

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**WORK SESSION AGENDA**

December 2, 2008

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Separate, Not in Packet**
- IV. Budget Amendments – Yes, pp.6-14**
- V. New Business, pp.17-41**
- VI. Continuing Business / Presentations**
 - A. Budget & Finance Committee(separate, not in packet)**
 - B. 2009 Purchase of Development Rights Presentation
Billy Van Pelt, Program Manager**
 - C. Courthouse Area Design Review Update
Billy Van Pelt, Secretary**
- VII. Council Report**
- VIII. Mayor's Report – No**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Accept a Deed of Temporary Construction Easement for the 3184 Trinity Road Storm Sewer Rehabilitation Project. (640-08) (Martin/Taylor)

This request will authorize the acceptance of a deed of Temporary Construction Easement for 518 square feet at a cost of \$200 at 3184 Trinity Road for the Storm Sewer Rehabilitation Project. Funds are budgeted.**p.17**

- B. Authorization for Approval of Change Order No. 1 with CR Cable Construction, Inc., for Fiber Cable Size Upgrade to 24-Pair Cable for the West Hickman Fiber Project. (641-08) (Martin/Taylor)

This request will authorize approval of Change Order #1 for CR Cable Construction, Inc. to upgrade from 12 to 24-pair fiber cable for the West Hickman Fiber Project at an additional cost of \$2,865 for a revised total contract amount of \$60,865. Funds are budgeted.**pp.18-20**

- C. *Authorization to Amend Section 21-5 of the Code of Ordinances, Abolishing Three (3) Positions of Engineering Technician (Grade 111N) and Creating Three (3) positions of Environmental Inspector (Grade 113N) and Reclassifying the Incumbents Within the Division of Water Quality, Effective Upon Passage of Council. (646-08) (Allen/Taylor)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances abolishing (3) positions of Engineering Technician (Grade 111N) and creating three (3) positions of Environmental Inspector (Grade 113N) and reclassifying the incumbents within the Division of Water Quality, effective upon passage by Council. The fiscal impact for FY2009 is \$7,255.13 (13 pay periods). Total annual impact, salary and benefits is \$14,510.26. Funding is from the Division's Personnel Contingency budget.**p.21 Consent Decree**

- D. *Authorization to Amend Section 21-5 of the Code of Ordinances, Abolishing One (1) Position of Pre-Treatment Manager (Grade 117E) and Creating One (1) Position of Water Quality Manager (Grade 118E) and Reclassifying the Incumbent Within the Division of Water Quality, Effective Upon Passage of Council. (647-08) (Allen/Taylor)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances abolishing (1) position of Pre-Treatment Manager (Grade 117E) and creating one (1) positions of Water Quality Manager (Grade 118E) and reclassifying the incumbents within the Division of Water Quality, effective upon passage by Council. The fiscal impact for FY 2009

is \$2,503.29 (13 pay periods) includes benefits. Total annual impact is \$5,006.58 with funding from the Division's Personnel contingency budget.**p.22 Consent Decree**

- E. Authorization to Approve Increase in the Funeral Benefit for Retirees in the City Employees Pension Fund from \$5,000 to \$7,500 Amending Section 6-64 of the Code of Ordinances. (642-08) (Lamb)
This request will authorize amending Section 6-64 of the Code of Ordinances to increase the amount of the funeral benefit for retirees in the City Employee Pension Fund (CEPF) from \$5,000 to \$7,500 retroactive to July 1, 2008. The estimated annual cost is \$15,000 annually and \$125,000 over the life of the fund.**pp.23-24**
- F. Authorization of Change Order Increasing the Bid of C&C Fire Sprinkler for Kenwick Community Center Fire Suppression System by \$8,219.63 . This Increase is Necessary Due to Redesign by Contractor to Avoid Displacing or Damaging Adjoining Property Tree and Re-location of Fire Hydrant by LFUCG Fire Prevention. (643-08) (Hancock/Cole)
This request will authorize approval to increase the amount of contract no. 942 with C&C Fire Sprinkler for installation of a fire suppression sprinkler for Kenwick Community Center. This Change Order will increase the contract by \$8,219.63 for a total contract of \$95,919.63. Funds are budgeted.**pp.25-27**
- G. Authorization of Change Order No. 1-Final to the Construction Contract with The Allen Company, Inc. for the Appomattox Road Culvert Replacement Project (644-08) (Ravan/Webb)
This request will authorize Change Order No. 1 to construction contract with The Allen Company, Inc. for the Appomattox Road Culvert Replacement Project. This Change Order will increase the contract by \$31,716.82 for a total contract of \$313,797.72. Funds are budgeted.**pp.28-31**
- H. Authorization to Execute HOME Agreement with First Presbyterian Church Apartments, LLLP, for Use of HOME Funds in the Development of Rental Housing Project. (645-08) (King/Koch)
This request will authorize execution of HOME Agreement with First Presbyterian Church Apartments, LLLP. The 2008 Consolidated Plan supports the Low-Income Housing Tax Credit application filed by First Presbyterian Church for the rehabilitation and historic preservation of ten units of rental housing in downtown Lexington for low-income households. The organization has requested \$250,000 in HOME Investment Partnership Program funds.**p.32**

- I. Authorization to Amend Section 9 of Ordinance No. 330-2001, Extending the Provisions of Section 9 From January 1, 2009 to January 1, 2013, Effective Upon Passage of Council. (648-08) (Allen/Koch)

This request will authorize an amendment of Section 9 of Ordinance No. 330-2201, extending the provisions of Section 9 from January 1, 2009 to January 1, 2013, effective upon passage of Council. The purpose of this action is to continue providing benefits to "activated employees" who are members of the United States Armed Forces Reserve or National Guard units who were or are called up for full time active duty.**p.33**

- J. Authorization to Amend Section 21-5 of the Code of Ordinances Abolishing One (1) Position of Administrative Officer Sr. (Grade 120E) and Creating One (1) Position of Budget Officer Sr. (Grade 120E), Effective Upon Passage of Council. (649-08) (Allen/Koch)

