund
FF	307-08	400	2522	Public Works Bond
GG	309-08	50,000	4003	Sanitary Sewer Construction Fund
HH	308-08	64,000	4003	Sanitary Sewer Construction Fund
II	319-08	750,000		Federal Grant Funds Requested
JJ	325-08	NA		
KK	326-08	400,000	3160	US Department of Transportation Budget Journal FY 2009

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

291-08

TO: Rebecca Langston
Council Administrator

FROM: Tom Blues
Tom Blues

DATE: May 23, 2008

SUBJECT: Capital Funds purpose/use amendment
Georgetown Street Neighborhood Association

This capital request is to amend the purpose/use of the capital funds for Georgetown Street Neighborhood Association in Resolution 413-2006 in the amount of $5,000. The previous purpose/use of the capital funds were a corridor visioning plan, the neighborhood association has request a change of use to be allowed to do sidewalk replacement in Douglas Park.

The neighborhood association would like to be allowed to repair the sidewalk which has deteriorated and in need of repair. This project would also enhance the current renovation of the basketball courts in Douglas Park. The sidewalk replacement is projected to start in June 2008.

The recipient's name and address:

Georgetown Street Neighborhood Association
P. O. Box 11382
Lexington, KY 40575
Attention: Michael Haskins

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

292-08

TO: Rebecca Langston
Council Administrator

FROM: Tom Blues
Tom Blues

DATE: May 23, 2008

SUBJECT: Capital Funds
Masterson Station Neighborhood Association

Please rescind the capital funds for Masterson Station Neighborhood Association in Resolution 413-2006 in the amount of $10,000. The previous purpose/use of the capital funds were a basketball court in the neighborhood park, currently the neighborhood has made no project plans for the funds.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

293-08

TO: Rebecca Langston
Council Administrator

FROM: Tom Blues
Tom Blues

DATE: May 23, 2008

SUBJECT: Capital Funds purpose/use amendment
Winburn Neighborhood Association

This capital request is to amend the purpose/use of the capital funds for Winburn Neighborhood Association in Resolution 413-2006 in the amount of $5,000. The previous purpose/use of the capital funds were a corridor visioning plan, the neighborhood association has request a change of use to be allowed to replace the neighborhood sign and assist homeowners with sidewalk replacement throughout the neighborhood.

The neighborhood association is working with LexArt to design the new neighborhood sign the project start date is projected late June to early July. The sidewalk replacement will begin as soon as Code does an update of sidewalks that need repair in the subdivision.

The recipient's name and address:

Winburn Neighborhood Association
P. O. Box 12275
Lexington, KY 40581-2275
Attention: Lois J Byrd

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

294-08

TO: Rebecca Langston
Council Administrator

FROM: Tom Blues
Tom Blues

DATE: May 23, 2008

SUBJECT: Capital Funds purpose/use amendment
Oakwood Neighborhood Association

This capital request is to amend the purpose/use of the capital funds for Oakwood Neighborhood Association in Resolution 413-2006 in the amount of $23,500. The previous purpose/use of the capital funds were renovation of basketball court in the park. The neighborhood association has request a change of use to be allowed to do renovations of the Community Center public facility located in Oakwood Park, 1030 Briarwood.

The neighborhood association plans to replace the flooring with Karndean flooring in the facility, paint the inside, replace the two (2) entrance signs, subdivide the storage room to provide a office for Association and replace damaged cabinet in kitchen and hardware The sidewalk replacement is projected to start in May 1, 2008 with projected completion July 15, 2008. The neighborhood projected projects is in conjunction with Parks & Recreation improvements currently going on at the facility.

The recipient's name and address:

Oakwood Neighborhood Association
1086 Briarwood Drive
Lexington, KY 40511
Attention: Ben Bell

284-08

Mayor Jim Newberry

Department of General Services

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Kimra Cole,
General Services Commissioner

DATE: May 23, 2008

RE: MES/Project SYNERGY Lease

I am requesting Urban County Council approval to renew a lease with MES Enterprises, LLC for space on the third floor of the Triangle Center for Project SYNERGY (formally STARS). The lease entitles the LFUCG to exclusively occupy 5,499 square feet (approximately 1,500 sq. ft. more that previously), and to have access to another 400 square feet of non-exclusive space.

The initial term of the lease is for 14 months, dating from May 1, 2008, with a one year with renewal option. The rent for the initial term and renewal is $7,491.25 per month. This is an increase from the current rent of $5,750 per month but represents a small decrease in the per square foot rate.

296-08

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 29, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE MEMORANDUM OF AGREEMENT WITH THE KENTUCKY GOVERNOR'S OFFICE OF LOCAL DEVELOPMENT FOR EXTENSION OF THE GAINESWAY PARK DEVELOPMENT PROJECT**

The 2006 Kentucky General Assembly, in House Bill 380, approved the award of $750,000 for the Gainesway Park Development Project. On January 25, 2007 (Ordinance # 19-2007), Council approved acceptance of these funds from the Kentucky Governor's Office of Local Development. The project expires on June 30, 2008.

The Kentucky Governor's Office of Local Development has offered the LFUCG a modification to the Agreement extending the term of the project through June 30, 2009.

Council authorization to execute the Memorandum of Agreement is hereby requested.

Paula King

Xc: Kimra Cole, Commissioner of General Services

304-08

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL
JOE KELLY, SENIOR ADVISOR FOR MANAGEMENT
KIMRA COLE, COMMISSIONER, DEPARTMENT OF GENERAL SERVICES

FROM: ROBERT K. STARKWEATHER, ADMINISTRATIVE OFFICER
DEPARTMENT OF GENERAL SERVICES

DATE: June 2, 2008

SUBJECT: AN ORDINANCE AUTHORIZING THE ADVERTISEMENT FOR "BIDS" TO PROVIDE NATURAL GAS SERVICE WITHIN FAYETTE COUNTY.

The proposed ordinance authorizes the advertisement for bids for a three year non-exclusive franchise to provide natural gas in Fayette County. The current three percent (3%) franchise fee on gross revenues is maintained. The franchise fee also applies to transportation charges a company may charge a third party for distributing the third party company's gas to Fayette County users when that company does not have distribution facilities within Fayette County.

The franchise also incorporates provisions of the Code of Ordinances and applicable zoning laws and penalties recoverable after the company is provided the opportunity to present evidence to the Commissioner of Public Words and Development or his designee, with such decisions appealable to a court of competent jurisdiction.

Other provisions include insurance and indemnification provisions, affirmative action requirements, inspection and auditing by the government, franchise termination provisions, notice to the government of certain actions before the Public Service Commission and agreement not to oppose intervention by the government, the requirement to maintain headquarters in Lexington, payment of $500 for advertisement and administrative costs, and notice of a public sale of the company in order for the government to be afforded an opportunity to bid on the company or its assets.

Bids received and franchise documents will be presented to Council before the summer break.

311-08

Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: Jerry Hancock

RE: Change Order Request

DATE: June 2, 2008

This is a request for Council approval to increase the amount of contract no. 910 with BCD, Inc. for improvements to Gainesway Community Center. This increase request is $15,150.94 for additional rock removal and addition of a pass through window for kitchen. This change order will increase the original contract amount from $827,454.46 to $842,605.40.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

311-08

CONTRACT HISTORY FORM

Contractor: BCD Inc.

