

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, February 8, 2022

3:00 PM

REVISED Virtual Meeting Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
February 7, 2022 – February 14, 2022**

Monday, February 7

Ad Hoc Committee.....1:00 pm
Video Teleconference

Tuesday, February 8

Budget, Finance & Economic Development Committee.....1:00 pm
Video Teleconference

Council Work Session.....3:00 pm
Video Teleconference

Wednesday, February 9

Tree Board.....10:00 am
Video Teleconference

Commission on Veterans Affairs.....11:30 am
Video Teleconference

Transportation Policy Committee.....1:30 pm
Video Teleconference

Thursday, February 10

Budget Retreat.....1:00 pm
Lextran – 200 West Loudon Avenue

Council Meeting.....6:00pm
Video Teleconference

Friday, February 11

No Meetings

Monday, February 14

No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
February 8, 2022

I. Public Comment - Issues on Agenda

II. Requested Rezoning/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-2

a Table of Motions: Council Work Session, February 1, 2022

IV. Budget Amendments – Yes, p. 3-5

V. New Business – Yes, p. 6-20

VI. Continuing Business/ Presentations

a Neighborhood Development Funds: February 8, 2022, p. 21

b Summary: Budget, Finance & Economic Development Committee, p. 22-28
January 25, 2022

c Presentation: Public Art Master Plan; By: Heather Lyons, p. 29-62

VII. Council Reports

VIII. Mayor's Report – No

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a** **0123-22** Authorization to authorize a Test Security Agreement between ErgoMetrics, Inc. and the Lexington-Fayette Urban County Government for testing applicants applying for Community Corrections Captain promotional processes. The cost is not to exceed \$1,500 and will be funded from the division's Professional Services/Corrections account. (L0123-22) (Maxwell/Hamilton) p. 6
- b** **0129-22** Authorization to accept the proposal from ADT Commercial in response to RFP 31-2021 for a Studio Camera System at a cost not to exceed \$71,108.74. Funds are budgeted. (L0129-22) (Slatin/Hensley) p. 7
- c** **0130-22** Authorization to execute a professional service agreement with Management Advisory Group International, Inc. (MAG, Inc.) to provide professional human resource compensation and classification consulting, effective upon passage of Council. MAG, Inc. will conduct a complete review of all job classifications in the unified pay plan, to include benchmarking of positions for market pay and taking into account both internal and external equity factors. The funds are budgeted by the division's administrative professional services account and will not exceed \$79,500. (L0130-22) (Maxwell/Hamilton) p. 8
- d** **0131-22** Authorization to approve a resolution requesting the Kentucky Economic Development Finance Authority (KEDFA) to issue Bonds in order to allow Baptist Healthcare System, Inc. to refinance existing projects. No budgetary impact. (L0131-22) (Atkins) p. 9
- e** **0133-22** Authorization to execute the Third Renewal of the Agreement with Advanced Mulching Technologies, Inc. d/b/a EcoGro, for post-construction monitoring, reporting, and maintenance relating to the Coldstream Park Stream Corridor Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, at a cost estimated not to exceed \$41,710.00. Funds are budgeted. (L0133-22) (Martin/Albright) p. 10-11
- f** **0136-22** Authorization to abolish one (1) classified position of Operations Manager (Grade 520E) and create one (1) classified position of Operations Manager (Grade 520N) in order to conform to the Fair Labor Standards Act (FLSA) and transfer the incumbent from exempt to non-exempt status in the Division of Environmental Services, effective the first payroll Monday following passage of Council. While the base salary remains the same, there may be a potential fiscal impact due to the fact that this employee will become eligible for overtime pay. (L0136-22) (Maxwell/Hamilton) p. 12
- g** **0137-22** Authorization to accept a \$10,000 donation from Central Bank for the "Be the Change" College Scholarship administered through One Lexington. (L0137-22) (Carama/Scott) p. 13
- h** **0138-22** Authorization to create two (2) unclassified positions of Project Manager (Grade 517N) and one (1) unclassified position of Administrative Specialist Principal (Grade 518N) in the Division of Parks and Recreation, with a term expiration date of December 31, 2026, unless extended, effective upon passage of Council. This has a 12-month future impact of a cost of \$220,343.13 and will be grant funded. (L0138-22) (Maxwell/Hamilton) p. 14-15

