



General Government Committee
September 10th, 2013
Summary and Motions

Chair Steve Kay called the meeting to order at 11:00am. Committee members present were Diane Lawless, Julian Beard, Jennifer Scutchfield, Kevin Stinnett, Ed Lane, Shevawn Akers, and Chris Ford. Vice Mayor Linda Gorton and George Myers were absent.

1. Approval of Summary

Motion by Akers to approve the summary. Seconded by Beard. Motion passed without dissent.

2. Relationship with the Bluegrass Area Development District (BGADD)

David Duttlinger presented on the current and future partnerships between the Lexington-Fayette Urban County Government (LFUCG) and the BGADD. He said that the BGADD is structured with five departments: a designated planning and development agency, Agency on Aging, Economic Development District, Title V Senior Employment and Home Healthcare, and an Administrative and Fiscal Agent for Workforce Investment Board (WIB). They are a 501 (c) (3) and a political subdivision/unit of local government.

The Board consists of 75 members and each of the 17 counties has at least two public officials and two citizen members. There are three at-large members and they hold quarterly meetings.

The Executive Committee has the full power of the Board and carries out policies and direct activities of economic development. They meet monthly. There are 17 members; one from each county. There are nine elected and eight citizen members. The Chair of the Board appoints the directors of the Executive Committee. Officers of the Board serve as officers of the Executive Committee.

The BGADD governs through cooperative networks. The BGADD has partnerships with the LFUCG. They facilitate Title IIIB funding to the Senior Center, a homecare program to frail elderly in Fayette County, and the BGADD staff serve on the Mayor's Commission for Aging. They also work with the LFUCG through one day workshops.

There is a BGADD GIS-LFUCG partnership that provides mapping services for the Division of Water Quality. There is also a BGADD/WIB-LFUCG partnership.

Duttlinger said that based on information gathered during the strategic planning process, the BGWIB elected to focus on four demand areas: advanced manufacturing, healthcare, information technology, and transportation. He said that this is market-driven program.

Duttlinger listed committee memberships. He went on to say that there are numerous opportunities for collaboration. There is a regional land use plan, merged effort on Comprehensive Economic Development Strategy (CEDs), Bluegrass Higher Education Consortium, regional transportation/transit planning, joint

applications on Federal NFO's, high school outreach, work ready community, and the Senior Center produce auction.

Ford spoke and mentioned the State Auditor's current audit of the BGADD. Ford said that he sees the value in Development Districts.

Ford said that the East End of Lexington has 20% unemployment, and asked what role the WIB has to help the community address that need. Duttlinger said that the areas they address are determined by the governor. He said that they look to need for opportunities in the East End. He stressed the need to work on partnerships.

Ford asked Duttlinger if extra resources should be used in the East End. Duttlinger said that Fayette County has had the lowest unemployment of the 17 counties. Duttlinger said that even though Fayette County has a lower unemployment rate, there may be areas of the county that need additional resources.

Lane agreed with Ford that there are pockets of high unemployment in Fayette County. Lane said that Fayette County is one of the fastest growing counties in the state.

Lane asked how the BGADD is financed. Duttlinger said that their annual operating budget is \$8MM and there is approximately \$22MM in pass-through funds. 56% of revenue comes from state dollars. 60% is federal and the remaining 4% comes from local contributions.

Duttlinger said that there are slightly more than 105 employees at the BGADD. 70 are located at 699 Perimeter Drive. The other employees work in the career centers.

Akers asked about training in the four areas Duttlinger mentioned. Jennifer Compton gave specific examples of the types of training they do.

Akers asked if the BGADD pays for CDLs and other training. Compton said yes. Akers asked what types of training they do with potential employees. Compton gave examples of training for advanced manufacturing and information technology.

Compton said that they also offer scholarships. She stressed the importance of the consortiums so the BGADD can fill the needs of local employers.

Akers asked where the classes take place. Compton answered that they are in numerous counties but the major classes take place in Lexington. She said that Bluegrass Community and Technical College System (BCTCS) partners with them. She also mentioned Eastern Kentucky University and Spencerian College.

Beard asked about the formation of the BGADD and how the State of Kentucky is divided. Craig McAnelly said that redistricting the ADD's makes sense logistically, but politically it does not. McAnelly said that BGADD is the largest in the State of Kentucky. Beard said that the area was much different when the BGADD was formed than it is now. Beard said that he thinks it would make more sense if Montgomery County was a part of the BGADD.

Ford said that he had three specific questions. The first was in regards to the Trent Boulevard project. He asked for the status on the property. Duttlinger said that they sold the property to a developer who is working on a senior housing project. He said that Council Member George Myers has been involved in the entire process.

Ford then asked if the by-laws of the BGADD will allow the Mayor to have a proxy. Duttlinger said that they are working with the LFUCG's Department of Law to allow for easy participation. The by-laws

currently allow for the Mayor to send a Council Member as a proxy that has voting rights. Kevin Atkins has been attending the meetings.