Project Name: Gainesway Community Center

Contract Number and Date: No. 910, October 4, 2007

Responsible LFUCG Division: Parks & Recreation

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date	Dollar Amount	Percent Change to Original Contract
A. Original Contract Amount:	$ 776,700.00	
B. Cumulative Amount of Previous Change Orders:	$ 50,754.46	7% (Line B / Line A) %
C. Total Contract Amount Prior to this Change Order:	$ 827,454.46	
Current Change Order		
D. Amount of This Change Order:	$ 15,150.94	2% (Line D / Line A) %
E. New Contract Amount Including this Change Order:	$ 842,605.40	108% (Line E / Line A %

SIGNATURE LINES

Project Manager: Mark Morgan Date: 5/28/08

Reviewed by: Michelle Lapinski Date: 5/30/08

Division Director: _____ Date: _____

LEXINGTON -FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date:05/26/08 311-08 Project:Gainesway Community Center Location:Gainesway Park
To (Contractor)BCD Inc.	Contract No. 910 Change Order No. 3

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	Data/Power outlets in community room		$850.00
2	Pass thru window in kitchen		$6,270.00
3	Rock excavation-Geothermal & electric		$5,958.00
4	Stain/seal kitchen floor		$700.00
5	Clean entrance grates		$77.73
6	Replace rear door glazing		$0.00
7	Add 18" vertical grab bar in restroom		$278.56
8	Modify fire suppression range hood to acceptable working height		$1,015.45
	Change in contract price due to this Change Order:		
	Total decrease	$0.00	XXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXX.XX	$15,150.94
	Net (increase) contract price		$15,150.94

The sum of **$15,150.94** is hereby added to the total contract price, and the total adjusted contract price to date thereby is **$$842,605.40**
The time provided for completion in the contract and all provisions of the contract will apply hereto. SEE ATTACHED TIME EXTENSION PAGE 2 OF 2

Recommended by Michelle Kosiemala (Superintendent) Date 5/30/08

Accepted by J. Mark Sal VP (Contractor) Date 5/22/08

Approved by Kim Alley (Director) Date 6/2/08

Approved by _____ (Commissioner) Date _____

Approved by _____ (Mayor or CAO) Date _____

Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

MEMORANDUM

RECEIVED
JUN 3 - 2008
GENERAL SERVICES
COMMISSIONER'S OFFICE

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: Jerry Hancock

RE: Change Order Request

DATE: May 29, 2008

This is a request for Council approval to increase the amount of contract no. 926 with Asphalt Paving & Maintenance for improvements to Southland Park parking lot. This increase request is $2,501.00 for additional paving and additional 6' walk to connect western corner of lot to Hill N Dale sidewalk.. This change order will increase the original contract amount from $69,987.75 to $72,488.75.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

312-08

CONTRACT HISTORY FORM

Contractor: Asphalt Paving & Maintenance

Project Name: Southland Park, parking improvements

Contract Number and Date: 926- April 24, 2008

Responsible LFUCG Division: Parks & Recreation

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date	Dollar Amount	Percent Change to Original Contract
A. Original Contract Amount:	$ 69,987.75	
B. Cumulative Amount of Previous Change Orders:	$ 0.00	0% (Line B / Line A) %
C. Total Contract Amount Prior to this Change Order:	$ 69,987.75	
Current Change Order		
D. Amount of This Change Order:	$ 2,501.00	4% (Line D / Line A) %
E. New Contract Amount Including this Change Order:	$ 72,488.75	104% (Line E / Line A %

SIGNATURE LINES

Project Manager: Mark Morgan Date: 5/20/08

Reviewed by: Michelle O'Brien Date: 5/20/08

Division Director: [signature] Date: 5/20/08

LEXINGTON -FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date: 5/20/08 312-08 Project:Southland parking lot Location: Southland Park
Asphalt Paving & Maintenance	Contract No.926 Change Order No. 1

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1.	Additional paving, 14T @$70.T		$980.00
2.	Additional 6' walk, 54 sf @ $6.50 sf		$351.00
3.	Add'l walk to connect western corner		$1,170.00
	of lot to Hill N Dale sidewalk,		
	180 s.f. @ $6.50 s.f		
	Change in contract price due to this Change Order:		$2,501.00
	Total decrease	$0.00	XXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXX.XX	$2,501.00
	Net (increase) contract price		$2,501.00

The sum of is hereby added to the total contract price of **$69,987.75**, and the total adjusted contract price to date thereby is **$$72,488.75.**
The time provided for completion in the contract and all provisions of the contract will apply hereto.

Recommended by Michelle Rosenic (Superintendent) Date 5/20/08

Accepted by [signature] (Contractor) Date 5/20/08

Approved by [signature] (Director) Date 5/20/08

Approved by [signature] (Commissioner) Date 6/2/08

Approved by _____ (Mayor or CAO) Date _____

295-08[49]

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 29, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO CORRECT RESOLUTION NO. 291-2008 TO PROVIDE FOR CORRECT COST OF SNACKS FOR THE SUMMER FOOD SERVICE PROGRAM**

On May 22, 2008 (Resolution No. 291-2008), Council approved execution of an agreement with the Board of Education of Fayette County, Kentucky for preparation and delivery of meals for the 2008 Summer Food Service Program sponsored by the LFUCG. The Resolution incorrectly identified the cost of snacks at $.062 each. The correct cost of each snack is $.62.

Council authorization to correct Resolution No. 291-2008 is hereby requested.

Paula King
Director

Xc: Kyna Koch, Commissioner of Finance and Administration

313-08

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 29, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE MEMORANDUM OF AGREEMENT WITH THE KENTUCKY GOVERNOR'S OFFICE OF LOCAL DEVELOPMENT FOR EXTENSION OF THE AVIATION MUSEUM OF KENTUCKY PROJECT**

The 2006 Kentucky General Assembly, in House Bill 380, approved the award of $606,000 for the Aviation Museum of Kentucky – Design and Construction project. On January 25, 2007 (Ordinance # 20-2007), Council approved acceptance of these funds on behalf of the Aviation Museum of Kentucky, Inc., from the Kentucky Governor's Office of Local Development. The project expires on June 30, 2008.

The Kentucky Governor's Office of Local Development has offered the LFUCG a modification to the Agreement extending the term of the project through June 30, 2009.

Council authorization to execute the Memorandum of Agreement is hereby requested.

Paula King
Director

Xc: Kyna Koch, Commissioner of Finance

314-08

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 29, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE MEMORANDUM OF AGREEMENT WITH THE KENTUCKY GOVERNOR'S OFFICE OF LOCAL DEVELOPMENT FOR EXTENSION OF THE SURVIVORS II PROJECT

The 2006 Kentucky General Assembly, in House Bill 380, approved the award of $70,000 for the Survivors II Project, operated by a private, nonprofit organization that provides athletic and tutorial programming for at-risk youth. On August 24, 2006 (Ordinance # 241-2006), Council approved acceptance of these funds on behalf of the Survivors II organization from the Kentucky Governor's Office of Local Development. The project expires on June 30, 2008.

The Kentucky Governor's Office of Local Development has offered the LFUCG a modification to the Agreement extending the term of the project through June 30, 2009.

Council authorization to execute the Memorandum of Agreement is hereby requested.