- i** **0139-22** Authorization to abolish one (1) unclassified position of Staff Assistant Sr. (Grade 510N) and create one (1) unclassified position of Staff Assistant Sr. Part-time (Grade 510N) in the Division of Family Services, effective upon passage of Council. This has a 12-month future impact of a savings of \$34,209.78. (L0139-22) (Maxwell/Hamilton) p. 16-17
- j** **0140-22** Authorization to approve Advanced Eco Systems as a sole source provider contract for the purchase of Zumro decontamination equipment for hospitals for the Division of Emergency Management at a cost not to exceed \$200,827.43. Funds are budgeted. (L0140-22) (Dugger/Armstrong) p. 18
- k** **0141-22** Authorization to submit an application to the U.S. Department of Homeland Security under the 2021 Assistance to Firefighters Grant Program - Fire Prevention and Safety (FP&S) requesting federal funding in the amount of \$25,000 to purchase hard wired and 10 year sealed smoke alarms. If awarded, a match of \$1,250.00 is required. (L0141-22) (Wells/Armstrong) p. 19
- l** **0142-22** Authorization to accept additional award of \$47,409.31 for the Pam Miller Downtown Arts Center, Moondance and Ballet Under the Stars and an award of \$163,705.57 for the Kentucky Theater from the Small Business Administration for lost revenue during the COVID-19 pandemic. No matching funds required. (L0142-22) (Conrad/Ford) p. 20

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
February 1, 2022**

Mayor Gorton called the meeting to order at 3pm. All Council Members were present.

- I. Public Comment – Issues on Agenda
- II. Requested Rezoning/Docket Approval
- III. Approval of Summary

Motion by Ellinger to approve the January 25, 2022 work session summary. Seconded by Kay. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

Motion by Plomin to approve new business. Seconded by Reynolds. Motion passed without dissent.

- VI. Continuing Business/Presentations

Motion by Plomin to approve neighborhood development funds. Seconded by Kay. Motion passed without dissent.

Council Member Fred Brown provided a summary of the December 7, 2021 Environmental Quality and Public Works Committee meeting. There were no motions to report from the meeting.

- VII. Council Reports

Motion by Lamb to refer the expansion and renovation of the Dorethea Oats Center at Arboretum to the General Government & Social Services Committee. Seconded by Plomin. Motion passed without dissent.

Motion by Sheehan to refer a substance use intervention update to discuss the ongoing efforts to reduce rates of substance use in Lexington to the General Government & Social Services Committee. Seconded by Lamb. Motion passed without dissent.

- VIII. Mayor's Report
- IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Plomin to adjourn at 3:26pm. Seconded by Ellinger. Motion passed without dissent.

SAM, 2/2/22

BUDGET AMENDMENT REQUEST LIST

JOURNAL	132960	DIVISION	Chief Development Officer	Fund Name	General Fund
				Fund Impact	30,000.00
					30,000.00CR
					.00

To provide funds for the Downtown Lexington Management District to contract with the Sheriff's Office for additional law enforcement within the management district by utilizing savings in utility accounts.

JOURNAL	132981	DIVISION	Grants and Special Programs	Fund Name	General Fund
				Fund Impact	2,009,989.30
					.00CR
					2,009,989.30

To roll forward grant match unspent in FY 2021 for grants that are ongoing in the General Fund.

JOURNAL	133008	DIVISION	Public Safety	Fund Name	General Fund
				Fund Impact	43,511.00
					43,511.00CR
					.00

To reallocate funds for software maintenance for computer aided dispatch system.

JOURNAL	132982	DIVISION	Grants and Special Programs	Fund Name	Urban Fund
				Fund Impact	7,069.00
					.00CR
					7,069.00

To roll forward grant match unspent in FY 2021 for grants that are ongoing in the Urban Fund.

JOURNAL	132983	DIVISION	Grants and Special Programs	Fund Name	Municipal Aid Program
				Fund Impact	1,213,160.44
					.00CR
					1,213,160.44

To roll forward grant match unspent in FY 2021 for grants that are ongoing in the Municipal Aid Fund.

JOURNAL	132984	DIVISION	Grants and Special Programs	Fund Name	Housing and Homelessness
				Fund Impact	14,365.55
					.00CR
					14,365.55

To roll forward grant match unspent in FY 2021 for grants that are ongoing in the Housing and Homelessness Prevention Fund.

JOURNAL	132895-96	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice
				Fund Impact	8,450.00
					8,450.00CR
					.00

To adjust budget to reflect actual grant award on Sexual Assault Nurse Examiner (SANE) grant - FY 2022.