This request will authorize an amendment of Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer Sr. (Grade 120E) and creating one (1) position of Budget Officer Sr. (Grade 120E), effective upon passage of Council. The fiscal impact for FY2009 is budget neutral.**p.34**

- K. Authorization to Amend Section 21-37.1 and 21-38 of the Code of Ordinances to Accommodate Changes in Time Keeping and Award of Holiday Swing Hours Needed for PeopleSoft Implementation. (650-08) (Koch)

This request will authorize an amendment to Sections 21-37.1 and 21-38 relating to the accrual and use of compensatory time, the use of holiday time, changing the accrual date for the swing holidays from July 1 to January 1 and to provide that if additional rules are needed, they can be adopted by administrative regulation or CAO (Sr. Advisor) Policy. These amendments are being requested as part of the PeopleSoft Human Capital Management (HCM) implementation.**pp.35-37**

- L. Authorization for Approval of 2009 General Term Orders for Fayette County Sheriff and Fayette County Clerk. (652-08) (Koch)

This request will authorize a resolution approving General Term Orders for 2009 for the Fayette County Clerk and the Fayette County Sheriff. The 2009 GTO's need to be approved in order for the expenditures of these offices to be processed by the Department of Local Government.**p.38**

M. Authorization to Execute Change Order No. 1 to the Construction Contract with Central Rock Mineral Company, LLC (ATS Construction for the Loudon Avenue Improvements Project). (651-08) (King/Webb)

This request will authorize the execution of Change Order No. 1 to the construction contract with Central Rock Mineral Company LLC (ATS Construction) for the Loudon Avenue Improvements Project. Change Order No. 1 in the amount of \$14,556 is for changes in materials and increase in the number of two-way sanitary clean-outs for a new total of \$4,604,017.13. Funds are budgeted.**pp.39-41**

*Denotes Consent Decree

BUDGET AMENDMENT REQUEST LIST

6

JOURNAL	28960-61	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	18,636.97
					18,636.97CR
					.00

To reimburse funds expended for overtime labor and supplies for Bluegrass State Games 2008 Summer Games by recognizing a donation for the purpose.

JOURNAL	29062-63	DIVISION	Public Works	Fund Name	General Fund
				Fund Impact	500.00
					500.00CR
					.00

To provide funds for Fall Haul T-shirts by recognizing a donation.

JOURNAL	28957	DIVISION	Public Works	Fund Name	Urban Service Fund
				Fund Impact	3,000.00
					3,000.00

To provide funds for postage for Urban Service certified mailing.

JOURNAL	28982	DIVISION	Community Development	Fund Name	US Department of Justice
				Fund Impact	4,000.00
					4,000.00CR
					.00

To decrease overtime account to provide for purchase of Ultralite ALS (advanced light source) equipment.

JOURNAL	28958	DIVISION	Community Development	Fund Name	US Dept of Transportation
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide for increase in capital funds for Fiber Optic Cable installation by reducing budget for overtime.

JOURNAL	28984	DIVISION	Community Development	Fund Name	US Dept of Transportation
				Fund Impact	70.30
					70.30CR
					.00

To reallocate funds from pension to desktops and laptops to cover actual expenses.

JOURNAL	29064	DIVISION	Community Development	Fund Name	US Dept of Transportation
				Fund Impact	8,000.00
					8,000.00CR
					.00

To move funds from professional development to overtime and other personnel accounts for Traffic Signal Installation Project.

JOURNAL	28962-63	DIVISION	Community Development	Fund Name	US Dept of Homeland Sec.
				Fund Impact	9,636.50
					9,636.50CR
					.00

To reduce expenditures and revenue for the MMRS Project to reflect actual grant award.

JOURNAL	28954	DIVISION	Water Quality	Fund Name	Sanitary Sewer
				Fund Impact	173,720.00
					173,720.00

To reappropriate funds from Remodeling and Sewage & Wastewater Treating Equipment to pay for mixers for the blending tank and upgrade to the grit system. These improvements are necessary in order for the plant to meet its operational requirements.

JOURNAL	28955	DIVISION	Parks and Recreation	Fund Name	PFC – Parks Projects
				Fund Impact	250,770.00
					250,770.00

To re-appropriate funds from Fiscal Year 2008 to Fiscal Year 2009 for Masterson Station Tack Barn. Funds were provided for this purpose too late in the fiscal year to be spent.

JOURNAL	28956	DIVISION	Parks and Recreation	Fund Name	Extended School Fund
				Fund Impact	6,500.00
					6,500.00

To provide funds from the Extended School Program fund balance for the purchase of 4 Pedal Boats for Jacobson Marina.

JOURNAL	29066	DIVISION	Human Resources	Fund Name	Medical Insurance Fund
				Fund Impact	3,936,328.00
					3,936,328.00CR
					.00

To realign health, dental, and vision insurance revenue to match projected income for various accounts (single, parent plus, two party, etc).

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1115	Urban Service District Fund	3,000.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	173,720.00
Fund	4024	Public Facilities Corporation – Parks Project Fund	250,770.00
Fund	4202	Extended School Program Fund	6,500.00
Fund	6002	Medical Insurance Fund	.00



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 28960-61
Requesting Division Parks and Recreation
Fund Name General Services
Fund Number 1101
Contact for Additional Information Becky Crawford

Description

To reimburse funds expended for overtime labor and supplies for Bluegrass State Games 2008 Summer Games



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 28982
Requesting Division Community Development
Fund Name US Department of Justice
Fund Number 3140
Contact for Additional Information Irene Gooding--3079

Description

Budge Amendment provides for increase in funds in the amount of \$4000 for Equipment<\$5,000 (Account 75801) for purchase of Ultralite ALS (advanced light source) for use in examining forensic evidence for the Cold Case Grant. Overtime account (63152) is being decreased in the amount of \$4000 for this purpose.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 28958
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding-3079
Description

Budget amendment decreases Overtime (account #63152) and increases Fiber, Equipment, and Installation (Account #91711) in the amount of \$10,000 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 28984
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding-3079
Description

Budget amendment decreases Pension (account #63511) and increases Desktops and Laptops (Account #96203) in the amount of \$70.30 in order to cover overspending of \$70.30 in the Computer Account..