Paula King
Director

Xc: Kyna Koch, Commissioner of Finance

315-08

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: **JUNE 2, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE FIFTH CONTRACT AMENDMENT WITH AMERINATIONAL COMMUNITY SERVICES, INC. FOR LOAN SERVICING FOR THE HOME AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING REHABILITATION AND HOMEOWNERSHIP PROGRAMS**

The Division of Community Development recommends the execution of a fifth contract amendment to extend the contract period with AmeriNational Community Services, Inc. for loan servicing for the HOME and CDBG housing rehabilitation and homeownership programs. The original contract was entered into on August 29, 2002. This amendment extends the contract through June 30, 2009 and adds an additional $30,000 to the contract.

The contract fees have increased slightly from the originally established; the fixed fee per loan for the initial set-up has increased to $30 per loan instead of the original $25 and the monthly per loan fee for servicing the loans has increased to $9.35 per loan instead of $8.50. The government currently maintains a portfolio of approximately 240 loans. The contractor will be responsible for maintaining each individual account and all related tasks, such as escrowing for taxes and insurance as applicable, paying property taxes, paying insurance premiums, providing year-end tax data and 1098's, etc.

Sufficient funds are budgeted in the following accounts:

3120-160201-0001-71200	Proj: CDBG, Activity: C14H	$15,000
3120-160201-0001-71200	Proj: HOME, Activity: H05	$15,000

Council authorization to execute the amendment is requested.

Paula King
Director

XC: Kyna Koch, Commissioner of Finance

316-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of Finance & Administration

MEMORANDUM

TO: Mayor Jim Newberry
Members, Urban County Council

FROM: Kyna Koch, Commissioner
Department of Finance

DATE June 3, 2008

SUBJECT: Sheriff's Settlement – 2008 Property Tax Audit

Attached is the agreement to conduct the 2008 Property Tax Audit prepared by Moore Stephens Potter LLP. The funds are fully budgeted.

Approval of this report is requested.

C: Kathy Witt, Fayette County Sheriff
Bill O'Mara, Director of Revenue

POTTER
POTTER & COMPANY LLP
CERTIFIED PUBLIC ACCOUNTANTS • CONSULTANTS

316-08 54

301 East Main Street, Suite 1100 • Lexington, KY 40507 • 859.253.1100 • 859.253.1384 fax • www.mspotter.com
Offices in Lexington and Louisville

June 2, 2008

Mr. Bill O'Mara
Director, Division of Revenue
Lexington-Fayette Urban County Government
200 East Main Street, Room 206
Lexington, KY 40507

Dear Mr. O'Mara:

Thank you for the opportunity to submit the attached scope of work detail and cost proposal to provide professional accounting services for the Fayette County Sheriff's 2008 Property Tax Settlement. Our previous experience with the tax settlement enables us to perform the work efficiently and competitively while always maintaining quality. We look forward to once again working with you and your staff.

Recognizing that conducting an engagement interrupts the daily routine of your operation; we make every effort to perform the fieldwork as efficiently as possible. Our intent is to get in and get out as efficiently as possible without sacrificing client service. You will find that we are experienced in adapting to your work environment and in working with your schedule. By making a commitment to assign personnel with tax settlement experience to the engagement, we feel that we can provide you quality service in an efficient manner.

We are proud of our practice in governmental and related entities. We would be equally proud to continue our association with the Lexington-Fayette Urban County Government. If you have any questions regarding the attached information please give me a call.

Thank you.

Sincerely,

POTTER & COMPANY, LLP

R. Allen Norvell, CPA
Partner

SCOPE OF WORK

It is our understanding that the scope of this engagement will consist of providing professional accounting services related to preparing supporting schedules for the Fayette County Sheriff's 2008 Property Tax Settlement. These services will include:

- Obtain an understanding of the Custom Solution, Inc. (CSI) software used by the Sheriff's office to process tax assessment records.
- Using the CSI software we will create new excel spreadsheets or use existing spreadsheets to reconcile the gross charges to be collected by the Sheriff to the equalized certifications.
- For any credits we will reconcile the amounts per the CSI software to supporting documents.
- Recalculate the commissions withheld by the Sheriff.
- Compile financial statements and related notes, if requested.

COST PROPOSAL

Our fees for professional services are based on the actual time incurred by partners and staff members at our standard hourly rates. Our estimated fee is detailed as follows:

	Standard Hourly Rates	Preparing Tax Settlement and Supporting Workpapers		Compiling Financial Statements and Notes	
		Hours	Fee	Hours	Fee
Partner	200	6	$ 1,200	4	$ 800
Manager	155	16	2,480	8	1,240
Associate	90	64	5,760	12	1,080
		86	$ 9,440	24	$ 3,120

Additional services requested beyond the scope of this proposal will be billed at the above hourly rates. The above estimate is also based on anticipated cooperation from Lexington-Fayette Urban County Government and Sheriff office personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Cheryl Bryant

57

317-08

From: Daniel Fischer
Sent: Wednesday, June 04, 2008 12:11 PM
To: Cheryl Bryant
Subject: memo 08-0101

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

DIV Resources

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

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

DATE: June 3, 2008

RE: **Test Security Agreement—I/O Solutions, Inc.**

The attached action authorizes a Test Security Agreement between I/O Solutions, Inc. and the Lexington-Fayette Urban County Government for testing applicants applying for Fire and Emergency Services Lieutenants, Captains and Majors positions, effective as of the date it is signed by both parties.

The agreement defines I/O Solution's test security terms and conditions and is intended to protect mutual interest of the Lexington-Fayette Urban County Government and the vendors, as well as the interests of persons who take such tests.

The fiscal impact for the FY 2008 will be $13,500.00 and was included in the divisions FY 2008 budget.

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

Attachment

DF

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

Log 08-0101

06/04/2008

317-08

INDEPENDENT CONTRACTOR AGREEMENT

THIS AGREEMENT ("Agreement") is made between the Lexington Fayette Urban County Government, an Urban County Government created pursuant to statute with offices at 200 East Main Street, Suite 808 Lexington, KY 40507 and I/O Solutions, Inc., a testing corporation with offices at 1127 S. Mannheim Road, Suite 203, Westchester, Illinois 60154.

WHEREAS, I/O Solutions, Inc. has expertise in providing the services sought by the Lexington Fayette Urban County Government and

WHEREAS, the Lexington Fayette Urban County Government wishes to utilize I/O Solutions, Inc. services and abilities during the term of this Agreement, and I/O Solutions, Inc. is willing to offer such services upon the terms and conditions contained in this Agreement;

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

Engagement and Duties. During the term of this Agreement, the Lexington Fayette Urban County Government hereby engages I/O Solutions, Inc. and I/O Solutions, Inc. hereby agrees to serve the Lexington Fayette Urban County Government, as an independent contractor. I/O Solutions, Inc. shall use its resources and all due diligence to perform the services required by Lexington Fayette Urban County Government pursuant to this agreement. Services for custom exam development are outlines in the anticipated schedule on the following page.

Contractor's duties shall be as follows: This Agreement shall begin on April 14, 2008 for the service of providing development of written multiple choice examinations for Fire Lieutenant, Captain and Major pertaining to Promotions. Services are invoiced using rates attached and scheduled to begin as outlined on following page (schedule attached).