JOURNAL	132893-94	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	59,500.00
					59,500.00CR
					.00

To establish grant budget for State Homeland Security Fire Self-Contained Breathing Apparatus grant - FY 2022.

JOURNAL	132977-78	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	4,448,519.11
					4,448,519.11CR
					.00

To establish budget in the appropriate accounting lines to match the actual payments of the ARPA Government Pay supplements paid in December 2021.

JOURNAL	132979-80	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	12,608,261.77
					12,608,261.77CR
					.00

To establish budget in the appropriate accounting lines to match the actual payments of the ARPA Premium supplements paid in December 2021.

JOURNAL	132995-96	DIVISION	Grants and Special Programs	Fund Name	US Small Business Admin
				Fund Impact	163,705.57
					163,705.57CR
					.00

To budget additional award for Small Business Administration/Shuttered Venues FY 2022 for the Kentucky Theatre.

JOURNAL	132997-98	DIVISION	Grants and Special Programs	Fund Name	US Small Business Admin
				Fund Impact	47,409.31
					47,409.31CR
					.00

To budget additional award on Small Business Administration/Shuttered Venues FY 2022 grant for Parks facilities.

JOURNAL	133004	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	1,099,916.00
					1,099,916.00CR
					.00

To reallocate funds from completed sewer projects and reconcile sanitary sewer bond balances for existing projects.

JOURNAL	132985	DIVISION	Grants and Special Programs	Fund Name	Enhanced 911 Fund
				Fund Impact	22,896.32
					.00CR
					22,896.32

To roll forward grant match unspent in FY 2021 for grants that are ongoing in the Enhanced 911 Fund.

JOURNAL	133006	DIVISION	Public Safety Administration	Fund Name	Enhanced 911 Fund
				Fund Impact	20,479.00
					.00CR
					20,479.00

To provide funds for the increase in billing for the maintenance for computer aided dispatch system.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	2,009,989.30
1115	Full Urban Services District Fund	7,069.00
1136	Municipal Aid Program Fund	1,213,160.44
1145	Affordable Housing and Homelessness Prevention Fund	14,365.55
3140	US Department of Justice	.00
3200	US Department of Homeland Security	.00
3230	US Department of Treasury	.00
3250	US Small Business Admin	.00
4003	Sanitary Sewer Construction Fund	.00
4204	Enhanced 911 Fund	43,375.32

MAYOR LINDA GORTON

**LEXINGTON**JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES**M E M O R A N D U M**

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: January 26, 2022

SUBJECT: Test Security Agreement – ErgoMetrics

Request:

The attached action authorizes a Test Security Agreement between ErgoMetrics, Inc. and the Lexington-Fayette Urban County Government for testing applicants applying for Community Corrections Captain promotional processes.

What is the cost in this budget year and future budget year?

The cost is not to exceed \$1,500 and will be funded from the division's Professional Services/Corrections account (1101-160502-1824-71299).

File Number:**0123-22****Director/Commissioner:**

John Maxwell/Sally Hamilton

If you have any questions, or additional information is warranted, please contact Alisha Lyle at (859) 258-3957.



MAYOR LINDA GORTON

**LEXINGTON**TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

**TO: LINDA GORTON,
MAYOR URBAN
COUNTY COUNCIL**

**FROM: TODD SLATIN, DIRECTOR
DIVISION OF CENTRAL PURCHASING**

DATE: JANUARY 26, 2022

SUBJECT: RFP 31-2021 – Lex TV Studio Camera System

Request:

Request Council authorization to accept the proposal from ADT Commercial in response to RFP 31-2021 for a Studio Camera System at a cost not to exceed \$71,108.74.

Why are you requesting?

To replace the aging system of field cameras currently used by Lex TV. The field cameras will be repurposed after the new equipment is installed.

What is the cost in this budget year and future budget years?

\$71,108.74

Are the funds budgeted? Yes, funds are fully budgeted in
2612-160301-0001-95804 LEX_TV_2022 EQUIPMENT

File Number:

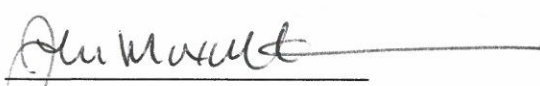
Director/Commissioner: Slatin/Hensley



MAYOR LINDA GORTON

**LEXINGTON**JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES**MEMORANDUM**

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: January 27, 2022

SUBJECT: **Compensation Study Agreement — Division of Human Resources**

Request:

The attached action authorizes the Mayor to execute a professional service agreement with Management Advisory Group International, Inc. (MAG, Inc.) to provide professional human resource compensation and classification consulting, effective upon passage of Council.