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 29064
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding

Description

Budget Amendment decreases Professional Development (Account #74101) in the amount of \$8,000 and increases Overtime and other Personnel Accounts (Accounts 63152, 63511, 63621, 63622) in the amount of \$8,000 for the purpose of providing funds to support the installation of traffic signal equipment by LFUCG employees.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 28956
Requesting Division Parks & Recreation
Fund Name Extended School Program
Fund Number 4202
Contact for Additional Information Becky Crawford

Description

To provide funds from the Extended School Program balance for the purchase of 4 pedal boats for Jacobson Marina



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 29066
Requesting Division Human Resources
Fund Name Medical Insurance Fund
Fund Number 6002
Contact for Additional Information Nora Cheek X3034

To correct balances in income accounts for dental and vision income as well as LFUCG and Satellite Agency income. This BA corrects those entries on BA 1738 that were erroneously reversed.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

December 2, 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
642-08	BA 1863	Council Clerk	To provide funds for FY 2009 to increase funeral benefits for retirees from \$5,000 to \$7,500. The funds are available in the City Employees Pension fund balance.
E			5002 15,000 15,000*
645-08	BA 1861	Community Development	To establish grant budget for First Presbyterian Church apartments, LLLP.
H			3120 250,000 3120 250,000CR 0*
646-08	KC 0064	Water Quality Administration	To provide funds for three positions of Environmental Inspector (Grade 113N) by deleting funds for three positions of Engineering Technician (Grade 111N) and by reducing the division's personnel contingency funds.
C			4002 7,260 4002 7,260CR 0*
647-08	KC 0065	Water Quality Administration	To provide funds for one position of Water Quality Manager (Grade 118E) by deleting funds for one position of Pre-Treatment Manager (Grade 117E) and by reducing the division's personnel contingency funds.
D			4002 2,500 4002 2,500CR 0*

EFFECT ON FUND BALANCES

FUND 3120	0*	NO EFFECT ON:	US DEPARTMENT OF HOUSING & URBAN DEV
FUND 4002	0*	NO EFFECT ON:	SANITARY SEWERS REVENUE AND OPERATING
FUND 5002	15,000*	DECREASE TO:	CITY EMPLOYEES' PENSION FUND

Budget Information For New Business Items
December 2, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	640-08	200	2522	Public Works Fund
B	641-08	2,865	4003	Sanitary Sewer Construction Fund
C	646-08	7,255	4002	Sanitary Sewer Revenue and Operating Fund Budget Journal
D	647-08	2,503	4002	Sanitary Sewer Revenue and Operating Fund Budget Journal
E	642-08	15,000	5002	City Employees' Pension Fund Budget Journal
F	643-08	8,219	2517	2008 Bond Projects Fund
G	644-08	31,716	1136	Municipal Aid Program Fund
H	645-08	250,000	3120	US Department of Housing & Urban Development Budget Journal
I	648-08	NA		
J	649-08	NA		
K	650-08	NA		
L	652-08	NA		
M	651-08	14,556	3160	US Department of Transportation



NOV 13 2008

17

640-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Water Quality

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council

From: Mary Bennett *MB*
Engineering Technician

Date: November 12, 2008

Re: Resolution Authorizing Acceptance of Deed
Project No. 515 – 3184 Trinity Road Storm Sewer Rehabilitation

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of temporary construction easement for the 3184 Trinity Road Storm Sewer Rehabilitation project. The deed will be from Grover Prewitt at a cost of \$200.00 for the acquisition of 518 square feet of temporary construction easement from the property located at 648 Wellington Way.

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 Quality

Cheryl Taylor, Commissioner
Department of Environmental Quality

Attachments

c Darryl Bennett, P.E. Cristeta Cortez, P.E. James Wray Keith Horn Yvonne Stone
File

09.P515.406.blue648wellington

HORSE CAPITAL OF THE WORLD



641-08

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Charles Martin, PE Director *CM*
Division of Water Quality

DATE: November 6, 2008

SUBJECT: Change Order Number 1 for CR Cable Construction, Inc. for Fiber Cable Size Upgrade – West Hickman Fiber Project

The Division of Water Quality requests approval of Change Order #1 for CR Cable Construction, Inc. for fiber cable size upgrade – West Hickman Fiber Project. The original contract amount was \$58,000.00. Change Order #1 is for \$2,865.00 for a revised total contract amount of \$60,865.00, resulting in a net increase of 4% from the original contract.

The contract was originally bid with 12 pair fiber cable included in the contract. In discussions with the Division of Information Technology and with other Division of Water computer and technical personnel, it was decided that in combination with this opportunity to upgrade the West Hickman Waste Water Treatment Plant information technology systems, 24 pair fiber cable would give West Hickman substantially more potential for future computer and connectivity upgrades. The costs reflect the fiber size upgrade and additional minor cable splicing and testing costs. However, labor required to install a 12 pair fiber cable is exactly the same as to install a 24 pair fiber cable.

