

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 24, 2008

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, June 17, 2008, pp.9-12**
- IV. Budget Amendments – Yes, pp.13-14**
- V. New Business, pp.18-44**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee Update**
 - B. Planning Committee Update**
 - C. Kentucky League of Cities – Sylvia Lovely, Executive Director / CEO**
- VII. Council Report**
- VIII. Mayor's Report – No**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept Award from the Kentucky Department of Juvenile Justice and Execute Agreement with Partners for Youth (PFY) Foundation, Inc. Regarding the Support of the Lexington-Fayette Juvenile Delinquency Prevention Council – FY2009. (346-08) (P. King/Helm)
 This request will authorize the acceptance of state funds in the amount of \$46,410 from the Kentucky Department of Juvenile Justice in support of the Lexington-Fayette Juvenile Delinquency Prevention Council. LFUCG serves as the fiscal agent for these funds. An agreement in the amount of \$45,278 with the PFY Foundation, Inc. is required for the Council. A match of \$10,279 will be provided by in-kind from existing funds in the PFY Budget. Other funds include \$1,132 for administration.**p.18**
- B. Authorization to Accept an Award from the Bluegrass Area Development District (BGADD) on Behalf of the Department of Social Services, Division of Youth Services for an Out-of-School Youth Program. (360-08) (P. King/Helm)
 This request will authorize the acceptance of federal funds in the amount of \$100,000 from the BGADD on behalf of the Division of Youth Services for an Out-of-School Youth Program. Funds of \$40,000 is base funding if the project meets its performance benchmarks of at least 20 out-of-school youth certified and enrolled by September 30, 2008. An additional \$60,000 can be earned by LFUCG if the enrolled youth obtain performance goals related to education, literacy, high school diploma or GED, employment and post-secondary education. The program targets youth between 16 and 18 years of age, who are low-income, and who fall within one of these categories: deficient in basic literacy skills; school dropout; homeless, runaway or a foster child; pregnant or parenting; offender; or requires additional assistance to complete an education program to secure and hold employment. Other program elements include leadership development, paid and unpaid work experiences, alternative secondary school services, supportive services, adult mentoring, follow-up services, and counseling on drug and alcohol abuse. Community partners will provide many of these services.**p.19**
- C. Authorization of Purchase of Services Agreements with Partnering Agencies on Behalf of the Department of Social Services for FY2009. (361-08) (Helm)
 This request will authorize Purchase of Services Agreements on behalf of the Department of Social Services with the Baby Health Services for \$18,000; Big Brothers Big Sisters for \$10,290; Bluegrass Community Action Agency for \$30,000; Bluegrass Domestic Violence Program for \$75,000; Bluegrass Rape Crisis Center for \$75,000; Bluegrass Technology for \$3,000; Center for Women, Children & Families for \$50,000; Chrysalis House for \$40,000; Community Action Council for

\$180,000; Comprehensive Care Center for \$234,750; Hope Center for \$740,000; Metro Group Homes for \$158,000; Moveable Feast Lexington for \$40,000; Nursing Home Ombudsman Program for \$50,000; Salvation Army for \$200,000; Sunflower Kids for \$25,000; and the YMCA of Central Kentucky for \$100,000. Funds of \$2,029,040 will be reflected in the adopted budget for FY2009.**p.20**

D. Authorization to Accept Award (if Offered) from the Kentucky Cabinet for Health & Family Services on Behalf of the Department of Social Services for Continuation of the New Chance Program, the Local Governance Council and the Mentoring Projects for FY2009. (362-08) (P. King/Helm)

This request will authorize the acceptance of an award (if offered) of funds from the US Department of Health and Human Services in the amount of \$410,940 from the Kentucky Cabinet for Health & Family Services on behalf of the Department of Social Services for continuation of:

- The New Chance Program that provides social services to 16 – 21 year old single parents in Fayette County. This program includes developmental child care, pediatric health care, health care referrals with family planning, life skills, education, career choice and job training and development. Funds will support the personnel costs of a Social Worker Supervisor, five (5) MSW social workers, an administrative assistant, and a Teacher / Counselor, and supplies, participant transportation and travel. Total program cost is \$448,640. A local match of \$120,600 is needed to meet the costs of this Program. Federal funds in the amount of \$328,040 are allocated for this program.
- The Local Governance Council Project that provides funds for the support of a project coordinator to work with the Local Governance Council (LexLinc), to provide local leadership to engage the community to create the best system to support and strengthen children, families and individuals to achieve self-sufficiency and to hold that system accountable. Total project cost is \$777,090. A match of \$19,190 is needed to meet the costs of the project. Federal funds in the amount of \$57,900 are allocated for this project.
- The Mentoring Project that provides funds for a full-time Life Skills Program Instructor who mentors parents transitioning off Welfare. This includes supporting and empowering participants through building strong reciprocal relationships, and identifying strengths and resources for the building of a network to help participants achieve self-sufficiency. Total project cost is \$45,160. A local match of \$20,160 is needed to meet the costs of the project. Federal funds in the amount of \$25,000 are allocated for this project.

Local matches have been requested in the FY2009 General Fund Budget.**pp.21-22**

- E. Authorization to Engage Mountjoy and Bressler, LLP to Conduct a Financial Audit of LFUCG Funds for FY2008. (347-08) (Koch)
This request will authorize the engagement of Mountjoy and Bressler, LLP at a cost not to exceed \$115,450 to conduct a financial audit of LFUCG funds for FY2008. This audit will ensure LFUCG is in conformity with US generally accepted accounting principles and to report on the fairness of the additional information provided by management. Funds are budgeted.p.23
- F. *Authorization to Purchase Rain Tainers for the Creation of the "Lily" Program within Lexington-Fayette County. (355-08) (Taylor)
This request will authorize the purchase of Rain Tainers at a cost of \$75,880 for the creation of the "Lily" Program as a green infrastructure project. This project would assist LFUCG's obligation to implement Supplemental Environmental Projects. This will be a cost-share program for citizens to purchase Rain Tainers. Funds are budgeted.p.24
EPA Consent Decree
- G. *Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (356-08) (Allen/Taylor)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Director of Environmental Policy (Grade 122E) within the Division of Environmental Policy. The fiscal impact for FY2009 will be \$100,500 and will be funded from the Urban Services Fund subject to Council approval.p.25
EPA Consent Decree and MP Recommendation
- H. *Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Environmental Quality. (358-08) (Allen/Taylor)
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to create one (1) position of Program Manager Sr. (Grade 120E) for a term of four (4) years to end July 1, 2012. The fiscal impact for FY2009 will be \$86,209.80 and will be funded from the Urban Service Fund subject to Council approval. p.26
EPA Consent Decree
- I. *Authorization of an Engineering Services Agreement with Strand Associates, Inc. on behalf of the Department of Environmental Quality, Division of Water Quality. (359-08) (Martin/Taylor)
This request will authorize an Engineering Services Agreement in the amount of \$265,000 with Strand Associates, Inc. on behalf of the Division of Water Quality. Strand Associates, Inc. will prepare the Sanitary Sewer Pumping Station Design & Equipment Condition - Adequacy Evaluation Report (due March 2009) and the Sanitary Sewer Pump Station Operation Plan for Outages (due 9 months from effective date) for submission to the US Environmental Protection Agency and the Kentucky Environmental Public Protection Cabinet.p.27

EPA Consent Decree.