Why are you requesting:

MAG, Inc. will conduct a complete review of all job classifications in the unified pay plan, to include benchmarking of positions for market pay and taking into account both internal and external equity factors. This review will also include an overview analysis of base pay by gender and ethnicity.

Are funds budgeted?

The funds are budgeted by the division's administrative professional services account and will not exceed \$79,500.

File Number:**0130-22****Director/Commissioner:** John Maxwell/Sally Hamilton

MAYOR LINDA GORTON



LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Kevin Atkins
Chief Development Officer

DATE: January 27, 2022

RE: Baptist Healthcare System, Inc. Refinance of Kentucky Economic Development Finance Authority (KEDFA) Hospital Revenue Bonds

Request:

Approval of a resolution requesting the Kentucky Economic Development Finance Authority (KEDFA) to issue Bonds in order to allow Baptist Healthcare System, Inc. to refinance existing projects

Why are you requesting:

Baptist Healthcare System, Inc. desires to refinance KEDFA Hospital Revenue Bonds, Series 2009B Bonds currently outstanding in the principal amount of \$284,435,000. The 2009 bond proceeds were used to finance improvements to certain hospital, health care, and health-related facilities, as well as refund and retire debt previously issued by Baptist Health to finance a portion of the costs of existing projects located at Baptist Health Lexington.

KRS 103.210(1) requires Lexington-Fayette Urban County Government request the issuance of the revenue bonds since the facilities are located within Fayette County. Lexington-Fayette Urban County Government (LFUCG) will incur no expenses related to this action and all risk or repayment of the Hospital Revenue Bonds is borne by Baptist Healthcare System, Inc.

What is the cost in this budget year and future budget years?

The cost for FY2022 is: N/A

The cost for future FY is: N/A

Are the funds budgeted? N/A

Director/Commissioner: Kevin Atkins



MAYOR LINDA GORTON

**LEXINGTON**CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITYTO: Mayor Linda Gorton
Urban County CouncilFROM: 
Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: January 20, 2022

SUBJECT: Renewal of the Coldstream Park Stream Corridor Restoration and Preservation SEP's Post-Construction Monitoring, Reporting, and Maintenance Consultant Services Agreement - Resolution #279-2019

Request

The Division of Water Quality is requesting approval of the Third Renewal of the Agreement with Advanced Mulching Technologies, Inc. D/B/A EcoGro, per Resolution #279-2019, at a cost not to exceed \$41,710.00 for Calendar Year 2022.

Why are you requesting?

The renewal option with Advanced Mulching Technologies, Inc. D/B/A EcoGro is for continued services associated with LFUCG's Consent Decree related to the post-construction monitoring, reporting, and maintenance of the Coldstream Park Stream Corridor Restoration and Preservation Supplemental Environmental Project (SEP).

What is the cost in this budget year and future budget years?

The funds are fully budgeted in the FY19 budget year at a cost not to exceed \$41,710.00, for this third annual renewal. Subsequent annual renewals will be requested in future budget cycles.

Are the funds budgeted?

Funds are budgeted and available in 4052-303204-3321-71223 2019 STORM_MAIN CONSENT_DE

File Number: RFP #15-2019 / Resolution #279-2019**Director / Commissioner:** Martin / Albright



Coldstream Park Stream Corridor Restoration and Preservation Consent Decree SEP

Lexington-Fayette Urban County Government

January 2016

MAYOR LINDA GORTON



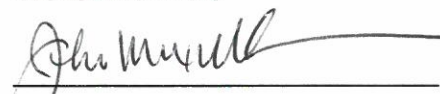
LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:


John Maxwell, Director
Division of Human Resources

DATE: January 27, 2022

SUBJECT: FLSA change from Exempt to Non-Exempt — Division of Environmental Services

Request:

The attached is requesting authorization to abolish and create a position in order to conform with the Fair Labor Standards Act (FLSA) and transfer the incumbent from exempt to non-exempt status, effective the first payroll Monday following passage of Council.