Compensation. For all services rendered by I/O Solutions, Inc. under this Agreement, I/O Solutions, Inc. shall be compensated for their services provided pursuant to the terms of the agreement in the amounts set forth in the schedule on page 2 of the agreement.

I/O Solutions, Inc. relationship shall be that of an independent contractor and the Lexington Fayette Urban County Government shall not withhold taxes or Social Security payments from any sum paid to I/O Solutions, Inc. under this Agreement.

Confidentiality. I/O Solutions, Inc. acknowledges that any information obtained regarding the operation of the Lexington Fayette Urban County Government, its products, services, policies or any other aspect of its business, including any personal information on employees that is provided, is confidential, and shall not be revealed or disclosed to any person, company or other entity without the express written permission of the Lexington Fayette Urban County Government.

The terms, conditions, language and provisions of this contract shall be interpreted under the laws of the Common Wealth of Kentucky.

Miscellaneous. If any provision of this Agreement is invalid or inoperative under law, the remaining provisions of this Agreement shall continue in full force and effect. This Agreement contains the entire agreement of the parties, and supersedes any and all previous agreements they may have made, whether orally or in writing.

IN WITNESS WHEREOF, the parties hereto have set their hands.

I/O Solutions, Inc. Contracted Services

Department: Lexington Fayette Urban County Government, KY, 200 East Main Street, Suite 808 Lexington, KY 40507

Custom Exam Development:

Fire Promotional Exams

Custom Lieutenant Exam	$4500
Custom Captain Exam	$4500
Custom Major Exam	$4500

Pricing reflects the cost of custom exam development containing 100 questions each invoiced at $45 per question as well as printed copies of the exam at quantities as-needed. Pricing does not include shipping.

Anticipated Schedule for Custom Exam Development:

Week 1	Exam plan development
Week 2 – 5	Exam question development
Week 6	Subject matter expert question review
Week 7	Exam finalization

Authorized Agent, Title
Lexington Fayette Urban County Government, KY

Date

Rina Zito

April 14, 2008

Rina Zito, PSR Project Manager
I/O Solutions, Inc.

Date

298-08

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 29, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF FEDERAL FUNDS FROM THE KENTUCKY DIVISION OF FORESTRY UNDER THE 2008 KENTUCKY URBAN AND COMMUNITY FORESTRY PROGRAM**

On April 10, 2008 (Resolution # 176-2008), Council approved the submission of an application, prepared by the Division of Streets, Road and Forestry, requesting federal funds in the amount of $5,000 to the Kentucky Division of Forestry. Source of funds is the 2008 Kentucky Urban and Community Forestry Program from the U.S. Department of Agriculture. The Kentucky Division of Forestry has approved an award in the amount of $5,000 to be used for the reprinting of the Reforest the Bluegrass brochure, reprinting of the "Street Tree Selection and Care" and "Stop Tree Topping" brochures and to support staff attendance at local conferences and educational programs.

A 50% match ($5,000) is required. Matching funds will be documented in the form of staff time of existing personnel in the Division of Streets, Roads and Forestry. Total project cost is $10,000.

Council authorization to accept the award is hereby requested.

Paula King
Director

Xc: Don Kelly, Commissioner of the Department of Public Works

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: James R. Wray
Engineering Technician Principal

Date: May 28, 2008

Re: Resolution Authorizing Acceptance of Deed
Project No. 273 – Twelfth Street Neighborhood Improvements

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of temporary construction easement for the Twelfth Street Neighborhood Improvement project. The deed will be from Cora Spence Carrick at a cost of $ 975.00 for the acquisition of 1,501 square feet of temporary construction easement from the property located at 1118 North Broadway.

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

Approved by:

Marwan Rayan, P.E.
Urban County Engineer

Don Kelly, Commissioner
Department of Public Works & Development

c: Robert Bayert, P.E. William Bowie, P.E. Yvonne Stone File

08.P273.406.blue1118nbroadway

321-08

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: **JUNE 3, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT #8 TO AGREEMENT WITH ENTRAN (FORMERLY KNOWN AS AMERICAN CONSULTING ENGINEERS, PLC) FOR THE NEWTOWN PIKE EXTENSION PROJECT—FY 2008**

The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension was authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

The Urban County Council approved a professional services contract with American Consulting Engineers, PLC, in the amount of $1,666,699 on October 11, 2001 (Resolution No. 633-2001). Amendment #1 to this agreement in the amount of $70,049.00 was approved by Council on March 21, 2002 (Resolution No. 150-2002). Amendment #2 in the amount of $128,900 was approved by Council on December 12, 2002 (Resolution No. 750-2002). Amendment #3 in the amount $699,834.84 was approved by Council on May 29, 2003 (Resolution No. 246-2003). Amendment #4 in the amount of $16,770 was approved by Council on November 6, 2003 (Resolution No. 591-2003). Amendment #5 in the amount of $589,878 was approved by Council on September 9, 2004 (Resolution No. 475-2004). Amendment #6 in the amount of $949,886 was approved by Council on July 12, 2005 (Resolution No. 392-2005). Amendment #7 in the amount of $586,703.68 was approved by Council on February 8, 2007 (Resolution No. 39-2007).

The proposed Amendment #8 is in the amount of $752,396 making a new contract total of $5,461,116.51 for professional services. Amendment #8 will provide for an additional seven months of community liaison services, revision to Phase IV right-of-way plans due to grade revisions near Corman Rail Yard, additional structural and geotechnical work due to these grade revisions, relocation services for Phase I mitigation area renters, monitoring of Corrective Action

321-08 63

Plan for Phase I and Phase IV, implementation and management of the Southend Park mitigation project management, and technical assistance for the Community Land Trust, Subconsultants included in Amendment #8 are Third Rock Consultants, FMSM, Dorothy Coleman (Community Liaison), and EHI.

Funds for Amendment #8 are budgeted as follows:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REFERENCE
3160	303202	3211	91715	Newtown Pike	2002

Council authorization to execute amendment #8 to the agreement with ENTRAN is hereby requested.

Paula King, Director

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

321-08 64

CONTRACT HISTORY FORM

Contractor: ENTRAN (Formerly American Consulting Engineers, PLC)

Project Name: Newtown Pike Extension Project

Contract Number and Date: K6528 October 11, 2001

Responsible LFUCG Division: Division of Engineering

CHANGE ORDER DETAILS

A. Original Contract Amount: $1,666,698.99

Next Lowest Bid Amount:
$Only one Bidder

B. Amount of Selected Alternate or Phase: $N/A

C. Cumulative Amount of All Previous Alternates or Phases: $N/A

D. Amended Contract Amount: $1,666,698.99

E. Cumulative Amount of All Previous Change Orders: $3,042,021.52 — 183% *(Line E / Line D)*

F. Amount of This Change Order: $ 752,396.00 — 45% *(Line F / Line D)*

G. Total Contract Amount: $5,461,116.51

SIGNATURE LINES

Project Manager: Andrew Trumbo Date: MAY 22, 2008

Reviewed by: Richard A Bayot Date: 5/23/08

Division Director: [signature] Date: 5/23/08

AMENDMENT NO. 8
Newtown Pike Extension Project
Contract Dated October 11, 2001

Purpose/Reason for Amendment:

The purpose will be to amend Entran (Formerly American Consulting Engineers, PLC) contract to provide the project team with funding for the; Neighborhood Liaison's position for an additional 7 months, revision to Phase IV Right-of-Way plans due to grade revisions near Corman Rail Yard, additional Structural and Geotechnical work for proposed bridge over Town Branch, monitoring of Corrective Action Plan for Phase I and Phase IV, implementation of the Southend Park Mitigation Project Management, Technical assistance for the Community Land Trust, and Relocation Services for Phase I Mitigation Area Renters.