- J. Authorization of a Datacenter Hosting Services Contract between The Center for Rural Development on Behalf of the Department of Public Safety, Division of Environmental and Emergency Management (DEEM). (348-08) (Dugger/Bennett)
This request will authorize a Datacenter Hosting Services Contract for a monthly fee of \$600 but not to exceed \$7,200 per year with The Center for Rural Development on behalf of DEEM. Professional Services in the amount of \$1,700 for support and transfer of data have been budgeted. The Center for Rural Development will host and manage a single server for the primary software and data storage for the Lexington-Fayette Regional Emergency Operations Center. The Metropolitan Medical Response System grants are providing the funding sources for this project.**pp.28-31**
- K. Authorization to Accept Donated Items from the Citizen's Police Academy Alumni Association (CPAAA) on Behalf of the Department of Public Safety, Division of Police. (349-08) (Bastin/Bennett)
This request will authorize the acceptance of items donated from the CPAAA on behalf of the Division of Police. The items are: framed motivational / character prints for the Division's Police Training Center; digital cameras for West Section, 2nd Shift; new evidence markers and purchase of a "Bootie Box" for the Evidence Collection Unit; conference registration, travel, lodging and meals for two (2) Drug Recognition Expert Officers to attend the Drug Recognition Expert Conference; a Global Positioning System device for detectives in Personal Crimes Unit, and Kentucky Criminal Law Pocket Guides for detectives.**p.32**
- L. Authorization of an Amendment to Agreement with the Lexington-Fayette County Health Department Regarding the Establishment of a Medical Reserve Corps under the Metropolitan Medical Response System (MMRS) Project – FY2008. (350-08) (P. King/Bennett)
This request will authorize an Amendment to Agreement with the Lexington-Fayette County Health Department to extend the agreement date from June 30, 2008 to March 31, 2009 for completion of the establishment of a Medical Reserve Corps under the MMRS Project. There are no other changes.**p.33**
- M. Authorization to Submit Application to the US Department of Homeland Security on Behalf of the Department of Public Safety, Division of Police Requesting Participation in the Commercial Equipment Direct Assistance Program (CEDAP). (351-08) (P. King/Bennett)
This request will authorize the submission of an application to the US Department of Homeland Security on behalf of the Division of Police requesting participation in the CEDAP. The Division is requesting an Advanced Vehicle Tracking System (AVTS) for the Bureau of Investigation to track suspects and persons of interest for intelligence gathering

purposes. The Bureau will be part of an initial response to any terrorist attack in the metro area. The AVTS tracks suspects with less risk of detection by allowing for remote monitoring of travel activities. The listed cost of the AVTS is \$43,000. There is no cost associated with this system for the first two (2) years. The recurring cost after the first two (2) years is \$3,560 per year.**p.34**

- N. Authorization to Execute a Modification to Agreement with the Kentucky Division of Emergency Management under the Pre-Disaster Mitigation Grant Program for Construction of a Tornado Safe Shelter at the Suburban Mobile Home Park. (352-08) (P. King/Bennett)

This request will authorize a Modification to Agreement with the Kentucky Division of Emergency Management to extend the project date from June 30, 2008 to June 30, 2010 under the Pre-Disaster Mitigation Grant Program for completion of the construction of a Tornado Safe Shelter at the Suburban Mobile Home Park. There are no other changes.**p.35**

- O. Authorization to Submit an Application to the Kentucky Division of Forestry on Behalf of the Department of Public Safety, Division of Fire and Emergency Services under the 2008 Kentucky Firewise Community Grant Project. (353-08) (P. King/Bennett)

This request will authorize the submission of an application for federal funds in the amount of \$15,000 from the Kentucky Division of Forestry on behalf of the Division of Fire and Emergency Services under the 2008 Kentucky Firewise Community Grant Project to support public education and fire prevention efforts for citizens living in the rural and limited access parts of Fayette County. Funds will be used for educational materials and will provide one or more fire reduction efforts on identified high-risk residences. A local match of 20% (\$3,750) is required and will be documented by time spent on the project by existing personnel in the Division.**p.36**

- P. Authorization to Submit an Application and Accept Award (if Offered) to the US Department of Justice on Behalf of the Department of Public Safety, Division of Police under the Edward Byrne Memorial Justice Assistant Grant – FY2009. (363-08) (P. King/Bennett)

This request will authorize the submission of an application and accept the award (if offered) to the US Department of Justice on behalf of the Division of Police under the Edward Byrne Memorial Justice Assistant Grant. LFUCG is eligible to receive a formula amount of \$58,735. The Division has proposed the funds be used to purchase law enforcement equipment for the Crisis Negotiation Team and Emergency Response Unit, the Hazardous Devices Unit in the Bureau of Patrol, and an Improvised Explosive Device disablement device. No matching funds are required.**p.37**

- Q. Authorization of Standard Appendix to Proposal – Agreement with Robert Charles Lesser & Co. (RCLCO) on behalf of the Department of Public Works and Development, Division of Planning for a Housing Market Study. (242-08) (C. King/D. Kelly)
 This request will authorize a Standard Appendix to Proposal – Agreement not to exceed the sum of \$116,000 with RCLCO on behalf of the Division of Planning for a Housing Market Study. RCLCO will be the lead consultant of a team that includes Urban College, EHI Inc., and the Phares Companies. The Division will be the approval agency for all work and will be responsible to review and approve all invoices prior to payment. Funds are budgeted within the Division's FY2008 Budget.**p.48**
- R. Authorization of Change Order No. 1 to Contract with Woodall Construction Company, Inc. Regarding the Southend Park Redevelopment – Temporary Housing Development for the Newtown Pike Extension Project. (354-08) (P. King/D. Kelly)
 This request will authorize Change Order No. 1 to contract with Woodall Construction Company, Inc. in the amount by \$7,587.53 for an increase in quantities of materials and labor, and a decrease in the price of removal and disposal of topsoil, regarding the Southend Park Redevelopment – Temporary Housing Development for the Newtown Pike Extension Project. Original contract total was \$785,148. New contract total is \$792,745.53. Funds are budgeted.**pp.39-41**
- S. Authorization of a Deed of Temporary Construction Easement and a Permanent Sanitary Sewer Easement by and between Ball Homes, LLC and Bruce Properties, Inc. and LFUCG for Construction of a Sanitary Sewer Line. (366-08) (Rayan/D. Kelly)
 This request will authorize a Deed of Temporary Construction Easement and a Permanent Sanitary Sewer Easement of 15 feet to connect the property at 3401 McFarland Lane owned by Bruce Properties, Inc. to the existing sanitary sewer line to the property at 3393 Sanibel Drive owned by Ball Homes, LLC. There is no cost to LFUCG.**p.42**
- T. Authorization to Rescind Resolution No. 238-2008 with Security Cameras Direct LP Regarding the PTZ Camera System for GTV3. (357-08) (Sullivan/Dhuwaraha)
 This request will authorize a rescission of Resolution No. 238-2008 with Security Cameras Direct regarding the PTZ Camera System for GTV3. Security Cameras Direct LP did not fully understand the specifications in the compilation of the cost for the bid and has requested their bid be withdrawn.**p.43**

U. Authorization of a Memorandum of Agreement (MOA) with the University of Kentucky (UK) Regarding a WiFi Wireless Infrastructure. (367-08) Starkweather/ Dhuwaraha)

This request will authorize a MOA with UK to establish a Town and Gown WiFi Wireless Internet Project in downtown Lexington. The assets of the former SkyTel network will be used for the 802.11 project to provide wireless network for public safety with some limited wireless internet access to local citizens. LFUCG will provide the equipment and fiber optic connection to the University. The University will manage the network and provide the internet connection. LFUCG and UK will share the cost of licenses and any fees required to maintain the network equipment. **p.44**

***Denotes: MP Recommendation and/or EPA Consent Decree**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

June 17, 2008

Vice Mayor Gray chaired the meeting, calling it to order at 3:15 pm. All Council Members were present.

- I. Public Comment – Issues on Agenda-None
- II. Requested Rezoning / Docket Approval-None
- III. Approval of Summary – Yes, June 10, 2008

A motion by CM Ellinger to approve the summary of 6/10/08, seconded by CM Gorton, passed without dissent.