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

cc: Cheryl Taylor, Commissioner, Department of Environmental Quality
Tiffany Rank, PE, Senior Plant Engineer, Division of Water Quality

West Hickman Fiber Project Change Order 1 Cover Memo.doc

H O R S E C A P I T A L O F T H E W O R L D

641-08

Contract 940
Page 1**CONTRACT HISTORY FORM**Contractor: CR Cable Construction, Inc.Project Name: West Hickman Fiber ProjectContract Number and Date: 940 11/6/2008Responsible LFUCG Division: Water Quality**CHANGE ORDER DETAILS**

Summary of Previous Change Orders to Date:

Dollar Amount**Percent Change to
Original Contract**A. Original Contract Amount: \$58,000.00 0%
Line B/Line AB. Previous Change Order Total: \$0.00C. Current Contract Amount: \$58,000.00D. Amount of this Change Order: \$2,865.00 5%
Line D/Line AE. New Contract Amount: \$60,865.00 105%
Line E/Line A**SIGNATURE LINES**REVIEWED BY: T. R. R.DATE: 11/10/08DIVISION DIRECTOR: [Signature]DATE: 11/14/08

641-08

Change Order No. 1
Resolution # 298-2008
West Hickman Waste Water Treatment Plant
West Hickman Fiber Project

Lexington-Fayette Urban County Government
Lexington, Kentucky

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

CONTRACTOR: CR Cable Construction, Inc.
 400 Bluesky Parkway
 Lexington, Kentucky 40509

SUMMARY OF INFORMATION

Date of Change Order:	November 6, 2008
Date of Contract:	June 12, 2008
Date of Notice to Proceed:	June 25, 2008
Official Start Date:	June 25, 2008
Length of Contract (calendar days):	180
Date of Contract Completion (final completion date):	January 5, 2009
Previous Change in Contract Time (calendar days):	0
Change in Contract Date:	January 5, 2009
Change in Contract Time in CO #1 (calendar days):	0
Revised Contract Date (final completion date):	January 5, 2009
Original Contract Amount:	\$58,000.00
Previous Change Order Total:	\$0.00
Current Contract Amount:	\$58,000.00
Change Order (1) Amount:	\$2,865.00
Revised Contract Amount:	\$60,865.00
Percent Change from Original:	4%

Review attached information for **General Description**

Summary of Information 4/5 Nov-08



* 646-08

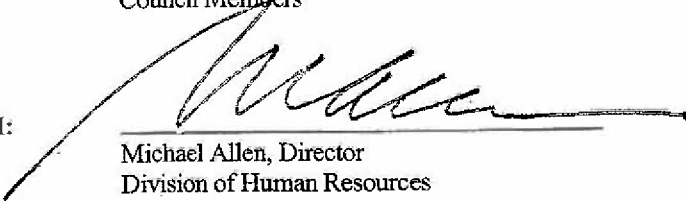
Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

MEMORANDUM

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: November 24, 2008

RE: Reclassify Positions—Division of Water Quality

The attached action amends Section 21-5 of the Code of Ordinances, abolishing three (3) positions of Engineering Technician (Grade 111N) and creating three (3) positions of Environmental Inspector (Grade 113N) and reclassifying the incumbents within the Division of Water Quality, effective upon passage of Council.

This Division requests this reclassification due to recent actions by the EPA and Kentucky Division of Water. The need for LFUCG to modify its staff to perform work of moderate to considerable difficulty to monitor, evaluate, review, and enforce compliance measures as related to LFUCG's KPDES Stormwater Permit.

The fiscal impact for FY2009 is \$7,255.13 (13 pay periods) includes benefits. Funding for this action is from the Division's Personnel Contingency budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Kevin Lyne	Environmental Inspector	\$32,857.76	\$36,144.16	\$3,286.40
Jose Rincon	Environmental Inspector	\$33,860.32	\$37,868.48	\$4,008.16
Vacant	Environmental Inspector	\$31,906.68	\$36,578.36	\$4,671.68
Total Annual Impact/ Salary and Benefits		\$14,510.26		

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

Log # 09-0032



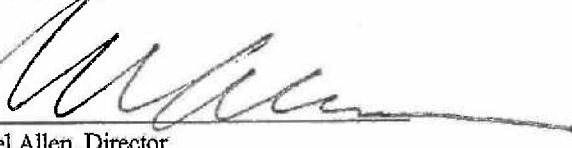
*647-08

Jim Newberry, Mayor

LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT
Division of Human Resources

MEMORANDUM

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: November 24, 2008

RE: Reclassify Position—Division of Water Quality

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Pre-Treatment Manager (Grade 117E) and creating one (1) position of Water Quality Manager (Grade 118E) and reclassifying the incumbent within the Division of Water Quality, effective upon passage of Council.

This Division requests this reclassification due to the duties for the Pre-Treatment Manager have increased as a result of reassignment of an existing program that operated with limited resources. The Division has begun implementation of an active illicit discharge detection and elimination program in response to the consent decree with the US EPA. This position is responsible for new administrative and program management duties in setting up a tracking and reporting database, establishment of inspection and investigation procedures and implementation of enforcement protocol.

The fiscal impact for FY2009 is \$2,503.29 (13 pay periods) includes benefits. Funding for this action is from the Division's Personnel Contingency budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Richard Lamey	Water Quality Manager	\$58,968.00	\$63,096.80	\$4,128.80
Total Annual Impact/ Salary and Benefits \$5,006.58				

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

Log # 09-0031



642-08

Mayor Jim Newberry

Council Clerk's Office

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

FROM: Susan Lamb, Council Clerk
Council Clerk's Office

DATE: November 5, 2008

RE: City Employees Pension Fund Funeral Benefit Change

Attached is a draft of an ordinance amending Section 6-64 of the Code of Ordinances which would increase the amount of the funeral benefit for retirees in the City Employees Pension Fund (CEPF) from \$5,000 to \$7,500. On October 21, 2008, the Board of Trustees of the CEPF unanimously passed a motion to request the Council approve this change. The ordinance change would be retroactive to July 1, 2008.

This increase in funeral benefits would be paid by the pension fund. The estimated cost of the increased funeral benefit is \$15,000 annually and \$125,000 over the life of the fund.

Your approval of this ordinance would be greatly appreciated.


Susan Lamb, Council Clerk

cc: Kyna Koch, Dept. of Finance and Administration
Ed Gardner, Dept. of Law

642-08

DRAFT
7/17/08

ORDINANCE NO. _____-2008

AN ORDINANCE AMENDING SECTION 6-64 OF THE CODE OF ORDINANCES TO INCREASE THE AMOUNT OF PAYMENT FOR FUNERAL EXPENSES ON BEHALF OF MEMBERS OF THE CITY EMPLOYEES PENSION FUND TO \$7,500 EFFECTIVE JULY 1, 2008.

