

11/03/2011

Resolution

506-2011

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT AND ITS DIVISION OF HISTORIC PRESERVATION, TO CONCUR WITH THE MEMORANDUM OF AGREEMENT AMONG THE KENTUCKY FINANCE AND ADMINISTRATION CABINET, THE KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM, BLUEGRASS COMMUNITY AND TECHNICAL COLLEGE AND THE KENTUCKY STATE HISTORIC PRESERVATION OFFICE REGARDING THE DEVELOPMENT OF A BLUEGRASS COMMUNITY AND TECHNICAL COLLEGE, NEWTOWN PIKE CAMPUS IN LEXINGTON, FAYETTE COUNTY, KENTUCKY.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government and its Division of Historic Preservation, be and hereby is authorized to concur with the Memorandum of Agreement, which is attached hereto and incorporated herein by reference, among the Kentucky Finance and Administration Cabinet, the Kentucky Community and Technical College System, Bluegrass Community and Technical College and the Kentucky State Historic Preservation Office Regarding the Development of a Bluegrass Community and Technical College, Newtown Pike Campus in Lexington, Fayette County, Kentucky.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: November 3, 2011

MAYOR



ATTEST:



CLERK OF URBAN COUNTY COUNCIL

DJB

ADMINISTRATIVE REVIEW FORM

Request for Council Action

See Reverse for Instructions

Log No.

377-11

I. DIRECTORS AND / OR COMMISSIONERS (Summary of Action Requested)

(301-11)

Memorandum of Agreement per the development of Bluegrass Community and Technical College at the property now occupied by Eastern State Hospital, Newtown Pike, Lexington, Kentucky.

Budgetary Implications: ☐ Yes ☒ No Advance Document Review: ☐ Law ☐ Risk Mgmt

If 'Yes', provide the following information. Prepare and attach a Budget Amendment if necessary.

Fully Budgeted ☐ Partially Budgeted ☐ Not Budgeted ☐

ACCOUNT NUMBER

THIS FY IMPACT

ANNUAL IMPACT

\$ \$

PROJECT ACTIVITY BUDGET REFERENCE

Bethie Z. Kern 10/17/11 Commissioner's Signature 10-19-11

Director's Signature

Date

Commissioner's Signature

Date

II. RECEIVED AND LOGGED FOR SENIOR ADVISOR OF MANAGEMENT (SAM)

Laura Grizzle 10/17/11

Received By

Date

III. ADMINISTRATIVE SERVICES REVIEW

Review By	Initials / Date	Approve	Disapprove	Comments
Department of Law	DJO, 10/18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Division of Budgeting	em, 10/18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Schedule No.	B-102 No.	Acct. No.		
Project	Activity	Budget Reference		
Fiscal Year	Annual Impact \$	Current Balance \$		
Division of Human Resources	DH, 10-20-11	<input type="checkbox"/>	<input type="checkbox"/>	
Division of Community Development	16, 10-20-11	<input type="checkbox"/>	<input type="checkbox"/>	
Department of Finance & Administration	GT, 10-20-11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

IV. POST REVIEW ACTION TAKEN

☐ Forward to SAM ☐ Hold ☐ Return to Commissioner or Director

V. SAM'S REVIEW

☐ New Business Item ☐ Approve ☐ Disapprove ☐ Hold and Reenter (Date) ☐ Pull Permanently Return to: ☐

Senior Advisor of Management

Date

VI. WORK SESSION ACTION TAKEN

☒ To Meeting Docket (Send to Law Dept) ☐ Receive as Information Only

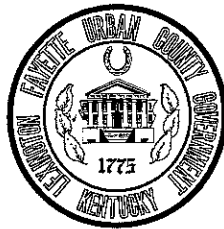
Refer to: ☐ To Council ☐ Committee

Other: ☐ Council Administrator ☐ Date

Mayor's Office Form 1
December 23, 2008

Use previously approved form until supply is exhausted
This form is not to be reproduced

10/20/11



Lexington-Fayette Urban County Government
Division of Historic Preservation

Jim Gray
Mayor

MEMORANDUM

TO: Jim Gray, Mayor
Richard Moloney, CAO
Urban County Council Members

FROM: Bettie Kerr
Bettie Kerr, Director
Division of Historic Preservation

DATE: October 17, 2011

SUBJECT: Memorandum of Agreement per the development of Bluegrass
Community and Technical College at the property now occupied by
Eastern State Hospital, Newtown Pike, Lexington, Kentucky.

The attached Memorandum of Agreement is between The Kentucky Finance and Administration Cabinet, The Kentucky Community Technical College System, Bluegrass Community College and the Kentucky State Historic Preservation Office regarding the development of the Eastern State Hospital Property in Lexington for use as the Bluegrass Community and Technical College.

The Urban County Government is designated a Certified Local Government (CLG) by the Kentucky Heritage Council, the State Historic Preservation Office administering the Federal program for the same. In accordance with an ongoing Memorandum of Agreement between the Kentucky Heritage Council and the LFUCG, the Division of Historic Preservation reviews projects listed on, and/or determined eligible for listing on, the National Register of Historic Places that involve Federal funds. This is done on an ongoing basis and was done for the Eastern State/BCTC project in light of the fact that BCTC anticipates utilizing Federal funds and want to be in compliance with the Federal regulations in order to be eligible to receive such funds.

The role of the LFUCG as a consulting party was carried out in accordance with the National Historic Preservation Act, by the LFUCG Historic Preservation Officer/ Director of the Division of Historic Preservation. The consulting parties involved in this process, in addition to the LFUCG, included the Blue Grass Trust for Historic Preservation, the Eastern State Hospital Cemetery Preservation Project and Preserve Lexington.

The LFUCG has been a Consulting Party, as outlined in the fifth paragraph of the first page of the MOA, during the planning and negotiations concerning the development of the Eastern State property, which includes a number of historic structures and has been determined eligible for listing on the National Register of Historic Places.

Jim Gray, Mayor
Richard Moloney, CAO
Urban County Council Members
Page 2

The attached MOA reflects the outcome of substantial reviews and discussions concerning the impact the redevelopment of the property will have on the historic Eastern State Hospital property and the commitments that have been agreed upon concerning the same. The redevelopment will be administered in accordance with the attached MOA agreement and future decisions specified in the master plan will be made in accordance with the State Historic Preservation Office (Kentucky Heritage Council) as noted in this agreement and in accordance with the National Historic Preservation Act (NRHP).

The attached MOA reflects the determination that the overall development will have an adverse effect on the historic property and outlines the mitigation actions that will occur. This includes the preservation and re-use of two historic buildings, full documentation of the several significant historic structures to be demolished, appropriate care and record keeping of the cemetery located on the grounds and the re-interment in that cemetery of any human remains discovered in the future, and other additional important considerations, as noted in the MOA.

Please let me know if you have questions. Thank you.