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

- A. Authorization to Submit Application to the Kentucky Department of Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services, under the Juvenile Accountability Block Grant (JABG) Program – FY2009. (331-08) (P. King/Helm)
- B. Authorization to Amend Chapter 13, Sections 13-5 and 13-9 of the Code of Ordinances. (339-08) (O'Mara/Koch)
- C. Authorization to Execute an Amendment to a Grant Agreement with the Kentucky Governor's Office of Local Development Regarding the 2006 Recreational Trails Project. (342-08) (P. King/Cole)
- D. Authorization of Change Order No. 1 to Contract with Leak Eliminators, LLC Regarding the Old Paris Road Sanitary Sewer and Pump Station Project. (327-08) (P. King/D. Kelly)
- E. Authorization of a Letter of Agreement Amendment with the Kentucky Heritage Council on Behalf of the Department of Public Works and Development, Division of Historic Preservation - Survey and Planning Project – FY2009. (328-08) (P. King/D. Kelly)

- F. Authorization of a Sale of Easement to AT&T Corporation Regarding a Portion of Tracts of the Town Branch Trail. (329-08) (Rayan/D. Kelly)
- G. Authorization of a Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet (KYTC) for the Loudon Avenue Improvements Project. (337-08) (P. King/D. Kelly)
- H. Authorization of Amendments to Agreements with the Kentucky Transportation Cabinet (KYTC) Regarding the Bicycle Lane Restriping and Feasibility Study Project and the Wellington Area Bicycle-Pedestrian Facility. (343-08) (P. King/D. Kelly)
- I. Authorization of a Temporary Construction Easement at 415 Morgan Avenue for the Meadows / Northland / Arlington Neighborhood Improvement Project Phase 3B. (344-08) (P. King/D. Kelly)
- J. Authorization to Close a Portion of Davis Alley Right-of-Way. (079-08) (Boland/J. Kelly)
- K. Authorization to close a portion of Deerhaven Lane Right-of-Way. (341-08) (Boland/J. Kelly)
- L. Authorization of a Contract Amendment with the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Services Board on Behalf of the Department of Public Safety, Division of Enhanced 911, for Improvements to the Regional 911 System. (334-08) (P. King/Bennett)
- M. Authorization of Amendment No. 1 to Agreement with the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, for the Purchase of a Wireless System. (335-08) (P. King/Bennett)
- N. Authorization to Amend Ordinance No. 87-2008 to Correct the Name of the Vendor for the Regional 911 System on Behalf of the Department of Public Safety, Division of Enhanced 911. (336-08) (Lucas/Bennett)
- O. Authorization to Amend a Purchase of Service Agreement (PSA) with the Downtown Lexington Corporation (DLC). (332-08) (Askew)
- P. Authorization of a Quitclaim Deed for Property at 928 Calypso Breeze Drive for a Detention Area. (333-08) (Askew)
- Q. Authorization to Retain M2D Design Group for the Administration of Corridor Enhancement Grant for the Newtown Pike Landscaping Project. (338-09) (P. King/Langston)

A motion by CM Stevens to approve the FY 09 Budget as amended by Council, seconded by CM Myers, passed without dissent.

A motion by CM Gorton to approve new business items A-Q, the new amended FY '09 Budget, and table item "O", seconded by CM DeCamp, passed without dissent.

VI. Continuing Business / Presentations

A. LIVE UNITED Day Proclamation

This proclamation was presented by CM Gorton to Kathy Plomine, President and CPO of United Way of the Bluegrass. Ms. Plomine announced that on 6/20, it is designated as LIVE UNITED day.

VII. Council Report

CM Gorton-Made two announcements: On 6/19, it is Dump the Pump Day-Lextran and Wheels will be free; the Lexington History Museum will be open 7 days a week this summer.

CM Myers-Recognized Citizen's Advocate, Joan Beck; Mrs. Beck presented 2 citizens who have had problems with their yards flooding; several CMs asked Mrs. Beck, the citizens, Marwan Rayan, Dir. of Engineering, and Comm. Kelly questions about this issue.

A motion by CM Myers to place this issue into the Storm Water Oversight Committee, next meeting on 8/26, seconded by CM Beard, passed.

CM Lane-A motion by CM Lane to place on the docket for first reading at the Tuesday, June 24, 2008 Council Meeting item number B, an ordinance amending Sections 13-5 and 13-9 of the Code of Ordinances to establish an annual minimum license fee of one hundred dollars (\$100) for each business activity, seconded by CM Stinnett, passed by a 11-2 vote.

CM James-Announced the Juneteenth celebration on 6/21 at the Brenda Cowan Center at 8 am and then a procession to the African American Cemetery #2; reminded Council of the tree workshop on 6/26/08.

A Motion by CM James to take item "O" off the table-restore to new business items, seconded by CM Beard, passed.

A motion by CM Myers to have included in the PSA to allow for 2 raffles/yr., seconded by CM James, passed.

A motion by CM James to accept item "O" as amended, seconded by CM Myers, passed without dissent.

CM Blues-Announced 3 neighborhood association meetings: on 6/19 at 7 pm, Speigle Heights will meet at Antioch Baptist Church and on 6/23 at 7 pm, Oakwood and Marlboro Radcliffe will meet at their respective shelters.

CM Henson-Thanked the Division of Streets, Roads, and Forestry for the work they did on Mason Headley Rd-"she can see the golf course now".

VIII. Mayor's Report-None

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

Citizens, John Glisson, Theresa Bates, Debbie Tester, Richelle Clay, Lewis Cobb, Eric Patrick Marr, and David Sams, spoke.

A motion by CM Ellinger to adjourn, seconded by CM Stinnett, passed without dissent.

Work Session was adjourned at 5:00 pm.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	BA 1589	DIVISION	Social Services	Fund Name	Donation Fund
				Fund Impact	300.00
					300.00CR
					.00

To provide funds for shirts for the Senior Intern program by recognizing donations for this purpose.

JOURNAL	BA 1597	DIVISION	Community Development	Fund Name	US Dept Transpor.
				Fund Impact	6,392.70
					6,392.70CR
					.00

To amend the MCSAP budget to provide for the purchase of ten AT&T Wireless cards for MCSAP Officers to use in their MDC Units and to provide funds for Minor Equipment to reflect actual expenses.

JOURNAL	BA 1600	DIVISION	Community Development	Fund Name	US Dept Homeland
				Fund Impact	796.46
					796.46CR
					.00

To amend MMRS 2008 to realign personnel accounts with actual expenditures.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1103	Donation Fund	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00

360-08

To Be
DeterminedCommunity
DevelopmentTo provide funds for WIA Out of School Youth
Program - FY 2009.

B

3150

100,000

3150

100,000CR

0*

EFFECT ON FUND BALANCES			
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FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICE DISTRICT – GENERAL FUND
FUND 1115	86,210*	DECREASE TO:	FULL URBAN SERVICES DISTRICT
FUND 3140	0*	NO EFFECT ON:	US DEPARTMENT OF JUSTICE
FUND 3150	0*	NO EFFECT ON:	US DEPARTMENT OF LABOR
FUND 3190	0*	NO EFFECT ON:	US DEPARTMENT OF HEALTH AND HUMAN SERVICES
FUND 3400	0*	NO EFFECT ON:	GRANTS - STATE

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

15

June 24, 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	
346-08 A	To Be Determined	Community Development	To provide additional funds for the Juvenile Delinquency Prevention Council - FY 2009.	
			3400	56,689
			3400	56,689CR
				0*
346-08 A	To Be Determined	Community Development	To provide funds for administration of the Juvenile Delinquency Prevention Council - FY 2009.	
			1101	1,132
			1101	1,132CR
				0*
358-08 H	To Be Determined	Environmental Quality	To provide funds for (1) position of Program Manager Sr. (grade 120E) within the Department of Environmental Quality.	
			1115	86,210
				86,210*
362-08 D	To Be Determined	Community Development	To provide funds for New Chance, Mentoring, and Governance Council Projects - FY 2009.	
			3190	570,860
			3190	570,860CR
				0*
362-08 D	To Be Determined	Community Development	To provide funds for grant match for New Chance, Mentoring, and Governance Council Projects - FY 2009.	
			1101	30
			1101	30CR
				0*
363-08 P	To Be Determined	Community Development	To provide funds for the Justice Assistance Grant - FY 2009.	
			3140	58,735
			3140	58,735CR
				0*