Original Contract Amount	$1,666,698.99
Amendment No. 1	$ 70,049.00
Amendment No. 2	$ 128,900.00
Amendment No. 3	$ 699,834.84
Amendment No. 4	$ 16,770.00
Amendment No. 5	$ 589,878.00
Amendment No. 6	$ 949,886.00
Amendment No. 7	$ 586,703.68
Amendment No. 8	$ 752,396.00
NEW CONTRACT AMOUNT	**$ 5,461,116.51**

Owner:

Jim Newberry
Mayor
Lexington Fayette Urban County Government
200 East Main Street, 12th Floor
Lexington, Kentucky, 40507

Attest

Consultant:

Brian Cash, P.E
Project Engineer
American Consulting Engineers, PLC
400 East Vine Street, Suite 100
Lexington, Kentucky, 40507-1577

Attest

297-08

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 28, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE LEXINGTON-FAYETTE COUNTY HEALTH DEPARTMENT TO CONTINUE THE HOME NETWORK PROJECT AT THE FAMILY CARE CENTER—FY 2009**

In Fiscal Year 1998, the Lexington-Fayette Urban County Government's Family Care Center began a home visitation program for the purpose of addressing many of the limitations observed among existing prevention efforts aimed at low-income families, and to create a system of support more responsive to emerging social and familial realities. The Home Network provides home visitation services for high risk families from birth of the first child up to age two. This program is based upon evidence that home visitation programs are effective in reducing child abuse and neglect.

The Home Network program is being funded by the Kentucky Cabinet for Health and Family Services in a "pass-through" arrangement with the Lexington-Fayette County Health Department as the granting agency. The source of federal funds is the Kentucky Medical Assistance Program (Medicaid) and tobacco settlement dollars. The Kentucky Legislature has earmarked a portion of Kentucky's tobacco settlement dollars for funding of programs that will help the state reach the goal that all young children in Kentucky are healthy and safe, possess the foundation that will enable school and personal success, and live in strong families that are supported and strengthened by their communities.

The Home Network program is a "fee for service" program, in that the LFUCG only receives funding for services that it delivers. The grant budget reflects the expenses of the program and an estimate of how much revenue will be generated by the existing staff. During 2009, it is anticipated that $343,368 in "fee for service" revenue will be generated. Requested local funding in the amount of $109,300 represents the gap between the anticipated revenue and the expenses of the program. The amount of $109,300 has been requested as local match from the Fiscal Year 2009 general fund budget.

Council authorization to accept the award is hereby requested subject to the availability of sufficient funds ~~in FY~~ 2009.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

305-08

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: JUNE 2, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION, AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY DEPARTMENT OF EDUCATION FOR PARTICIPATION IN THE CHILD CARE FOOD PROGRAM FOR THE FAMILY CARE CENTER – FY2009

The Family Care Center has prepared an application for submission to the Kentucky Department of Education - Division of School and Community Nutrition. The application anticipates federal funds in the amount of $62,000 to offset the costs of operating the nutrition program at the Family Care Center. This program provides lunches and meal supplements to all children who are enrolled in child care programs at the Family Care Center. While no match is required, matching funds in the amount of $165,820 has been requested in the Family Care Center's 2009 general fund budget for purposes of program operation.

The project pays for food and other related supplies and supports personnel costs of staff members who prepare the food. The U.S. Department of Agriculture through the Kentucky Department of Education's reimbursement rate in FY2008 for free breakfast is $1.35, free lunch is at the rate of $2.47, and supplements are at the rate of $0.68. The reimbursement rate for FY2009 has not been published at this time. Approximately 95% of the participants are eligible for free meals.

Council authorization to submit the application and accept the award is hereby requested, subject to the availability of sufficient funds in FY 2009.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

306-08

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: **JUNE 2, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION, AND ACCEPT AWARD IF OFFERED, TO THE KENTUCKY DEPARTMENT OF EDUCATION FOR OPERATION OF THE NATIONAL SCHOOL LUNCH PROGRAM--FY 2009**

The Department of Social Services Division of Youth Services and the Division of Family Services provide nutrition services for the participants of their programs. The nutrition program includes breakfast and lunch for the teen parent participants at the Family Care Center (grades 9-12), and for the students at the Day Treatment Center (grades 6-12).

The U.S. Department of Agriculture's National School Lunch Program, which is administered by the Kentucky Department of Education, reimburses the government for breakfast and lunch served to eligible participants. The expected amount of federal and state funds to be received in FY2009 is $35,500. Approximately 64% of the participants of these programs are eligible for free lunch. The reimbursement rate during FY2008 for free breakfast was $1.61 and the reimbursement rate for free lunch was $2.49. The reimbursement rate for FY2009 has not been published at this time.

The grant budget provides for the purchase of food, supplies, and labor. While no local match is required, the grant budget includes $116,380 in local funds. These local funds have been requested as grant match in the Fiscal Year 2009 general fund budgets of the Division of Family Services and the Division of Youth Services.

Council authorization to submit the application and accept the award if offered is hereby requested, subject to the availability of sufficient funds in FY 2009.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

310-08

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: **JUNE 2, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO ACCEPT ADDITIONAL FEDERAL FUNDING FROM THE KENTUCKY DEPARTMENT OF EDUCATION/21ST CENTURY COMMUNITY LEARNING CENTER PROGRAM FOR SUMMER PROGRAMMING AND FOR FIFTH YEAR PROGRAMMING**

The Urban County Council approved the acceptance of federal funds from the Kentucky Department of Education on November 15, 2007, (Ordinance No. 259-2007) for the continuation of after school and parents programs at Tates Creek Elementary School and Gainesway Community Empowerment Center for year number four of a five-year project. The source of federal funds is the Department of Education, as authorized under the No Child Left Behind Act, Title IV, Part B. The Kentucky Department of Education has offered the LFUCG additional funding in the amount of $80,000--$5,000 for a Summer Learning Program for Homework Huddle participants at the Gainesway Empowerment Center, and $75,000 for fifth year programming. These funds will be used for salaries and fringe benefits, required professional development, field trip expenses, equipment, materials and supplies, stipends, and contractual services. No matching funds are required.

Council authorization to accept additional funding is hereby requested.

Paula King, Director

Cc: Marlene Helm, Commissioner, Department of Social Services

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: JUNE 3, 2008

SUBJECT: REQUEST AUTHORIZATION TO ACCEPT AWARD FROM THE KENTUCKY DEPARTMENT OF JUVENILE JUSTICE TO PROVIDE DAY TREATMENT SERVICES IN THE DIVISION OF YOUTH SERVICES FOR FY 2009

On April 24, 2008 (Resolution # 225-208), Council approved submission of an application to the Kentucky Department of Juvenile Justice for the operation of the Day Treatment Program for school-age adolescents in the Division of Youth Services for Fiscal Year 2009.