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

Section 1 – That Section 6-64 of the Code of Ordinances be and hereby is
amended to read as follows:

Upon receipt of the proper proof of the death of a member or retired employee of the retirement system, the board shall, in addition to any allowance or benefit set out herein, pay an amount not to exceed five ~~seven~~ thousand ~~five hundred~~ dollars (\$5,000) (\$7,500) to the funeral director having charge of the funeral of such deceased member for the actual costs of the funeral.

Section 3 – That the increased benefits provided by this Ordinance shall
be effective retroactive to July 1, 2008.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

X:\Cases\PFRR\08-CC1107\00172357.DOC

643-08



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

MEMORANDUM

RECEIVED
NOV 18 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: November 14, 2008

This is a request for Council approval to increase the amount of contract no. 942 with C & C Fire Sprinkler for installation of a fire suppression sprinkler for Kenwick Community Center. This increase is necessary due to redesign by contractor to avoid displacing or damaging adjoining property tree and re-location of fire hydrant by LFUCG Fire prevention. This increase request is \$8,219.63. This change order will increase the original contract amount to \$95,919.63.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

LEXINGTON -FAYETTE
URBAN COUNTY GOVERNMENT
CONTRACT CHANGE ORDER
Page 1 of 2

Date: 11/11/08 643-0826
Project: Kenwick Fire
Suppression Sprinkler
Location: Kenwick Community Building

To (Contractor) C & C Fire Sprinkler

Contract No. 942

Change Order No. 1

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	Two(2) redesigns of original plan by contractor to avoid tree removal & request by Fire Prevention to re-locate fire hydrant. Re-route 4" water main for above change, additional equipment, supplies & all labor included.		\$5,772.63
2	Additional cost above \$10,000. Allowance to tap water main, install fire hydrant & PIV valve by KAWC		\$2,447.00
	Change in contract price due to this Change Order:		\$8,219.63
	Total decrease	\$0.00	XXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$8,219.63
	Net (increase) contract price		

The sum of \$8,219.63 is hereby added to the total contract price, and the total adjusted contract price to date thereby is \$95,919.63

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

Recommended by Michael Kosieniak (Superintendent) Date 11/14/08
Accepted by Chris Kelly (Contractor) Date 11/13/08
Approved by _____ (Director) Date _____
Approved by _____ (Commissioner) Date _____
Approved by _____ (Mayor or CAO) Date _____

643-08

CONTRACT HISTORY FORMContractor: C & C Fire SprinklerProject Name: Kenwick Fire Suppression SprinklerContract Number and Date: 942, May 8, 2008Responsible LFUCG Division: Parks & Recreation**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>87,700.00</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u> </u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>87,700.00</u>	
<u>Current Change Order</u>		
D. Amount of This Change Order:	\$ <u>8,219.63</u>	<u>9%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>95,919.63</u>	<u>109%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Mark MorganDate: 11/14/08Reviewed by: Michelle KosiemakDate: 11/14/08Division Director: Date:

644-08



Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

To: Jim Newberry, Mayor
Lexington Fayette Urban County Council

From: Samuel R. Williams, P.E., P.L.S.
Municipal Engineer Senior

Date: November 5, 2008

RE: Change Order Number 1-Final, Contract 936
Appomattox Road Replacement Project
(Engineering Project 521 - Bid #95-2008)

Change Order Number 1-Final with The Allen Company, Inc. is a change to Contract Number ~~916~~, Purchase Order LF00041047. This change order adjusts the Contract to:
936

1. Delete Unit Priced items - 9, 12, 23, 24, 27, 32, 34 & 45 (credit \$17,714.75),
2. Increase/ add the amount of Unit Priced items - 17, 18, 19, 26, 33, 35, 40, 42, & 46 (add \$49,431.57),

This Change Order increases the contract by \$31,716.82. The Division of Engineering recommends approval.

Recommended by:

Samuel R. Williams, P.E., P.L.S.
Municipal Engineer Senior

Reviewed by:

Robert A. Bayert, P.E., P.L.S.
Engineering Section Manager

Approved by:

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

Approved by:

Michael Webb, Acting Commissioner
Department of Public Works

08.P521.411.G.ENGDATA.Williams936CO1

HORSE CAPITAL OF THE WORLD

CONTRACT HISTORY FORM

644-08

The Allen Company, Inc.

Contractor:

Wellington Bike and Pedestrian Facility

Project Name:

#936 - May 22, 2008

Contract Number and Date:

Engineering

Responsible LFUCG Division:

CHANGE ORDER DETAILS

A.	Original Contract Amount:	\$	282,080.90	
	Next Lowest Bid Amount:		422,816.00	
		\$		
B.	Amount of Selected Alternate or Phase:	\$	282,080.90	
C.	Cumulative Amount of All Previous Alternates or Phases:	\$	-0-	
D.	Amended Contract Amount:	\$	282,080.90	
E.	Cumulative Amount of All Previous Change Orders:	\$	-0-	0.00 %
				(Line E / Line D)
F.	Amount of This Change Order:	\$	31,716.82	11.2 %
				(Line F / Line D)
G.	Total Contract Amount:	\$	313,797.72	

SIGNATURE LINES

Project Manager:



Date: Nov 5, 2008

Reviewed by:



Date: 11/06/08

Division Director:



Date: 11/06/08

LEXINGTON-FAYETTE

URBAN COUNTY GOVERNMENT

CONTRACT CHANGE ORDER

Page 1 of 3

Date: October 3, 2008 644-08³⁰Project: Appomattox Road
Replacement Project

Location:

To (Contractor) The Allen Company INC.
3009 Atkinson Avenue
Suite 300
Lexington, Kentucky 40509