Budget Information For New Business Items

June 24, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	346-08	1,132 56,689	1101 3400	General Service District – General Fund Grants - State Budget Journal
B	360-08	100,000	3150	US Department of Labor Budget Journal
C	361-08	2,029,040	1101	General Service District Fund FY 2009
D	362-08	570,860 30	3190 1101	US Department of Health and Human Services General Service District – General Fund Budget Journal
E	347-08	45,080 8,640 270 36,380 18,610 3,700 2,770	1101 1115 1181 4002 4022 4121 4161	General Service District – General Fund Urban Service District Fund Public Library Corporation Sanitary Sewer Revenue and Operating Fund Public Facilities Corporation – General Landfill Fund Public Parking Corporation
F	355-08	19,728 2,276 53874	1101 1115 4002	General Service District – General Fund Urban Service District Fund Sanitary Sewer Revenue and Operating Fund
G	356-08	100,500	1115	Urban Service District Fund
H	358-08	86,210	1115	Urban Service District Fund Budget Journal
I	359-08	265,000	4003	Sanitary Sewer Construction Fund
J	348-08	8,820	3200	US Department of Homeland Security
K	349-08	NA		
L	350-08	NA		
M	351-08	NA		
N	352-08	NA		
O	353-08	15,000		State Grant Funds Requested
P	363-08	58,735	3140	US Department of Justice Budget Journal
Q	242-08	116,000	1101	General Service District – General Fund
R	354-08	7,857.53	3160	US Department of Transportation

Budget Information For New Business Items
June 24, 2008 Work Session

S	366-08	NA		
T	357-08	NA		
U	367-08	NA		



346-08

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 13, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF STATE FUNDS FROM THE KENTUCKY DEPARTMENT OF JUVENILE JUSTICE FOR SUPPORT OF THE LEXINGTON-FAYETTE JUVENILE DELINQUENCY PREVENTION COUNCIL AND TO EXECUTE AGREEMENT WITH PARTNERS FOR YOUTH FOUNDATION FOR FISCAL YEAR 2009

The 1998 Kentucky General Assembly passed legislation requiring the Department of Juvenile Justice to form local juvenile delinquency prevention councils for the purpose of encouraging the initiation of interagency cooperation and collaboration in addressing juvenile crime and juvenile status offenders. Partners for Youth Foundation serves Lexington-Fayette County in the capacity of local juvenile delinquency prevention council. The Kentucky Department of Juvenile Justice, due to fiscal constraints, is unable to fund any programs in Fiscal Year 2009; however, the state agency is providing funds in FY 2009 in the amount of \$46,410 for the support of the Lexington-Fayette Juvenile Delinquency Prevention Council (Partners for Youth Foundation).

A written agreement with Partners for Youth Foundation in the amount of \$45,278 is attached for Council approval. A match in the amount of \$10,279 is required. This match will be provided as in-kind from existing funds in the Partners for Youth budget. Funds for this agreement are in process of being budgeted as:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT NAME	BUD REF
3400	133005	0001	71299	COMM JUV JUS	2009

Other funds awarded include \$1,132 for administration. The Lexington-Fayette Urban County Government has been designated as the fiscal agent for these grant funds and has the responsibility for subcontracting with the approved agency.

Council authorization to accept the award and to execute the agreement with Partners for Youth foundation for performance of services is hereby requested.

Paula King, Director

Xc: Marlene Helm, Commissioner of the Social Services

HORSE CAPITAL OF THE WORLD

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





360-08

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 17, 2008****SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM
THE BLUEGRASS AREA DEVELOPMENT DISTRICT FOR FEDERAL
FUNDING FOR AN OUT OF SCHOOL YOUTH PROGRAM**

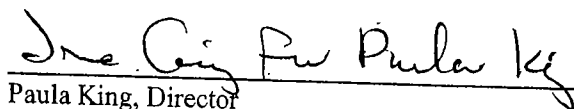
On November 15, 2007 (Resolution # 620-2007), Council approved the submission of an application prepared by the Department of Social Services to the Bluegrass Workforce Investment Board (Bluegrass Area Development) requesting federal funds for the development of an out-of-school youth program. On February 21, 2008 (Ordinance # 41-2008), Council approved acceptance of federal funds in the amount of \$40,000 for project planning. The Bluegrass Area Development District has now approved funding in the amount of \$ \$100,000 for this project. \$40,000 is base funding if the project meets its performance benchmarks of at least 20 out of school youth certified and enrolled by September 30, 2008. An additional \$60,000 can be earned by the LFUCG if the enrolled youth obtain performance goals related to education, literacy, high school diploma or GED, employment and post-secondary education.

This program will address youth who are between the ages of 16 and 18, are low-income and are within one of these categories: deficient in basic literacy skills, school dropout, or homeless, runaway, or foster child, pregnant or parenting, offender, or is an individual who requires additional assistance to complete an education program to secure and hold employment. The Division of Youth Services will be responsible for implementation.

Services that will be provided include assistance with obtaining either high school diploma or GED and employability skills to secure and retain employment. Other program elements include leadership development, paid and unpaid work experiences, alternative secondary school services, supportive services, adult mentoring, follow-up services, and counseling, including drug and alcohol abuse counseling. Not all services will be provided directly through grant funds, many services will be provided by existing community partners.

Federal funds are from the U.S. Department of Labor as authorized by the Workforce Investment Act.

Council authorization to accept the award is hereby requested.


Paula King, Director

Xc: Marlene Helm, Commissioner of Social Services

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361-08

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

MEMORANDUM

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

FROM: Marlene Helm
 Marlene Helm, Commissioner

DATE: June 17, 2008

SUBJECT: Purchase of Services Agreements with Partnering Agencies for FY 2009

I am requesting approval for the Lexington-Fayette Urban County Government to enter in to Purchase of Services Agreements with seventeen (17) partnering agencies for Fiscal Year 2009. These agencies, and the level of funding budgeted for each, are as follows:

<u>Agency Name</u>	<u>Funding Level</u>	<u>Dept. ID</u>
Baby Health Services	18,000	900301
Big Brothers Big Sisters	10,290	900328
Bluegrass Community Action Agency	30,000	900303
Bluegrass Domestic Violence Program	75,000	900304
Bluegrass Rape Crisis Center	75,000	900316
Bluegrass Technology Center	3,000	900305
Center for Women, Children & Families	50,000	900306
Chrysalis House	40,000	900209
Community Action Council	180,000	900307
Comprehensive Care Center	234,750	900308
Hope Center	740,000	900311
Metro Group Homes	158,000	900313
Moveable Feast Lexington	40,000	900324
Nursing Home Ombudsman Program	50,000	900314
Salvation Army	200,000	900317
Sunflower Kids	25,000	900216
YMCA of Central Kentucky	100,000	900325

An Addendum outlining the scope of work to be performed by each agency is attached to each Purchase of Services Agreement. The Department of Social Services maintains a file on each agency that includes: copy of the Agreement; scope of work; budget narrative; invoices; monthly reports; and other documentation.

Funds of \$2,029,040 to cover these costs will be reflected in the adopted budget for FY 2009.

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362-08

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 17, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES FOR CONTINUATION OF THE NEW CHANCE, MENTORING, AND GOVERNANCE COUNCIL PROJECTS FOR FY 2009

On December 6, 2007 (Resolution No. 649-2007), Council approved the submission of a grant application to the Kentucky Cabinet for Health and Family Services for the continuation of three programs in Fiscal Year 2009, in the Department of Social Services. These programs are: the New Chance/Mentoring projects at the Family Care Center, the Local Governance Council Project; and the Peers Educating Peers Project in the Department of Social. Cabinet for Health and Family Services has approved funding for all projects except Peers Educating Peers.

The **New Chance Program** at the Family Care Center provides social services to 16-21 year old single parents in Fayette County. These services include components of developmental child care, pediatric health care, health care referrals with family planning, life skills, education, career choice and job training and development. The Family Care Center provides case management services to participants, based upon the individual's level of progress in becoming work ready. Case management includes intensive employment services such as job development, employer follow-up, linkage to additional training, either on-job or on-site, client support and linkage to child care and transportation. The Family Care Center, under its agreement with the state, offers full-time computer keyboarding and office skills instruction to K-TAP recipients when career assessment identifies this need. The funds support the personnel costs of a Social Worker Supervisor, five MSW social workers, an administrative assistant, and a Teacher/Counselor. The funds also provide for supplies, participant transportation, and travel. Total cost of this program for 2009 is \$448,640. A match of \$120,600 is needed to meet the costs of this program. Federal funds in the amount of \$328,040 will be used for this program.