Day Treatment is a community-based treatment program for juveniles between the ages of 12 and 17. The program's mission is to treat delinquent youth in their home community, hereby preventing institutionalization, and to keep predelinquent youth out of the juvenile justice system. Components of the program include education (provided by Fayette County Public Schools), counseling, and social work services.

The Kentucky Department of Juvenile Justice has offered the LFUCG an award of state funds for Day Treatment in the amount of $241,845 for FY 2009. While no match is required, $311,790 has been requested in the FY 2009 General Fund budget for program operation.

The funds are used for salaries and operating costs associated with the program.

Council authorization to accept the award is hereby requested.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Department of Social Services

303-08

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 29, 2008

SUBJECT: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR EXTENSION OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM PROJECT

On October 4, 2007 (Ordinance # 226-2007), the Urban County Council approved acceptance of award from the Kentucky Office of Homeland Security of federal funds in the amount of $220,713.50 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. This project's expiration date was October 31, 2007.

On December 6, 2007 (Resolution # 637-2007), Council approved execution of an Agreement with Kentucky Office of Homeland Security providing for an expiration date of June 30, 2008.

The Kentucky Department of Homeland Security has now offered a modification to the agreement providing for an expiration date of March 31, 2009. No other changes are proposed.

Council authorization to execute agreement with the Kentucky Office of Homeland Security for extension of the Metropolitan Medical Response System (MMRS) project is hereby requested.

Paula King
Director

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

320-08 72

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Fire and Emergency Services

Robert G. Hendricks, Fire Chief

To: Mayor Jim Newberry
Joe Kelly, Senior Advisor for Management
LFUCG Council Members

From: J C Branham
Assistant Chief James Branham

Date: June 2, 2008

Re: Parking Lot Lease at 203 East Third Street

The Division of Fire and EMS requests the acceptance of a lease agreement with Clark-Central LLC, P.O. Box 1433, Ashland, KY 41105, which renews the parking lot lease at 203 East Third Street that expires June 30, 2008. This parking lot is used for additional parking space for Fire Department personnel and is located behind the Fire Prevention Bureau.

The cost is $3,000.00 per year, to be charged to 1101-505701-5701-71301 site 571 beginning in Fiscal Year 2009. The initial agreement is for one year, beginning July 1, 2008 and ending June 30, 2009. Thereafter, the agreement shall automatically renew for up to 4 additional years.

If you have any questions, please feel free to contact me at 231-5602.

322-08 73

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: **JUNE 3, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY OFFICE OF THE 911 COORDINATOR/COMMERCIAL MOBILE RADIO SERVICE BOARD REQUESTING STATE FUNDS FOR IMPROVEMENTS TO THE REGIONAL 911 SYSTEM**

The Division of Enhanced 9-1-1 has prepared an application for submission to the Kentucky Office of the 911 Coordinator/Commercial Mobile Radio Service Board requesting state funds in the amount of $371,200 for the expansion of the Central Kentucky 911 network to include additional jurisdictions: Hardin, Casey, Garrard, Perry, Estill, Meade, Boyd, Rockcastle, Lincoln, 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.

Council authorization to submit application is hereby requested.

Paula King, Director

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

323-08 74

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: JUNE 3, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE/OFFICE OF JUSTICE PROGRAMS REQUESTING FEDERAL FUNDS FOR IMPLEMENTATION OF A SAFE HIGHWAY INITIATIVE

The Division of Police has prepared an application for submission to the U.S. Department of Justice/Office of Justice Programs requesting federal funds in the amount of $400,000 to implement a Safe Highway Initiative. These federal funds are requested from the Edward Byrne Memorial Competitive Grant Program under the Enhancing Local Law Enforcement category. Through the Safe Highway Initiative, police will conduct concentrated patrol activities along the I64-I75 highway system through the use of advanced patrol enforcement techniques including: commercial vehicle inspections, and the use of additional division resources such as Air Support and Federal Task Forces.

If approved, the Division of Police will deploy a team consisting of six officers, two canine officers, and one supervisor. Each officer will be responsible for making contacts with motorists based on observed violations and/or commercial motor vehicles that are subject to MCSAP safety inspections. Federal funds will be used primarily for overtime, professional development, professional services, and computer equipment. No matching funds are required.

Council authorization to submit application is hereby requested.

Paula King, Director

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

324-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of Public Safety

Division of Environmental and Emergency Management

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Patricia L. Dugger, Director, RS, MPA

RE: Authorization of Statement of Affiliation

DATE: May 22, 2008

This request would authorize a Statement of Affiliation for the LFUCG Division of Fire and Emergency Services Rescue Team as a Rescue Squad under KRS Chapter 39F. This Statement of Affiliation will establish the LFUCG Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized technical rescue team (rescue squad) in Fayette County. It allows rescue team members coverage under state liability and workers compensation, and would also allow for possible FEMA reimbursement for expended equipment while on a mutual aid assistance call. There is no cost to the LFUCG and therefore, there is no budgetary impact.

If you have any questions or need any additional information, please contact me at 258-3784.

Attachment

xc: Commissioner Tim Bennett, Public Safety
Chief Robert Hendricks, Fire
Search and Rescue File

166 N Martin Luther King Blvd Ste 275 Lexington, KY 40507
www.lfucg.com/DEEM
859-258-3784 Fax 859-252-8689

324-08

STATEMENT OF AFFILIATION

The purpose of this Statement of Affiliation is to establish responsibilities and chain of command within the Lexington-Fayette Urban County Government (the "Local Government"), including the responsibilities and chain of command for the Local Government's Special Operations Technical Rescue Team in the Division of Fire and Emergency Services (the "Rescue Squad"), and between the Rescue Squad and the Urban County Government Emergency Management Director (the "Local Director"), in the provision of rescue squad services.

GRANT OF AUTHORITY (KRS 39F.020)

The Mayor hereby grants to the Rescue Squad the authority to operate in the Lexington-Fayette Urban County and, as further described in Annex L of the Local Government's Emergency Operations Plan (the "EOP"), places the Rescue Squad under the limited direction of the Local Director (KRS 39F.020). In granting this authority to operate, it is recognized that all assets, property, funds or interests acquired, appropriated, donated or raised for the benefit or operation of the Rescue Squad shall be deemed the property of the Urban County Government or, when acquired through state funds, the property of the Commonwealth of Kentucky. The Rescue Squad will be responsible for the management and accounting of the assets described above, but may not acquire an interest in the same. The Standard Operating Procedures (the "SOPs") or by-laws of the Rescue Squad will conform to applicable state and federal laws and regulations and may not limit the authority of the Mayor or the Local Director in the provision and management of rescue squad services in the urban-county.

The Rescue Squad is the only rescue squad officially recognized by the Local Government. By virtue of this Statement of Affiliation, the Rescue Squad is recognized as being officially affiliated with the Local Government and becomes officially affiliated with the local Emergency Management Agency (the "Local Agency"), as recognized by the Kentucky Division of Emergency Management.