Contract No. # 936

Change Order No. (1) FINAL

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, changes in completion, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
9	(Decrease) Erosion Controls, by (0.56192) from Lump Sum, @ a cost of \$5,268.00.	\$5,268.00	
12	(Decrease) DGA, by 20.45 tons @ \$35.00 a Ton.	\$715.75	
17	(Increase) Header Curb by 19 LF @ \$35.00 a Linear Foot.		\$665.00
18	(Increase) Bituminous Base by 66.43 tons, @ \$100.00 a Ton.		\$6,643.00
19	(Increase) Bituminous Surface by 53.55 tons, @ \$165.00 a Ton.		\$8,835.75
23	(Decrease) 30" RCP Storm Sewer by 5 LF, @ \$ 120.00 a Linear Foot.	\$600.00	
24	(Decrease) CCTV Internal Inspection of Storm Sewer Pipe by 120 LF, @ 3.85 a Linear Foot.	\$462.00	
26	(Increase) 30" Steel Casing by 2 LF, @ \$665.00 a Linear Foot.		\$1,330.00
27	(Decrease) CCTV Internal Inspection of Sanitary Sewer Pipe by 110 LF, @ 5.00 a Linear Foot.	\$550.00	
32	(Decrease) Seeding and Protection by 95 SY, @ \$0.90 a Square Yard.	\$85.50	
33	(Increase) Sodding by 6 SY, @ \$11.30 a Square Yard.		\$67.80
34	(Decrease) PVC Coated Chain Link Fence by 13 LF, @ \$51.00 a Linear Foot.	\$663.00	
35	(Increase) Geotextile Fabric by 1,440 SY, @ \$5.50 a Square Yard.		\$7,920.00
40	(Increase) Structural Backfill by 315.32 CY, @ \$45.00 a Cubic Yard.		\$14,189.40
42	(Increase) Boulder Rock Toe Protection by 45 tons, @ \$200.00 a Ton.		\$9,000.00
45	(Decrease) Allowance for Geotechnical Engineer by (0.93705) from Lump Sum, @ a cost of \$9,370.50.	\$9,370.50	

OCT 21 2008

ENGINEERING

46	(ADD) Pedestrian Gate 6', for a Lump Sum of \$780.62, from	644-08	\$780.62
	Change in contract price due to this Change Order:		
	Total decrease	\$17,714.75	
	Total increase		\$49,431.57
	Net (increase) contract price		\$31,716.82

The sum of **\$31,716.82** is hereby added to the total contract price, and the total adjusted contract price to date thereby is **\$313,797.72**.

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

Recommended by [Signature] (Proj. Engr.) Date Nov 4, 2008

Accepted by [Signature] (Contractor) Date 10-11-08

Approved by [Signature] (Urban Co. Engr.) Date 11/06/08

Approved by [Signature] (Commissioner) Date 11/20/08

Approved by _____ (Mayor or CAO) Date _____



645-08

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: NOVEMBER 19, 2008

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE HOME
AGREEMENT WITH FIRST PRESBYTERIAN CHURCH
APARTMENTS, LLLP, FOR USE OF HOME FUNDS IN THE
DEVELOPMENT OF RENTAL HOUSING PROJECT**

The Lexington-Fayette Urban County Government's approved 2008 Consolidated Plan provides for the use of federal HOME Investment Partnerships Program funds for the development of rental housing for low-income households. The 2008 Consolidated Plan supports the Low-Income Housing Tax Credit application filed by First Presbyterian Church for the rehabilitation and historic preservation of ten units of rental housing in downtown Lexington for low-income households. The organization has requested \$250,000 in HOME Investment Partnership Program funds.

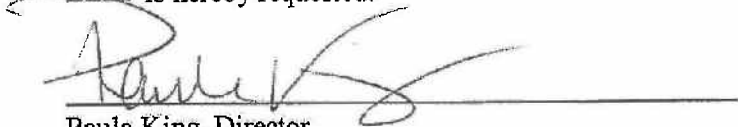
The total cost of this project located at 179-185 Market Street is \$1,634,358. The other sources of funds are: tax credit equity in the amount of \$1,281,258, Kentucky Affordable Housing Trust Fund in the amount of \$100,000, and General Partner equity in the amount of \$3,100.

HOME funds are loaned to First Presbyterian Church Apartments, LLLP, for a period of thirty years in the form of a deferred payment loan at a 0% interest rate. For a ten-year period of affordability, the organization is required to rent to income eligible persons at affordable rents as determined by the U.S. Department of Housing and Urban Development.

Budget amendments are in process providing the following funds for the project:

FUND	DEPT ID	SECT #	ACCOUNT	ACTIVITY	PROJECT	BUD REF	AMOUNT
3120	900242	0001	71101	H03	HOME	2004	36,941
3120	900242	0001	71101	H03	HOME	2007	12,370
3120	900242	0001	71101	H03	HOME	2009	200,689

Council authorization to execute HOME Agreement with First Presbyterian Church Apartments, LLLP is hereby requested.



Paula King, Director

Xc: Kyna Koch, Commissioner of the Department of Finance and Administration

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





643-08

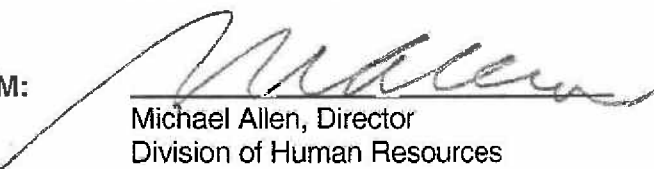
Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Human Resources

MEMORANDUM

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

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: November 19, 2008

RE: Amend Ordinance No. 330-2001

The attached action amends Section 9 of Ordinance No. 330-2001, extending the provisions of Section 9—from January 1, 2009 to January 1, 2013—effective upon passage of Council.

The purpose of this action is to continue providing benefits to "activated employees" who are members of the United States Armed Forces Reserve or National Guard units who were or are called up for full time active duty.

Section 9 of Ordinance No. 330-2001—as amended by Ordinance No. 143-2006 and Ordinance No. 243-2007—currently reads:

Section 9 – That the payments and benefits provided in this Ordinance shall be made and provided retroactive to the date the activated employees began active duty, but not prior to January 1, 2001, and shall continue until they are released from active duty or until January 1, 2009, whichever shall first occur.

Section 9 of Ordinance No. 330-2001 will be amended to read as follows:

Section 9 – That the payments and benefits provided in this Ordinance shall be made and provided retroactive to the date the activated employees began active duty, but not prior to January 1, 2001, and shall continue until they are released from active duty or until January 1, 2013, whichever shall first occur.