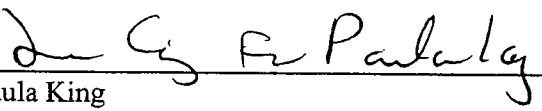
The **Local Governance Council Project** provides funds for the support of a project coordinator to work with the Local Governance Council (LexLinc), for the purpose of providing local leadership to engage the community in creating the best system to support and strengthen children, families and individuals to achieve self-sufficiency and to hold that system accountable. Total project cost is \$77,090, with a match of \$19,190 needed to meet the costs of the program. Federal funds in the amount of \$57,900 are allocated to this program.

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The **Mentoring Project** provides funds for a full-time Life Skills Program Instructor who mentors parents transitioning off of welfare. These activities include supporting and empowering participants through building strong reciprocal relationships, and identifying strengths and resources for the building of a network to help participants achieve self-sufficiency. Total project cost is \$45,160 with a local match of \$20,160 needed to meet the costs of the program. Federal funds allocated to this program are \$25,000.

Funds for all three programs are federal funds originating from the U.S. Department of Health and Human Services. Local match for these programs has been requested in the FY 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



347-08

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Finance & Administration

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Kyna Koch, Commissioner *Kyna Koch*
Department of Finance and Administration

DATE: June 12, 2008

SUBJECT: Fiscal Year 2008 Financial Audit

Authorization is requested to engage Mountjoy and Bressler, LLC to conduct a financial audit of all LFUCG funds for fiscal year 2008 for an amount not to exceed \$115,450. The objective of the audit is the expression of opinions as to whether our basic financial documents are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information provided by management. Upon completion, the audit will be presented to council

We are requesting two (2) readings on June 26th.

I am available if you have additional questions.

HORSE CAPITAL OF THE WORLD

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Lexington, KY 40507

859-258-3300

Fax: (859) 258-3385

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355-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioner's Office

Department of Environmental Quality

TO: Jim Newberry, Mayor
Urban County Council

From: Cheryl Taylor
Department of Environmental Quality

Date: June 17, 2008

Subject: Request Council Authorization to Purchase Rain Tainers for
Environmental Protection Agency (EPA) Green Infrastructure Projects for
Consent Decree.

The Department of Environmental Quality requests the purchase of Rain Tainers for the creation of the "Lily" program as a green infrastructure project for the EPA consent decree. This project would assist in fulfilling the Lexington-Fayette Urban County Government obligation to implement Supplemental Environmental Projects (SEPs). The "Lily" program will be a cost share program for citizens to purchase Rain Tainers. The amount requested is \$75,880.00 from the FY 2008 budget.

Funds for purchase of the Rain Tainers are budgeted in accounts:

Fund	Dept ID	Section	Account	Amount
4002	303103	3071	75101	43,858.64
1101	313201	3092	75101	19,728.80
4002	303401	3401	75101	10,016.16
1115	313101	3101	75101	2,276.40

Cheryl A. Taylor
Commissioner of Environmental Quality

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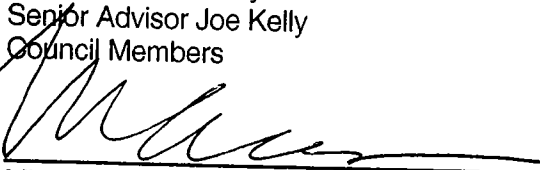


356-08

Jim Newberry, Mayor

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

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Members

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: June 17, 2008

RE: **Create Position—Division of Environmental Policy**

The attached action amends Section 21-5 of the Code of Ordinances, creating one (1) position of Director of Environmental Policy (Grade 122E) in the Division of Environmental Policy, effective upon passage by Council.

The Department is made up of three (3) Divisions, each having a Director. This creates the Directors position in the newly created Division of Environmental Policy. This Division is responsible for managing the Consent Decree systems including environmental education, public outreach and enforcement, air and energy programs formerly managed by the Division of Water Quality, and will manage environmental initiatives such as green infrastructure projects.

The fiscal impact for FY2009 (26 pay periods) results in a cost of \$100,500.00 for the Urban Services Funds, funds are budgeted. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Director of Environmental Policy	\$0	\$76,410.88	\$76,410.88

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

cc: Cheryl Taylor, Commissioner, Department of Environmental Quality
Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log #08-0103

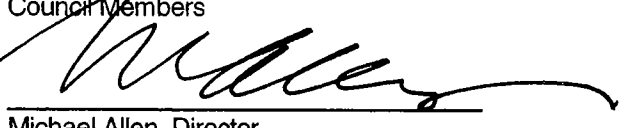


358-08

Jim Newberry, Mayor
 LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
 Division of Human Resources

MEMORANDUM

TO: Mayor Jim Newberry
 Senior Advisor Joe Kelly
 Council Members

FROM: 
 Michael Allen, Director
 Division of Human Resources

DATE: June 17, 2008

RE: Create Position—Department of Environmental Quality

The attached action amends Section 22-5 of the Code of Ordinances, creating one (1) position of Program Manager Sr. (Grade 120E). The term of the position will be for four years, ending July 1, 2012 all within the Department of Environmental Quality, effective upon passage by Council.

The Division requests this action in response to the EPA Consent Decree requirements. This position assists in the design, implementation, and oversight of critically timed programs and projects and works across Department and Division lines with the Commissioner of Environmental Quality, Director of Waste Management, Director of Water Quality, and the Director of Environmental Policy and the Urban County Council to deliver improved customer service and recommendation on system and policy changes as required. The request of the temporary position will ensure that the Department is not locked into having permanent employees fill a possible temporary need.

The fiscal impact for FY2009 (26 pay periods) results in a cost of \$86,209.80 and will be funded from Urban Service Fund. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Program Manager Sr	\$0	\$65,120.64	\$65,120.64
Total Annual Impact/ Salary and Benefits \$86,209.80				

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

Log #08-0104

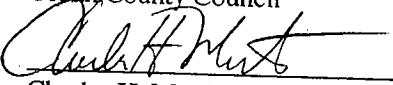


359-08

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 16, 2008

Re: Award of Engineering Services Agreement for Sanitary Sewer Pumping Station Design & Equipment Condition Adequacy Evaluation Report, and Sanitary Sewer Pump Station Operation Plan for Outages

The purpose of this memorandum is to request a resolution authorizing the award of an engineering services agreement to Strand Associates, Inc. to prepare the Sanitary Sewer Pumping Station Design & Equipment Condition Adequacy Evaluation Report, and the Sanitary Sewer Pump Station Operation Plan for Outages. The total recommended value of this engineering services agreement is \$265,000.

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 implementation 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 preparation of both a Sanitary Sewer Pumping Station Design & Equipment Condition Adequacy Evaluation Report—due March 2009, and a Sanitary Sewer Pump Station Operation Plan for Outages—due 9 months from Effective Date, for submission to the United States Environmental Protection Agency (USEPA) and the Kentucky Environmental Public Protection Cabinet (EPPC).

Questions regarding this agreement should be directed to Charles Martin at (859) 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

HORSE CAPITAL OF THE WORLD



Division of Environmental and Emergency Management
DEPARTMENT OF PUBLIC SAFETY



MEMORANDUM

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

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

RE: Hosting Services Contract

DATE: June 19, 2008

Attached is a hosting service contract between the Lexington Fayette Urban Government Division of Environmental and Emergency Management and The Center for Rural Development Datacenter.

This agreement is to host and manage a single server for the primary software and data storage for the Lexington Fayette Regional Emergency Operations Center. The monthly hosting service fee is \$600.00 but not to exceed \$7,200 a year. Professional Services for support and transfer of data have been budgeted as \$1,700 for a total of \$8,900. The Metropolitan Medical Response System (MMRS) grants are providing the funding sources for this project.