MISSION STATEMENT (KRS 39F.120(9)(a))

The Rescue Squad shall serve the citizens of the Local Government by providing fully trained and equipped personnel who will take the lead role in the following types missions when conducted in the urban-county:

(1) light duty rescue;
(2) extrication of persons from vehicles;
(3) water rescue and recovery operations not utilizing divers;
(4) high and low angle rescue and recovery operations;
(5) confined space, trench and collapse rescue and recovery operations; and,
(6) specialized extrication rescue and recovery operations

The Rescue Squad, at the request of other state and local agencies, may respond and assist other state and local agencies with search and rescue operations conducted outside the urban-county, but will not take the lead role, in the types of missions described above. The Rescue Squad will **not** respond to missions involving water rescue and recovery utilizing divers.

CALL OUT AUTHORITY (KRS 39F.120(9)(a))

The Rescue Squad will respond when called by any of the following services or agencies:

(1) the Local Government;
(2) the Local Director;
(3) the Local Government SAR Coordinator;
(4) the Kentucky Emergency Management Area 13 Manager (the "Area Manager");
(5) the Kentucky SAR Coordinator; and
(6) the Kentucky Division of Emergency Management.

The Local Government's Division of Fire and Emergency Services communications dispatch center will notify the Rescue Squad of an incident when assistance is requested.

CHAIN OF COMMAND (KRS 39F.120(9)(a))

As a unit of the Local Government, the Rescue Squad is under the direction and control of the Local Government, including those time when the Local Government declares a State of Emergency. The Rescue Squad's chain-of-command is defined by the Local Government's Code of Ordinances, EOP, and Search and Rescue Plan.

RESPONSIBILITIES (KRS 39.F120(9)(a))

The Rescue Squad shall maintain its equipment and property and shall be accountable for all equipment through an annual inventory, which will be submitted to the Local Director, the Area Manager, and the State Search and Rescue Coordinator. The Rescue Squad shall be responsible for the fiscal accountability for all funds received by the squad. The Rescue Squad, acting by and through the Local Government's Division of Accounting, shall assure all payments of outstanding debts in a timely manner. The Rescue Squad shall not charge a fee for any of its services. The Rescue Squad is responsible for maintaining an approved and current set of SOP's, which reflect its mission statement. It is the responsibility of the Rescue Squad to provide copies of its SOPs and amendments to its SOPs to the Local Director, the Area Manager, and the State Search and Rescue Coordinator.

The Rescue Squad has the responsibility to adhere to the requirements of formation and securing affiliation according to KRS 39F.020. The Rescue Squad shall meet the organization requirements of KRS 39F.050 and KRS 39F.120.

The Local Government shall be responsible for the fiscal accountability of funds distributed to the Rescue Squad by the Local Government. The Local Government will provide official license plates and insurance for all rescue vehicles. The Local Government may appropriate a yearly allocation in its annual budget to cover the operating expenses to the Rescue Squad.

The responsibilities of the Local Government, including its Local Director and its Rescue Squad, shall conform to those responsibilities as provided in all applicable state statutes and regulations.

FINDINGS AND CERTIFICATION (KRS 39F.120(9)(a) and (b))

By their signatures below, the Mayor and Local Director, certify that, having reviewed the Rescue Squad's Mission Statement and this Statement of Affiliation, to the best of their knowledge and belief the Rescue Squad:

(1) possess adequate numbers of trained personnel to perform the mission;
(2) possess proper and adequate equipment, in proper working order, to perform the mission;
(3) possess at least one rescue vehicle, dedicated solely to rescue purposes and in proper working order, which is adequate to perform the mission of the squad;
(4) possess adequate command and control personnel, training, and policies to ensure that the squad can quickly and efficiently respond and perform its mission when called upon; and
(5) is performing a function not performed by other local government agencies or other local private agencies or organization.

PROCEDURES FOR REVOCATION (KRS 39F.120(9)(a))

This Statement of Affiliation may be modified, amended, or terminated at any time by the Local Government. Unless earlier terminated, the duration of this Statement of Affiliation shall be for a period of one (1) year, commencing on the 1st day of June, 2008 and expiring on the 31st day of May, 2009.

IN WITNESS WHEREOF, this Statement of Affiliation has been executed by the Mayor of the Lexington-Fayette Urban County Government, for and on behalf of the Local Government, by its Local Director, and the Chief of the Division of Fire and Emergency Services for and on behalf of the Rescue Squad, as of this ____ day of _____, 2008.

300-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water and Air Quality

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: Mary Bennett MB
Engineering Technician

Date: May 22, 2008

Re: Resolution Authorizing Acceptance of Deed
Project No.504 - Radcliffe Road Stormwater Improvements

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for the acquisition of 805 Farra Court. The deed will be from R. Rogers Properties, LLC at a cost of $107,500.00 for the acquisition of the entire property. The purchase price is based on the appraisal obtained by the Division of Water and Air Quality.

The purpose of the acquisition is for storm water management and mitigation to the existing watershed. Recommendation for the purchase comes from the Division of Water and Air Quality staff. The DWAQ staff concur that acquisition of the property would allow for positive storm water mitigation in the immediate area as well as downstream.

Funds for the payment are currently budgeted in 2517 – 303204 – 3321 - 92211.

Approved by:

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

Cheryl A. Taylor
Commissioner, Department of Environmental Quality

Attachments

c: Darryl G. Bennett, P.E. Keith Horn Cassie Felty Greg Lubeck James Wray File

08.P504.406.bluesheet805farract

301-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water and Air Quality

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: Mary Bennett MB
Engineering Technician

Date: May 16, 2008

Re: Resolution Authorizing Acceptance of Deed
Project No. 504 – Radcliffe Road Stormwater Improvements

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for the acquisition of 809 Farra Court. The deed will be from Deborah Coleman Wigginton at a cost of $111,581.19 for the acquisition of the entire property. The purchase price is based on the appraisal obtained by the Division of Water and Air Quality.

The purpose of the acquisition is for storm water management and mitigation to the existing watershed. Recommendation for the purchase comes from the Division of Water and Air Quality staff. The DWAQ staff concur that acquisition of the property would allow for positive storm water mitigation in the immediate area as well as downstream.

Funds for the payment are currently budgeted in 2517 – 303204 – 3334 - 92211.

Approved by:

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

Cheryl A. Taylor
Commissioner, Department of Environmental Quality

Attachments

c: Darryl G. Bennett, P.E. Keith Horn Cassie Felty Greg Lubeck James Wray File

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Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water and Air Quality

To: Mayor Jim Newberry
Urban County Council

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

Date: May 13, 2008

Re: Contract for Operations Software and Services for Wastewater Treatment Plants

The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and OPS Systems, Inc. The contract with OPS Systems, Inc. will provide operations software and services for the wastewater treatment plants and the lab. This will allow all data collected by the lab, pretreatment and both wastewater treatment plants to be pulled together and shared easily for trending and monthly reports.

The cost for the defined operations and software services is $62,200.00.

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

307-08

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Mary Bennett MB
Engineering Technician

Date: May 29, 2008

Re: Request for Correction of Resolution No. 94-2008
Project No. 384 – Elizabeth Street Drainage Improvements

The purpose of this memorandum is to request a resolution to correct Resolution 94 -2008 which was passed by the Urban County Council on March 6, 2008 to correct the property address from 227 Floral Park to 227 Forest Park Road as is reflected on the copy of the attached administrative review form.