Finally, Ford asked about the 20% unemployment in the East End. He asked Duttlinger if the Board would be supportive of their efforts to provide training opportunities. Duttlinger said it boils down to communication. He asked Ford to meet with him and the WIB Chair to set goals and metrics.

Lane asked about the proxy and Duttlinger said that it had to be an elected official.

Lane also asked about a program that was implemented in Georgetown to train automotive workers for Toyota. Compton said that the BGADD is working with BCTCS to develop this program. They are currently seeking funding for the building.

Lane asked Duttlinger about their relationship with Commerce Lexington. Duttlinger said that he works with Bob Quick and that BGADD employees attend Policy Forums and workshops sponsored by Commerce Lexington.

Lane asked Duttlinger what he considers to be the number one challenge for the BGADD. Duttlinger answered that it is an aging workforce. They are going to need more services. He also said that education needs to be a primary goal.

Kay asked Duttlinger what, from the BGADD's perspective would be most helpful thing the LFUCG could do. Duttlinger said that he would like to see participation on their boards.

3. Procedure for Underwriting or Sponsoring One of Our Facilities or Parks

Roger Daman, Administrative Officer in General Services, spoke about the recent requested changes to the draft policy. Daman said that he had added "advertisements of companies or their services shall be prohibited" under the *Off-Site Recognition* subsection.

Daman said that he also added "maintenance costs and upkeep of signage shall be provided for by the donor. For maintenance policies and procedures for naming parks, features and facilities, see Appendix A, section 7" under a new section titled *Maintenance of Signage*.

Daman also added section 7, *Maintenance of Donated Parks, Features and Facilities* that reads, "An endowment for at least 50% of the cost for continued maintenance of the donated park, feature or facility shall be provided for by the donor for the estimated useful life of the park, feature or facility."

Stinnett asked Daman about the franchise agreements with leagues that use our fields and their ability to advertise. Stinnett asked if it is in our franchise agreements that we can advertise. Daman said that this policy is to address the off-site recognitions. Daman said that this policy addresses concerns about issues such as advertising and recognition for companies on GTV3.

Stinnett asked how they should address those other concerns. Daman said that the banners would still be allowed. Stinnett said that he wanted to know how they would address on-site advertising.

Stinnett said that if we are going to get serious about funding our parks, we need to have a policy in place for asking for donations and advertising in our parks when we go out to seek sponsorships.

Stinnett asked if our franchise agreements give companies the ability to advertise on our properties when we lease our properties to franchise leagues.

Stinnett expressed concern about someone wanting to advertise on a field that we lease to an outside entity. He requested that how this will be handled spelled out in our policy.

Daman said that this policy was not intended to address donations to other entities, only how we would handle donations to LFUCG. The naming policy will address naming rights over a specific amount of money.

Kay asked if we need a policy that specifically applies to whom we rent or give control of a facility under a contract, what happens then with advertising.

Stinnett said that he is worried that if LFUCG has a sponsor and the lease has a competing sponsor, the question will remain, who is allowed to advertise on the facility we lease out?

Jerry Hancock, the Director of Parks, said that this policy deals specifically with naming of parks. The document does not speak to the sponsorship of a field, league or function. Hancock said that the document sets up guidelines for how we would name a park.

Hancock said that it is his intention to grant and accept whatever donations requests are and hopefully make them fit into a policy that works. Secondly, this speaks to maintenance procedures. They want to have funds for maintenance of land that is donated.

Stinnett asked that if an entity wants to build a building at a park, are we going to let them name it?

Kay asked that they include this language in the document and then look at guidelines. Kay said that he thought Stinnett raised a great question.

Geoff Reed, the Commissioner of General Services, said that this policy was drafted to increase contributions through philanthropic giving. Reed said that they are discussing an endowment. He said that we have not been generating a specific amount of money. Additional guidelines and structure will be necessary going forward.

Akers asked if there is policy in place that deals with sponsorships and advertising. Daman said that there is. Akers asked for a copy of this policy. Akers said that it may or may not be applicable in the naming policy.

Akers expressed concern that the maintenance section of the policy, as it may limit potential donors from donating park land. She said that in district 2, developers give portions of land for neighborhood parks. She said that she hopes this policy does not limit donations of land. Daman said that the language could be adjusted to illustrate that this is a goal, not a requirement.

Akers said that in the off-site recognition section, the examples listed are not prohibited. She asked him to reword it.

Kay said the examples look like they relate to the prohibition. Daman said he would fix it.

Lawless said that the level of donation seems off. She gave the example of the 5/3 Pavilion. She said that we need to look at the possibility of someone wanting to invest \$750,000 for a significant structure, that naming right should be there. Somehow, it should be valued at a permanent basis.

Daman said that under the *Giving Level Standards* section, the 5/3 Pavilion would qualify for permanent recognition. Lawless said that she would like to make these guidelines. Lawless said she wants clear policies.