A back up server location contract will be submitted for approval at a later date for Council approval.

Please contact me should you have any questions about this issue.

Attachments

xc: Commissioner of Public Safety File
MMRS File

The Center for Rural Development Datacenter Hosting Services Contract

348-08

Project

This contract is entered into this _____ day of _____, 2008 by and between the Lexington – Fayette Urban County Government (herein referred to as LFUCG) and The Center for Rural Development, (herein referred to as The Center) for the purpose of developing and managing a hosting solution for LFUCG.

Hosting Services

Hosting services for LFUCG are based upon our understanding that LFUCG will require only one public IP address on a shared services internet connection, 2U of rack space is anticipated to house a single server and no tape backup services are to be routinely provided (all backup will be provided at a 2nd server site).

The LFUCG equipment will be housed in a secure datacenter, operated by The Center, located at the Valley Oak Technology Park. The datacenter's server room is climate controlled by dual, independent Liebert systems rated at 25 tons total, has a FE25 fire suppression system and is isolated from the buildings internal power and data cable infrastructure. Primary power to the server room is backed up by a Liebert 100kva UPS and a 300kva diesel generator.

Access to the datacenter will be provided 24*7*365 to the authorized representatives of LFUCG. The Center staff will be on hand to visually monitor LFUCG equipment. The Center staff will also be available to assist with on-site activities as appropriate.

The internet bandwidth is provided though The Center's KPEN connection. The bandwidth level shall be initially set not to exceed 2meg sustained. The bandwidth level will be evaluated on a monthly basis by CRD technical staff. In the event that an increase in service level is deemed appropriate, LFUCG will be given the option to change the selected bandwidth level and its corresponding pricing or reduce the amount of bandwidth being utilized to the appropriate level.

Transitional Services

LFUCG is under no obligation to continue receiving hosting services from The Center. In the event that LFUCG wishes to transition their services from a Center hosted solution, the rates for the Transitional Services shall be at the Center rates for such services at the time the service is provided. For reference purposes only; the current rate is \$75.00 per hour, plus a \$60.00 trip fee, should off-site services be required.

The LFUCG shall provide thirty (30) days prior written notice of election to request Transitional Services. In addition, in the event LFUCG terminates the hosting for cause, the Center shall extend such Transitional Services as provided herein and the Center shall cooperate with LFUCG in its attempts at transferring the service.

Additional Technology Services

Any additional technology services beyond those identified shall be provided to the LFUCG on an as needed basis at Center rates for such services at the time the service is provided. For reference purposes only; the current rate is \$75.00 per hour plus a \$60.00 trip fee, should off-site services be required.

The Center shall create an invoice upon delivery of services and submit to LFUCG for payment. The invoice will reflect the services provided. Terms shall be net 30 from date of invoice.

Upon written authorization from LFUCG, The Center may contract for services on behalf of LFUCG with outside persons or agencies. All purchases of services made by The Center on behalf of LFUCG will be reimbursed by LFUCG. The Center shall create an invoice in an amount equal to the services purchased plus any agreed upon service fees and submit to LFUCG for payment. Terms shall be net 30 from date of invoice.

Financial Terms and Conditions

Hosting Fees

LFUCG shall pay to The Center the monthly fee as determined by the level of contracted services identified in this agreement, commencing upon execution of this agreement. The initial monthly hosting services fee shall be six hundred dollars (\$600.00) per month. The Center shall create an invoice in this amount by the 1st day of each month and submit to the LFUCG for payment. Terms shall be net 30 from date of invoice.

This fee includes the identified hosting space and bandwidth. It does not include any technical services. Any increase in fees due to a requested increase in the datacenter space provided or the level of bandwidth provided will be quoted to LFUCG as an addendum to this agreement. Any adjustments to fees or charges for additional technical services will be reflected in the next monthly billing cycle.

License Fees

LFUCG will be solely and directly responsible for any software license fees associated with this hosting service solution.

Termination

LFUCG may terminate if funding is not made available. LFUCG shall have the right to terminate and cancel this agreement at any time upon thirty (30) day's written notice served on the Center by registered or certified mail. The cost of any early termination shall be determined by the amount of services provided up to the point of notice receipt.

Termination for Cause

This Agreement may be terminated immediately by either party: (i) upon the breach by the other party of any of such other party's material obligations under this Agreement, its Exhibits, which breach is not capable of being cured or has not been cured within thirty (30) days after the breaching party has received notice thereof. The cost of any early termination shall be determined by the amount of services provided up to the point of notice receipt and the remaining balance of the amortized equipment investment made by The Center.

Governing Law

This Agreement shall be construed and enforced in accordance with, and the validity and performance hereof, shall be governed by the laws of the Commonwealth of Kentucky.

Notices

Notices permitted or required by this contract will be sent by email or other reliable means as mutually determined.

Insurance and Indemnification

The Center agrees to indemnify, hold harmless, and defend LFUCG, its elected and appointed officials, employees, agents and successors in interest from all claims, damages, losses and expenses including attorneys' fees, arising out of or resulting, directly or indirectly, from the Center's (or Center's subcontractors if any) performance or breach of the contract provided that such claim, damage, loss, or expense is:

(1) Attributable to personal injury, bodily injury, sickness, death, or to injury to or destruction of property, including the loss of use resulting there from, or from negligent acts, errors or omissions and

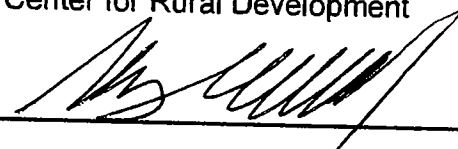
(2) Not caused by the negligent act or omission or willful misconduct of LFUCG or its elected and appointed officials and employees acting within the scope of their employment.

The Center will likewise provide LFUCG with a certificate of insurance customary in the industry for this type of work and satisfactory to LFUCG's Division of Risk Management. This clause shall in no way be limited by any financial responsibility or insurance requirements and shall survive the termination of this contract.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

The Center for Rural Development

LFUCG

By: 

By: _____

Title: Exec VP + CIO

Title: _____

Address: 2292 S. Hwy 27

Address: _____

Somerset Ky 42501

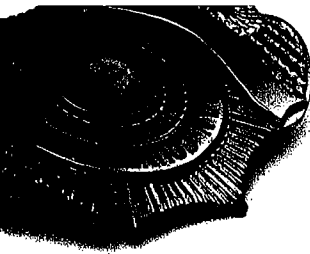
Technical

Contact: Shannon Carter

Contact: _____

Phone: 606-677-6040

Phone: _____



LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

32

349-08

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

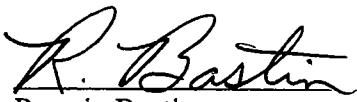
DATE: June 10, 2008

RE: CPAAA Grant Donation

Please find attached a blue sheet requesting approval for the Lexington Division of Police to accept donated items from the Citizen's Police Academy Alumni Association (CPAAA). Total value of donated items: \$5,200.

1. Framed motivational/character prints to be placed at the Division of Police Training Center on Old Frankfort Pike (Valued at \$1,200.00).
2. Digital cameras for West Sector, 2nd Shift (Valued at \$2,000.00).
3. New evidence markers and purchase a "bootie box" for the Evidence Collection Unit (Valued at \$238.00).
4. Conference Registration, Travel, Lodging and Meals for two (2) Drug Recognition Expert Officers to attend the DRE Conference in Indiana (Valued at \$1,080.00).
Conference Registration of \$390.00 was due by May 30th and has already been paid by the CPAAA
5. GPS Device for detectives in Personal Crimes Unit to use when traveling out of Fayette County for investigations (Valued at \$400.00).
6. Kentucky Criminal Law Pocket Guides for detectives (Valued at \$283.00).