Why are you requesting:

After further review of the classification's duties in accordance with the U.S. Department of Labor's FLSA regulations, the Division of Human Resources has determined that the following classifications and the incumbent will change from exempt to non-exempt status.

Position Title	Employee Name	Current Grade	New Grade
Operations Manager	John Day	520E	520N

What is the cost in this budget year and future budget year?

While the base salary remains the same, there may be a potential fiscal impact due to the fact that this employee will become eligible for overtime pay.

File Number:

0136-22



MAYOR LINDA GORTON



LEXINGTON

TO: Mayor Linda Gorton and the Urban County Council
FROM: Devine Carama
DATE: January 28th, 2022
SUBJECT: Accept Donation for "BE the Change" Scholarship Program

Request: To accept a \$10,000 donation from Central Bank for the "Be the Change" College Scholarship administered through One Lexington.

Why are you requesting?

ONE Lexington & Galls, LLC are PROUD to present the "Be the Change" College Scholarship Competition. An opportunity for a rising Bryan Station High School senior of color, who is committed to attending a Kentucky college or university in pursuit of a bachelor's degree in Criminal Justice or related field (police studies, social justice studies, pre-law, forensic science, emergency medical care, fire protection, homeland security and more) to be awarded a \$20,000 scholarship. Central Bank has stepped up to match Galls \$10,000 donation this year.

What is the cost in this budget year and future budget years? N/A/

Are the funds budgeted? N/A

Director/Commissioner: Devine Carama



MAYOR LINDA GORTON

**LEXINGTON**JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES**M E M O R A N D U M**

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: January 26, 2022

SUBJECT: Create Positions – Division of Parks and Recreation

Request:

The attached action is requesting authorization to create two (2) unclassified positions of Project Manager (Grade 517N) and one (1) unclassified position of Administrative Specialist Principal (Grade 518N) in the Division of Parks and Recreation, all positions will have a termination date of December 31, 2026, effective upon passage of Council.

Why are you requesting?

Upon the request of the division, the Division of Human Resources conducted a classification studies on the requested positions. The studies were conducted according to standard procedures using Job Analysis Questionnaires (JAQs) and position audits. The positions were analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for their requested positions are described in this action.

What is the cost in this budget year and future budget year?

This has a 12-month future impact of a cost of \$220,343.13 and will be grant funded.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Project Manager (x2)	\$0	\$49,331.36	\$49,331.36



Administrative Specialist Principal	\$0	\$51,798.24	\$51,798.24
Total Annual Impact/ Salary and Benefits \$220,343.13			

File Number:

0138-22

Director/Commissioner: John Maxwell/Sally Hamilton

If you have questions or need additional information, please contact Alisha Lyle at (859) 258-3957.



MAYOR LINDA GORTON

**LEXINGTON**JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES**MEMORANDUM**

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: January 28, 2022

SUBJECT: Abolish/Create Positions – Division of Family Services

Request:

The attached action is requesting authorization to abolish one (1) unclassified position of Staff Assistant Sr. (Grade 510N) and create one (1) unclassified position of Staff Assistant Sr. Part-time (Grade 510N) in the Division of Family Services, effective upon passage of Council.

Why are you requesting:

Upon the request of the division, and in accordance with the Code of Ordinances, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using the Job Analysis Questionnaire (JAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for their requested position as described in this action.

What is the cost in this budget year and future budget year?

This has a 12-month future impact of a savings of \$34,209.78.



Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Staff Assistant Sr.	(\$35,060.48)	\$0	(\$35,060.48)
Staff Assistant Sr. P/T	\$0	\$17,530.24	\$17,530.24
Total Annual Impact/ Salary and Benefits (\$34,209.78)			

File Number:

0139-22

Director/Commissioner: John Maxwell/Sally Hamilton

If you have questions or need additional information, please contact Alisha Lyle at (859) 258-3957.



MAYOR LINDA GORTON



LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: CHARLIE LANTER, COMMISSIONER
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT**

DATE: JANUARY 31, 2022

**SUBJECT: Approval of Advanced Eco Systems as a Sole Source Provider Contract for
Division of Emergency Management**

Request: Council authorization to approve Advanced Eco Systems as a sole source provider contract for the purchase of Zumro decontamination equipment for hospitals for the Division of Emergency Management at a cost not to exceed \$200,827.43.