Clarke told Daman that he is very close to a complete document and thanked him for his work on the policy. Clarke expressed concern regarding the *Maintenance of Donated Parks, Features, and Facilities* section. He said that he cannot see how we could do this. Clarke asked Daman if requiring them to establish an endowment is going to drive people off and discourage them from donating.

Daman said some municipalities around the country ask for 100%, but he did not want to request that type of commitment from donors.

Clarke said that the *Maintenance of Signage* section raises questions as well. He asked if we put of the signage and require them to maintain it. Daman said that the donor would initially pay for the sign. They would also pay for the upkeep. He went on to say that this language is very common around the country.

Lane suggested that they should talk to someone who sells sponsorships for facilities. He also suggested that the format be changed and he asked Daman to go out to discuss this with local advertising agencies.

Lane asked if we will get an appraisal to determine if land has a fair market value of more than \$50,000. Lane said that he would like to think about the policy further and would like to re-engineer the policy.

Hancock said that he is having members of the Parks Advisory Board look at the document and provide feedback. He asked for six weeks to accomplish this. Hancock said he wants the language to be donor friendly.

Beard asked if we will go back to those who already sponsor fields and tell them how their price has to go up. Daman said they will not go back and ask for additional monies for an endowment. Beard was pleased to hear this.

Kay said that the *Maintenance Section* came out of a discussion about the LFUCG receiving land that they have not budgeted money for maintenance or programming. Kay reminded the Council Members that any gift of land must come through Council for approval. He does not want to be in a position where the gift of land is received but the LFUCG cannot properly maintain it.

Kay said that he wants the issue that Stinnett raised to be addressed, either in this document or another document.

Kay said that this item will be place on the November agenda.

4. Parks Usage Agreements

Hancock began his presentation. He said that he would be presenting how Parks provides for youth sports with respect to contracts and agreements. Hancock said that a large percentage of the youth sports are provided by the LFUCG Division of Parks and Recreation. Secondly, he said they outsource a large percentage of youth sports.

Akers mentioned Masterson Station Park. She said that constituents often ask her if they can rent space and Akers tells them that LYSA has rights to the soccer fields. Hancock said that the agreement with LYSA is good for 10 years and was renewed in the spring of 2013.

Hancock said that the concession stands at the franchise ball leagues and LYSA are managed by the franchise leagues and profits from the sales are retained by the leagues for reinvestment in the parks. Akers asked if this is a requirement. Hancock said that the LFUCG does not audit them, but they do ask for their annual financial statements. Hancock said some of the leagues are profitable and some are not.

Hancock said that the LFUCG has long-term commitments to the baseball leagues despite not having the long-term commitments in writing. Hancock said the annual agreements are used so the LFUCG knows when they are not going to be using the fields.

Hancock said that if a league is struggling financially, the LFUCG may participate with them to fix an unsafe area. Hancock said for the most part, the franchise leagues take care of all maintenance inside the fence. The LFUCG takes care of everything outside of the fence. The LFUCG pays for all utilities.

Akers asked Hancock how someone would start a league and use facilities on an ongoing basis; they need to meet with the LFUCG to assess the situation. Hancock said they will attempt to serve them.

Ford said that his family participates in many of the Division of Parks and Recreation sports programs. Ford said that it is quite costly to participate in the franchise league sports. Ford asked what Hancock's view was on the cost of the franchise leagues.

Hancock said that the franchise leagues offer a product that is much more expensive. Hancock said that the Division of Parks and Recreation does not have the money to keep the fields as manicured or as good looking as the franchise leagues.

Hancock said that both groups offer subsidies for those who demonstrate economic need. Hancock said that the franchise leagues offer a different level of competition. Hancock suggested that it may be something the Council wants to discuss.

Ford asked the committee members how different this usage policy is from the facilities usage policy.

Lane said that if you really evaluate everything the franchise leagues do, the LFUCG gets a good deal. He suggested that Hancock invite a representative from LYSA to come speak to the committee.

Akers asked Hancock how he determines when to terminate a contract with a league. Hancock said that he works with them to continue to grow their organization. Hancock said that they could terminate if they are not allowing for gender equity or similar problems.

5. Items in Committee

Kay said that Vice Mayor Linda Gorton referred Domestic Partner Benefits to the General Government Committee. He has been working with her and the Administration to determine if they proceed, who would be eligible. Kay said that there needs to be a budgetary analysis and an anonymous survey of our employees. Kay said that this item will be the main item on the October agenda.

Kay said that if the Council votes to allow domestic partner benefits, but not before the open enrollment period ends, it is likely that regulations would allow an additional enrollment period to accommodate that change in our policy, so that benefits would not be postponed until the following year. Kay said that they would then need to decide when that open enrollment will take place and also when the information will be entered into Peoplesoft.

Ford asked Kay to leave the Relationship with the BGADD on the docket and Kay agreed.

Kay told the committee that the Procedure for Underwriting or Sponsoring one of our Facilities or Parks would be on the November agenda.

The Human Resources item will be on an upcoming agenda. The Compensation Study will be completed in November.

Submitted by Jenifer Benningfield, Council Administrative Specialist