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

Attachment

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

Log #09-0012



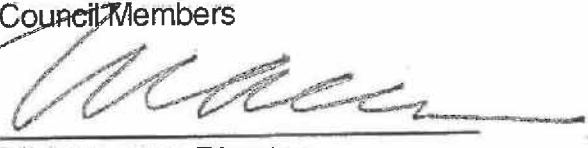
649-08

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: November 21, 2008

RE: **Abolish/Create Positions—Division of Budgeting**

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer Sr. (120E) and creating one (1) position of Budget Officer Sr. (Grade 120E), effective upon passage of Council.

The job duties of Administrative Officer Sr. are broad. The Budget Officer Sr. position makes a clear definition of the unique professional duties associated with this position in the Division.

The fiscal impact for FY2009 is budget neutral.

If you have any questions, please feel free to contact Daniel H. Fischer at 258-3030.

DF/

09-0020



650-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of Finance and Administration

MEMORANDUM

TO: Mayor Jim Newberry
Members, Urban County Council

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

DATE: November 24, 2008

SUBJECT: Changes to Sections 21-37 and 38 to the Code of Ordinances

The changes proposed in Section 21-37 are requested, in part, to accommodate the new timekeeping mechanisms that will be implemented with PeopleSoft Human Capital Management (HCM). Timekeeping will be minute by minute, therefore there is no burden to employees and/or timekeepers that would require a minimum period of usage. The twenty-four (24) hour maximum is outdated and openly abused at LFUCG. The amount of time an employee can be away from work should be a matter between the employee and the supervisor, thus the elimination of the maximum usage.

Another change in the ordinance makes it clear that compensatory time cannot be accumulated or used without the prior approval of the supervisor. While this is the practice in most divisions, this change will help provide consistency across government.

The final change to Section 21-37 is to eliminate the ability of the Director of Human Resources to make rules for implementation. If additional rules are needed, they can be adopted by administrative regulation or CAO Policy.

The change to Section 21-38 changes the award of swing holidays from July 1 to January 1. This is needed to avoid a customization to PeopleSoft. All annual awards and/or maximums must be at the same time of year. Since all maximums are based on the payroll that includes January 1, the holiday award needs to be moved. Also, the change is made for holiday time increments much like the compensatory time, no minimum and no maximum and request of the employee.

Other Ordinance changes will be coming forward as we continue to sort through the details surrounding the PeopleSoft implementation.

HORSE CAPITAL OF THE WORLD

DRAFT
8/26/08

ORDINANCE NO. _____-2008

AN ORDINANCE

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

Section 1 - That Section 21-37.1 of the Code of Ordinances be and hereby
is amended to read as follows:

- (1) Classified civil service employees exempted from overtime payments by section 21-28(1)(a) shall accumulate and use compensatory time under the following terms and conditions:
 - (a) "Compensatory time" shall mean leave time granted for hours worked by a classified civil service employee in excess of forty (40) hours per week.
 - (b) Employees may accumulate up to eighty (80) hours of compensatory time and may use ~~it in periods of not less than one (1) hour and not more than twenty-four (24) hours.]~~ accumulated compensatory time in any increment.
 - (c) Vacation, sick and funeral leave hours shall not count as hours worked for purposes of computing compensatory time earned in a week.
 - (d) Compensatory time may only be accrued and utilized upon the supervisor's prior approval of an employee's ~~prior~~ written request.
 - (e) No employee shall be paid for accumulated compensatory time upon separation from urban county government employment.
 - (f) Once maximum accumulations have been reached, employees may not count hours worked in excess of their regular hours as compensatory time. Once their hours drop below maximum accumulation, only hours worked subsequent to the reduction shall be credited as compensatory time. Compensatory time hours shall be posted at the end of each pay period; and, in no event, shall any compensatory time hours be credited retroactively.
- ~~(2) The director shall make reasonable rules and regulations to implement this section.~~

Section 2 - That Section 21-38 of the Code of Ordinances be and hereby
is amended to read as follows:

- (a) The following days are declared holidays for all classified civil service employees:
 - (1) The first day of January (New Year's Day).

- (2) The third Monday in January (Martin Luther King, Jr. Day).
- (3) The third Monday in February (Washington's Birthday).
- (4) The last Monday in May (Memorial Day).
- (5) The fourth day of July (Independence Day).
- (6) The first Monday in September (Labor Day).
- (7) The fourth Thursday (Thanksgiving Day) and Friday in November.
- (8) The twenty-fourth day of December (Christmas Eve).
- (9) The twenty-fifth day of December (Christmas Day).

(b)(1) When any holiday listed above falls on a Saturday or Sunday, the preceding Friday or following Monday may be designated as a holiday by a proclamation of the mayor.

- (2) In addition, ~~[at the beginning]~~ on January 1 of each ~~[fiscal year]~~ calendar year, each employee shall be granted two (2) swing holidays which may be taken by employees at any time during the ~~[fiscal year]~~ calendar year in accordance with the requirements of subsections (c) and (d) of this section.

(c) No employee shall lose any pay as a result of the advent of a designated holiday. Employees required to work on a holiday shall be compensated by equal time off at the earliest opportunity instead of by additional pay. Holiday leave may only be utilized upon the supervisor's prior approval of the written request of the employee. ~~[It may be used in periods of not less than one (1) hour and not more than five (5) working days.]~~ Holiday leave time may be used in any increment; provided that holiday leave will not be granted in excess of holiday credit earned by service prior to the starting date of leave. It shall be scheduled with regard to operating requirements, seniority of the employees, and insofar as possible, as [with the written] requested [of] by the employee. An employee may not carry forward more than ten (10) working days (eighty (80) hours) of holiday leave past ~~[the end of the pay period including]~~ January 1 of any calendar year. Upon separation from service, all employees shall be paid for accumulated holiday leave at their then current pay rate under sections 21-25 and 21-31 computed on an hourly basis.