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

Approved by:

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

Cheryl Taylor, Commissioner
Department of Environmental Quality

Attachments

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

08.P384.406.blue227forestpark2

RESOLUTION NO. 94 -2008

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A CERTIFICATE OF CONSIDERATION AND ACCEPT A DEED CONVEYING A TEMPORARY CONSTRUCTION EASEMENT FROM JOE AND LORI ADAMS, FOR PROPERTY LOCATED AT 227 FLORAL PARK, FOR THE ELIZABETH STREET DRAINAGE IMPROVEMENTS PROJECT, AND AUTHORIZING PAYMENT IN THE AMOUNT OF $400.00, PLUS USUAL AND APPROPRIATE CLOSING COSTS.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute a Certificate of Consideration and to accept a Deed conveying a temporary construction easement from Joe and Lori Adams, for property located at 227 Floral Park, for the Elizabeth Street Drainage Improvements Project.

Section 2 - That an amount, not to exceed the sum of $400.00 be and hereby is approved for payment to Joe and Lori Adams, plus usual and appropriate closing costs, all from account #2522 303204 92210, at the time of closing.

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

PASSED URBAN COUNTY COUNCIL: March 6, 2008

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 12, 2008-1t

GHG\227 Floral Park\ENGINEER\08-LE0020\LEG\00153623.DOC

309-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water Quality

Memorandum

To: Mayor Jim Newberry
Urban County Council

From: Charles H. Martin, P.E., Director
Division of Water Quality

Date: June 2, 2008

Re: Award of Engineering Services Agreement for
Sanitary Sewer Fats, Oils and Grease (FOG) Program

The purpose of this memorandum is to request a resolution authorizing the award of an engineering services agreement to Tetra Tech Inc. to prepare the sanitary sewers Fats, Oils and Grease Program. The total recommended value of the engineering services agreement is $50,000.

Funds for this project are reflected in the 2008 Sanitary Sewer Financial Model, which was the basis for the 2008 Sewer User Fee increase. Funding has also been included for this work in the FY 2009 Budget.

The purpose of this engineering design services agreement is to complete near-term deliverables associated with LFUCG's Federal Consent Decree. The Consent Decree requirements include the development of an effective FOG Program for submission to the United States Environmental Protection Agency (USEPA) and the Kentucky Environmental Public Protection Cabinet (EPPC) by March 14, 2009. The FOG Program must include a schedule for implementation within eighteen (18) months of USEPA/EPPC approval.

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

pc: Cheryl Taylor, Commissioner, Department of Environmental Quality
Brian Marcum, Director, Division of Central Purchasing
Rod Chervus, P.E., Division of Water Quality

308-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water and Air Quality

To: Mayor Jim Newberry
Urban County Council

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

Date: June 2, 2008

Re: Contract for Investigation and Design Services for Screw Pump Replacement – Town Branch WWTP

The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and Strand Associates, Inc. The contract with Strand Associates, Inc. will provide investigation and design services for the screw pump replacement at Town Branch WWTP.

The cost for the defined investigation and design services is $64,000.00.

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

319-08

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: **JUNE 3, 2008**

SUBJECT **REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY UNDER THE SOUTHEAST DIESEL COLLABORATIVE PROGRAM**

The Department of Environmental Quality has prepared an application requesting federal funds in the amount of $750,000 from the Environmental Protection Agency under the Southeast Diesel Collaborative (SEDC) FY 2008-2009 Diesel Program. Financial assistance under this program was authorized by the Energy Policy Act of 2005, Public Law 109-58. This funding must be used to reduce pollution from heavy duty diesel vehicles and equipment. These emissions, which include oxides of nitrogen and particulate matter, contribute to serious public health problems causing thousands of premature deaths, hundreds of thousands of asthma attacks, and numerous other negative health impacts every year. The local collaborative to reduce these emissions includes the LFUCG, LexTran, Fayette County Public Schools, and Bluegrass PRIDE.

No local match is required.

The scope of work for this project will consist of retrofitting 25 garbage trucks in the Division of Waste Management by using EPA-verified emission control technology particulate matter filters. Lextran proposes to use biodiesel as opposed to the conventional diesel. Lextran currently uses 50,000 gallons per year and is requesting the cost differential for the cleaner fuel for their fleet of 71 buses.

Bluegrass PRIDE (Personal Responsibility In a Desirable Environment) proposes to include clean air education with its current WasteBuster Schools Program in 70 schools throughout Fayette County. PRIDE proposes to use its current Environmental Educators to implement clean air curricula developed by the Kentucky Division of Air Quality to supplement the work being done in this proposal and to complement the WasteBuster Program.

Council authorization to submit application is hereby requested.

Paula King, Director

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

325-08

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

MEMORANDUM

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

FROM: Michael Allen, Director
Division of Human Resources

DATE: June 2, 2008

RE: **Abolish/Create position – Division of Water Quality**

The attached action amends Section 22-5 of the Code of Ordinances, abolishing one (1) position of Municipal Engineer Sr. (Grade 119E) and creating one (1) position of Project Engineering Coordinator (Grade 119E). The term of the position will be for four years, ending April 24, 2012 within the Division of Water Quality, effective upon passage by Council.

The Division requests this action due to the fact that a Professional Engineer's license is not required for the area of need for this position. In changing the originally approved position to the position of Project Engineering Coordinator, it will make it easier to fill with a qualified candidate. The creation of the original position and this position is directly tied to both the permanent operational needs, and to the implementation of reporting requirements of the Consent Decree with the United States Environmental Protection Agency.

The fiscal impact for FY2009 (26 pay periods) is budget 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
Charles Martin, Director-Division of Water and Air Quality
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 08-0100

326-08

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: JUNE 5, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE KENTUCKY TRANSPORTATION CABINET FOR THE FIBER OPTIC CABLE INSTALLATION PROGRAM—FY 2008

The Kentucky Transportation Cabinet has offered the Lexington-Fayette Urban County Government federal funds from the Congestion Management/Air Quality Program for the conversion of communication and data lines in the Lexington traffic signal system. Lexington has been designated a maintenance area under section 107 (d) of the Clean Air Act and is therefore eligible to continue receiving these federal funds.

This project is in the Lexington Area Metropolitan Planning Organization's approved Transportation Improvement Program. The project has two goals: (1) to provide a more reliable communication medium for the traffic signal system, with the objective of reducing harmful emissions, and (2) to lessen the impact of severe electrical storms and other inclement weather conditions, in addition to aberrant telephone line communications on traffic signal communications. Funds will be used to support the costs of fiber optic cable installation and to support the costs of video equipment/data communications integration. This is the eighth year of this effort to convert traffic signals to fiber optic cable. This year's effort will focus on Man o' War Blvd. (Tates Creek to Nicholasville), Nicholasville Road (Wilson Downing to Tiverton Way), Nicholasville Road (Toronto to Cobblestone), Tates Creek Road (New Circle to Man o' War Blvd.) and North Broadway (Fire Station 8 to Old Paris Pike).

The federal amount for the project is $320,000. Required matching funds of 20% ($80,000) will come from the FY 2008 Division of Traffic Engineering Budget. Total project amount is $400,000. Federal funds are from the federal Congestion Management/Air Quality Program (CMAQ) allocation.

Council authorization to accept the award is hereby requested.

Paula King
Director

XC: Don Kelly, Commissioner of Public Works