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


Ronnie Bastin
Chief of Police

RB/rmh

cc: Tim Bennett, Commissioner of Public Safety



350-08

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 13, 2008

SUBJECT: *OF AN Amendment to*
AUTHORIZATION ~~TO EXECUTE~~ AGREEMENT WITH LEXINGTON-
FAYETTE COUNTY HEALTH DEPARTMENT FOR ESTABLISHMENT OF A
MEDICAL RESERVE CORPS UNDER THE METROPOLITAN MEDICAL
RESPONSE SYSTEM PROJECT—FY 2008

On May 8, 2008 (Resolution # 244-2008), the Urban County Council approved the execution of an agreement with the Lexington-Fayette County Health Department in the amount of \$25,000 for implementation and supervision of a Medical Reserve Corps to address the need for a trained cadre of volunteer medical personnel to assist first responders should a disaster occur. These are federal funds awarded to the LFUCG by the Kentucky Office of Homeland Security. These funds originate from the Federal Emergency Management Agency in the U.S. Department of Homeland Security.

LFUCG's agreement with the health department expires on June 30, 2008.

The Kentucky Office of Homeland Security has provided the LFUCG with additional time to complete this project; therefore, the LFUCG proposes to provide the Health Department an extension through March 31, 2009. No other changes are proposed.

Council authorization to execute amendment to agreement with the Lexington-Fayette County Health Department is hereby requested.

Paula King
Director

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

HORSE CAPITAL OF THE WORLD

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351-08

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 13, 2008

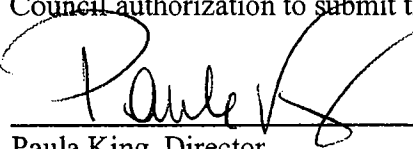
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
 APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND
 SECURITY ^{CT} REQUESTING PARTICIPATION IN THE
 COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM**

The Division of Police has prepared an application for submission to the U.S. Department of Homeland Security requesting the transfer of equipment under the Commercial Equipment Direct Assistance Program (CEDAP). The Division of Police is requesting an Advanced Vehicle Tracking System (AVTS) for use by the Bureau of Investigation who are responsible for tracking suspects and persons of interest for intelligence gathering purposes. The Bureau of Investigation will be part of an initial response to any terrorist attack in the metro area. The AVTS will permit investigators to track suspects with less risk of detection by allowing for remote monitoring of travel activity.

The listed cost of the AVTS is \$43,000.00. The recurring cost after the first two years is \$3560.00 per year. There is no cost associated with this system during the first two years of service.

CEDAP is an innovative federal agency designed to fill gaps with small agencies in areas of equipment they have not previously been able to acquire through other sources. CEDAP does not provide funds, but rather transfers the equipment to the local agency. CEDAP will accept applications for the transfer of equipment to emergency responder agencies not currently funded through the Urban Areas Security Initiative.

Council authorization to submit the application is hereby requested.


 Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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352-08

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

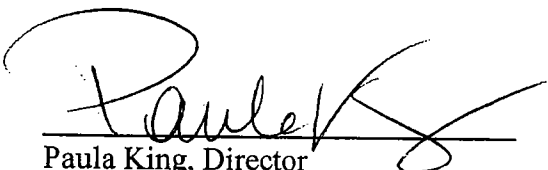
DATE: JUNE 13, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MODIFICATION TO AGREEMENT WITH THE KENTUCKY
DIVISION OF EMERGENCY MANAGEMENT UNDER THE PRE-
DISASTER MITIGATION GRANT PROGRAM FOR
CONSTRUCTION OF A TORNADO SAFE SHELTER AT
SUBURBAN MOBILE HOME PARK

On November 15, 2007 (Ordinance #258-2007), Council approved the acceptance of federal funds in the amount of \$650,000 from the Kentucky Division of Emergency Management under the Federal Emergency Management Agency's Pre-Disaster Mitigation Grant Program for the construction of a tornado safe shelter at Suburban Mobile Home Park. This project expires on June 30, 2008.

The Kentucky Division of Emergency Management has offered the LFUCG a modification to the project extending the term through June 30, 2010. No other changes are proposed.

Council authorization to execute the modification to the agreement is hereby requested.


Paula King, Director

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

HORSE CAPITAL OF THE WORLD

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353-08

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

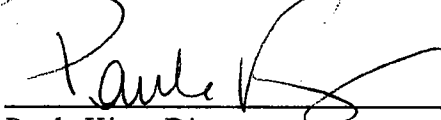
DATE: JUNE 13, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE KENTUCKY DIVISION OF FORESTRY
REQUESTING FEDERAL FUNDS FROM THE FIREWISE
GRANT PROGRAM

The Division of Fire and Emergency Services has prepared a grant application for submission to the Kentucky Division of Forestry requesting federal funds in the amount of \$15,000 from the 2008 Kentucky Firewise Community Grant Program. The objective of this grant application is to support public education and fire prevention efforts for citizens living in the rural and limited access parts of Fayette County. If approved, funds will be used for educational materials and provide for one or more fire reduction efforts on identified high risk residences.

Matching funds in the amount of \$3,750 (20%) are required. This match will be documented by time worked on the project by existing personnel in the Division of Fire and Emergency Services. These persons will present public education seminars and other events to promote Firewise goals. Fire personnel time will also be spent on the development of community and business partnerships to assist with Firewise activities.

Council authorization to submit the application is hereby requested.



Paula King, Director

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

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363-08

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 17, 2008

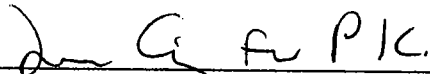
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT, AND ACCEPT AWARD
IF OFFERED, A GRANT APPLICATION TO THE U.S. DEPARTMENT OF
JUSTICE REQUESTING FEDERAL FUNDS UNDER THE EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT—FY 2009

The Lexington-Fayette Urban County Government has been informed that it is eligible to apply for federal funds from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The JAG program is a blend of the previous Byrne Formula and Local Law Enforcement Block Grant Programs, providing local agencies with the flexibility to prioritize and place justice funds where they are needed most. LFUCG is eligible to receive a formula amount of \$58,735. No matching funds are required.

JAG funds may be used for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more the following purpose areas: Law enforcement program, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment programs, and planning, evaluation, and technology improvement programs.

The LFUCG Division of Police is proposing to use these funds to support the purchase of law enforcement equipment for the Crisis Negotiation Team and Emergency Response Unit, the Hazardous Devices Unit in the Bureau of Patrol, and for the purchase of an IED (Improvised Explosive Device) disablement device.

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



Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

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242-08

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

MEMORANDUM

TO: Joe Kelly, Special Assistant to the Mayor

FROM: Christopher D. King, Director
Division of Planning

APPROVED AND FORWARDED:

Don Kelly, Commissioner
Department of Public Works and Development

DATE: April 29, 2008

RE: Recommendation for Engagement of Services

The Division of Planning requests that you approve for forwarding to Council a request for a resolution authorizing the engagement of the firm of Robert Charles Lesser & Co., LLC. (RCLCO) to consult with the LFUCG for the preparation of a housing market study for the LFUCG. The work would be as described in the issued RFP and RCLCO's proposal at billing fees described in the response, in an amount not to exceed \$116,000. RCLCO will be the lead consultant of a team that would also include the firms Urban Collage, EHI Inc., and the Phares Companies to perform the requested services.

Four firms responded to the RFP, and in accordance with CAO Policy #1, a selection committee was convened to evaluate the requests. The Selection Committee included Candace Wafford, Division of Purchasing; Joan Whitman, Lyle Aten, and Carolyn Richardson, Planning Commission; Harold Tate, Lexington DDA; Paula King, Division of Community Development; Anthony Wright, Mayor's Office of Economic Development; Andrea James, Councilmember; Knox VanNagel, Fayette Alliance; and Chris King, Rachel Phillips and Della Horton of the Division of Planning. The Committee's opinion was that RCLCO's proposal was the superior in terms of the review criteria established in the RFP and the available budget for the study.

The funds for this project are budgeted within the Division of Planning's FY08 budget. The Division of Planning will be the approval agency for all work and the recipient of all invoices. The Division of Planning will review and approve all invoices prior to forwarding for payment.

After you have approved this request, please contact us and we will forward the necessary bluesheet to forward this matter to Council at the next available opportunity. If you have any questions, please do not hesitate to contact me.