Section 3 – That Section 1 of this Ordinance shall become effective on the date of passage and Section 2 of the Ordinance shall become effective January 1, 2009.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Finance and Administration

MEMORANDUM

TO: Mayor Jim Newberry
Members, Urban County Council

FROM: Kyna Koch, Commissioner
Department of Finance & Administration

DATE: November 24, 2008

SUBJECT: Sheriff and County Clerk 2009 General Term Order

Every year the Urban County Council approves a calendar year General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. The GTO is basically an authorization form that summarizes maximum annual expenditures for personnel, operating and capital and is used by the Department of Local Government as a guideline for approval of reimbursement of expenditures. The 2009 GTO's need to be approved in order for the expenditures of these offices to be processed by the Department of Local Government. The following table summarizes the proposed budgets outlines in the GTO's.

	<u>2009 GTO- Sheriff</u>	<u>2009 GTO - Clerk</u>
Receipts	\$ 8,500,000	\$ 6,000,000
Surplus	\$ 900,000	\$ 1,200,000
Total Funds Available	<u>\$ 9,400,000</u>	<u>\$ 7,200,000</u>
Personnel	\$ 7,327,548	\$ 5,795,167
Operating	\$ 1,200,000	\$ 700,000
Equipment	\$ 872,452	\$ 704,833
Total Expenditures	<u>\$ 9,400,000</u>	<u>\$ 7,200,000</u>

I request that a resolution approving these General Term Orders for 2009 be placed on the Council docket for approval.

HORSE CAPITAL OF THE WORLD

651-08



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: NOVEMBER 24, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
CHANGE ORDER NO 1 TO THE CONSTRUCTION CONTRACT
WITH CENTRAL ROCK MINERAL COMPANY, LLC (ATS
CONSTRUCTION) FOR THE LOUDON AVENUE
IMPROVEMENTS PROJECT

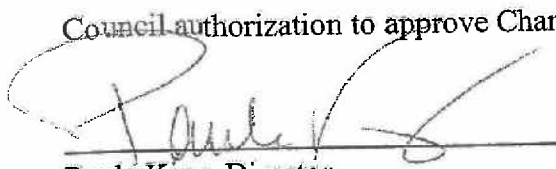
On October 18, 2007 (Resolution # 533-2007), the Urban County Council accepted the bid (Bid No. 139-2007) of Central Rock Co., LLC (ATS Construction) in the amount of \$4,589,461.13 for the Loudon Avenue Improvement Project. The Division of Engineering has negotiated Change Order No. 1 with the contractor in the amount of \$14,556.00 for changes in materials and increase in the number of two-way sanitary clean-outs.

The new total is \$4,604,017.13. Funds for the change order are budgeted in:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	ACTIVITY	BUD REF
3160	303201	0001	91715	LOUDON AVENUE	DEFAULT	2000

The project will widen Loudon Avenue to three lanes from Oakhill Drive to Winchester Road.

Council authorization to approve Change Order No. 1 is hereby requested.


Paula King, Director

Xc: Mike Webb, Acting Commissioner of the Department of Public Works

HORSE CAPITAL OF THE WORLD

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



CONTRACT HISTORY FORM

652-08

Central Rock Mineral Company, LLC
(ATS Construction)

Contractor:

Loudon Avenue Improvement Project

Project Name:

#916 – October 18, 2007

Contract Number and Date:

Engineering

Responsible LFUCG Division:

CHANGE ORDER DETAILS

A.	Original Contract Amount:	\$	4,589,461.13	
	Next Lowest Bid Amount:		5,238,384.01	
		\$		
B.	Amount of Selected Alternate or Phase:	\$	4,589,461.13	
C.	Cumulative Amount of All Previous Alternates or Phases:	\$	-0-	
D.	Amended Contract Amount:	\$	4,589,461.13	
E.	Cumulative Amount of All Previous Change Orders:	\$	-0-	0.00 %
				(Line E / Line D)
F.	Amount of This Change Order:	\$	14,556.00	0.32 %
				(Line F / Line D)
G.	Total Contract Amount:	\$	4,604,017.13	

SIGNATURE LINES

Project Manager:



Date:

Nov 4, 2008

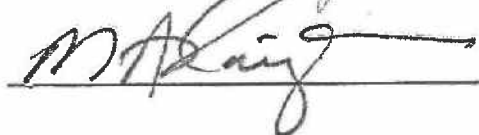
Reviewed by:



Date:

11/05/08

Division Director:



Date:

11/06/08

LEXINGTON-FAYETTE

Date: Aug 29, 2008

41

URBAN COUNTY GOVERNMENT

Project: Loudon Ave Improvement
Project 651-08

CONTRACT CHANGE ORDER

Location: Loudon Ave.

Page 1 of 2

To (Contractor).

Contract No. 916

ATS Construction
3009 Atkinson Avenue
Suite 400
Lexington, KY 40509

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)
29	Decrease #2 crushed stone aggregate by 10,000 tons @ \$14.20 per ton	\$142,000.00	
55	Increase D.G.A by 7,500 tons @ \$18.94 per ton		\$142,050.00
80	Increase two-way sanitary clean-outs by 7 each @ \$551 per each		\$3,875.00
84	Increase Mast arm poles by 1 l.s. @ \$10,631 per lump sum		\$10,631.00
	Change in contract price due to this Change Order:		
	Total decrease	\$142,000.00	XXXXXXXXXXXX.XX
	Total increase	XXXXXXXXXXXX.XX	\$156,556.00
	Net (increase) contract price		\$14,556.00

The sum of **\$14,556.00** is hereby added to the total contract price, and the
total adjusted contract price to date thereby is **\$4,604,017.13**.The time provided for completion in the contract and all provisions of the
contract will apply hereto.Recommended by [Signature] (Proj. Engr.) Date 8/29/08Accepted by [Signature] (Contractor) Date 8/29/08Approved by [Signature] (Urban Co. Engr.) Date 11/06/08Approved by [Signature] (Commissioner) DateApproved by [Signature] (Mayor or CAO) Date