C: Candace Wafford, Division of Purchasing

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354-08

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 13, 2008****SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER
NO. 1 WITH WOODALL CONSTRUCTION CO., INC. FOR THE SOUTHEND
PARK TEMPORARY HOUSING DEVELOPMENT FOR THE NEWTOWN PIKE
EXTENSION PROJECT**

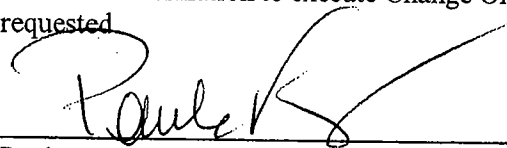
The Lexington-Fayette Urban County Government has been awarded federal funds from the Kentucky Department of Transportation for the planning, design, and construction of the Newtown Pike extension. The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). Council approved project agreement on November 9, 2000 (Ordinance #344-2000). The project provides for construction from West Main Street to South Limestone. An approved element of the project is the development of temporary housing for the project area residents.

On September 27, 2008 (Resolution No. 447-2007), Council approved the acceptance of the bid from Woodall Construction Co., Inc., in the amount of \$785,158 for the Southend Park Redevelopment Temporary Housing Project. The Division of Engineering has negotiated Change Order No. 1 in the amount of \$7,587.53, providing for an adjusted price of \$792,745.53. The change order reflects a decrease in the price of removal and disposal of topsoil and an increase in quantities of materials and labor.

Funds are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	303202	3211	91715	NEWTOWN PIKE	2002	DEFAULT

Council authorization to execute Change Order No. 1 with Woodall Construction Co., Inc. is hereby requested


Paula King, Director

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

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CONTRACT HISTORY FORM

354-08

40

Woodall Construction Co., Inc.**Contractor:****Southend Park Redevelopment _ Temporary Housing****Project Name:****#913 – September 27, 2007****Contract Number and Date:****Engineering****Responsible LFUCG Division:****CHANGE ORDER DETAILS****785,158.00****A. Original Contract Amount:**

\$ _____

Next Lowest Bid Amount:**-0-**

\$ _____

**B. Amount of Selected
Alternate or Phase:****785,158.00**

\$ _____

**C. Cumulative Amount of
All Previous Alternates or
Phases:****-0-**

\$ _____

D. Amended Contract Amount:**785,158.00**

\$ _____

**E. Cumulative Amount of
All Previous Change Orders:****-0-**

\$ _____

0.00**%
(Line E / Line D)****F. Amount of This Change Order:****7,587.53**

\$ _____

0.96**%
(Line F / Line D)****G. Total Contract Amount:****792,745.53**

\$ _____

SIGNATURE LINES**Project Manager:****Date:****MAY 30, 2008****Reviewed by:****Date:****JUNE 11, 2008****Division Director:****Date:****6/11/08**

LEXINGTON-FAYETTE

URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Page 1 of 2

Date: May 22, 2008

41

Project: Southend Park Temporary
Housing (Newtown Pike Extension)

354-08

Location: De Roode Street

To: Woodall Construction Co.
1332 Cahhill Drive
Lexington KY 40504-1164

Contract No. 913

Change Order No. 1

You are hereby requested to comply with the following changes from
the contract plans and specification;

Item No. (1)	Description of changes-quantities, unit prices, change in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
3.	Remove top soil and dispose offsite decrease by 5,540 CY. @ \$33.50/per CY.	\$185,590.00	
23.	Culvert pipe 18" RCP increased by 8 LF. @ \$40.00/per LF.		\$320.00
44.	Construct spring box and discharge to culvert, increase by 1 LS. @ \$13,703.78/per LS.		\$13,703.78
45.	Additional tree removal and clearing, increase by 1 LS. @ \$48,903.75/per LS.		\$48,903.75
46.	Remove top soil and dispose offsite increase by 5,540 CY. @ \$22.50/per CY.		\$124,650.00
47.	Install 18" concrete sloped headwall, increase by 1 EA. @ \$2000.00/per EA.		\$2,000.00
48.	Install 18" concrete straight headwall, increase by 2 EA. @ \$1800.00/per EA.		\$3,600.00
	Change in contract price due to this Change Order:		
	Total decrease	\$185,590.00	XXXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$193,177.53
	Net (increase) contract price		\$7,587.53

The sum of **\$7,587.53** is hereby added to the total contract price, and the
total adjusted contract price to date thereby is **\$792,745.53**. OK
7/7

The time provided for completion in the contract and all provisions of the
contract will apply hereto.

Recommended by Andrew Arnold (Proj. Engr.) Date 05-27-08

Accepted by [Signature] (Contractor) Date 05-27-08

Approved by MD Raig (Urban Co. Engr.) Date 6/11/08

Approved by _____ (Commissioner) Date _____

Approved by _____ (Mayor or CAO) Date _____



366-08

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Division of Engineering

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

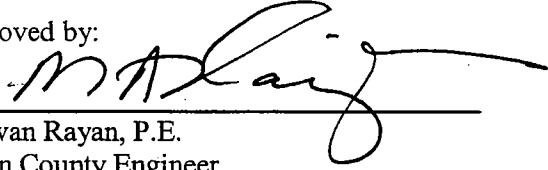
From: Charles M. Saylor, P.E. *CMS*
Municipal Engineer Sr.

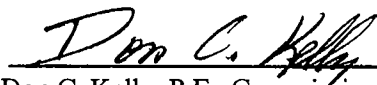
Date: June 17, 2008

Re: Resolution Authorizing Acceptance of Deed
Bruce Properties, Inc. (3401 McFarland Lane)

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for a temporary construction easement and permanent sanitary sewer easement for construction of a sanitary sewer line to connect Bruce Properties, Inc. at 3401 McFarland Lane to the existing sanitary sewer on the Ball Homes, Inc. Property at 3393 Sanibel Drive. The deed will be at no cost to the LFUCG and will result in the recordation of a 15' permanent sanitary sewer easement.

Approved by:


Marwan Rayan, P.E.
Urban County Engineer


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

MR:CMS

Attachments

c: Hillard Newman, P.E.
Ed Gardner
File

HORSE CAPITAL OF THE WORLD



357-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Government Communications

**TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: DAVID SULLIVAN, DIRECTOR
DIVISION OF GOVERNMENT COMMUNICATIONS**

DATE: JUNE 17, 2008

**SUBJECT: REQUEST COUNCIL RESCIND RESOLUTION
APPROVING THE PURCHASE OF PTZ CAMERAS
FROM SECURITY DIRECT CAMERAS LP**

On May 8, 2008, Council approved an agreement (Resolution 238-2008) with Security Cameras Direct LP to provide to GTV3 a PTZ Camera System. Since the approval, we have been notified by Security Cameras Direct LP that they had not fully understood the specifications in the compilation of the cost for the bid they submitted. Thus, this resulted in their bid being materially lower than it would have been totaled. Accordingly, they have requested that due to this oversight on their part, their bid be withdrawn.

Rescinding of Resolution 238-2008 is being requested.


David Sullivan, Director

Cc: Rama Dhuwaraha, Senior Advisor, CIO

HORSE CAPITAL OF THE WORLD

367-08

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

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

DATE: June 2, 2008

SUBJECT: A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
MEMORANDUM OF AGREEMENT WITH THE UNIVERSITY OF
KENTUCKY CONCERNING A JOINT WI-FI PROJECT..

The proposed resolution would establish an agreement between the University of Kentucky and the Lexington Fayette Urban County Government, establishing a Town and Gown wireless internet project in downtown Lexington. The 802.11 project will utilize the assets of the former SkyTel network. Council previously authorized the purchase of these assets for \$10.00.

The purpose of the wi-fi project is to provide an 802.11 wireless network for public safety with some limited wireless internet access to be provided to the local citizens. The network will provide broadband capabilities in public safety vehicles and PDA's that don't presently exist.

LFUCG will provide the equipment and fiber optic connection to the University of Kentucky. The University will manage the network and provide the internet connection. Both parties will share equally in the costs of licenses and any fees required to maintain the network equipment. There is no current financial requirement. Future expenses are budgeted.