Purpose of the Request: The Division of Emergency Management is requesting to establish Advanced Eco Systems as a sole source provider to purchase Zumro decontamination equipment for hospitals. The decontamination system equipment is specially manufactured and no other manufacturer provides this type of equipment. \$200,827.43 is from CSEPP FY21 State allocated funds under the Medical and Protective Actions Benchmarks KY-FAY-481 and KY-FAY-452.

What is the cost in this budget year and future budget years? Estimated cost is \$200,827.43. No future cost are anticipated.

Are the funds budgeted? Yes, 3200-505201-0001-96705; CSEPP_2021 KY-FAY-481 (\$188,827.43) and KY-FAY-452 (\$12,000)

File Number: 0140-22

Director/Commissioner: Dugger/Armstrong



MAYOR LINDA GORTON



LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: CHARLIE LANTER, COMMISSIONER
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT**

DATE: JANUARY 31, 2022

**SUBJECT: U.S. Department of Homeland Security Grant Application under the 2021
Assistance to Firefighters Grant- Fire Prevention and Safety for Division of Fire
and Emergency Services**

Request: Council authorization to submit an application to the U.S. Department of Homeland Security under the 2021 Assistance to Firefighters Grant Program – Fire Prevention and Safety (FP&S) requesting federal funding in the amount of \$25,000 to purchase hard wired and 10 year sealed smoke alarms.

Purpose of the Request: The primary goal of the Assistance to Firefighters Grants (AFG) is to enhance the safety of the public and firefighters with respect to fire-related hazards. The FP&S grant program accomplishes this by assisting fire prevention programs and supporting firefighter health and safety research and development.

The FP&S Activity is designed to reach high-risk target groups and mitigate the incidence of death, injuries and property damage caused by fire and fire-related hazards. Residential fires remain the cause of approximately 80 percent of fire deaths each year. The purpose of this project is to purchase new hard wired and 10-year battery smoke alarms to install in Fayette County, with the overall goal of making Lexington an even safer place to live.

What is the cost in this budget year and future budget years? If the grant is approved, federal funds in the amount of \$25,000 will be awarded, requiring a 5% match of \$1,250.

Are the funds budgeted? A budget amendment will be completed if approved.

File Number: 0141-22

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: CHARLIE LANTER, COMMISSIONER
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT**

DATE: JANUARY 31, 2022

**SUBJECT: Acceptance of Additional Shuttered Venues Operator Grant Awards for the
Division of Parks and Recreation**

Request: Council authorization to accept additional award of \$47,409.31 for the Pam Miller Downtown Arts Center, Moondance and Ballet Under the Stars and an award of \$163,705.57 for the Kentucky Theater from the Small Business Administration for lost revenue during the COVID-19 pandemic. No matching funds required.

Purpose of Request: On August 26, 2021 (Resolution 464-2021) Council approved acceptance of an award of \$422,229.75 from the Small Business Administration under the Shuttered Venues Operator Grant Program for lost revenue during the COVID-19 pandemic. The Small Business Administration under the Shuttered Venues Operator Grant Program has offered additional federal funds in the amount of \$47,409.31 for lost revenue as a live venue operator/promoter for the Pam Miller Downtown Arts Center, Moondance and Ballet Under the Stars and \$163,705.57 for lost revenue as a motion picture theater owner for the Kentucky Theater. The Shuttered Venue Operators Grant (SVOG) program was established by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the American Rescue Plan Act and administered by Small Business Administration's Office of Disaster Assistance.

What is the cost in this budget year and future budget years? \$211,114.88 has been awarded for Fiscal Year 2022. Funds for future fiscal years are dependent upon available funds.

Are the funds budgeted? Budget amendment 11502 and 11503 are in process.

File Number: 0142-22

Director/Commissioner: Conrad/Ford



**Neighborhood Development Funds
February 8, 2022
Work Session**

Amount	Recipient	Purpose
\$ 1,000.00	LexArts, Inc. Amelia M. Sweetall 161 N. Mill Street Lexington, KY 40507	To assist with the 50th Anniversary of LexArts 2022's individualized arts calendar of selected activities for the 12th District.
\$ 725.00	Idle Hour Neighbors Alliance Marie Bradshaw 205 St. Ann Lexington, KY 40502	To support Breckinridge Elementary School's "Student of the Month" program.
\$ 550.00	Sisters Road to Freedom Therese Wright PO Box 1084 Lexington, KY 40588-1084	To assist in paying back food bank items for Woodhill Neighborhood outreach.
\$ 450.00	Fayette County Farm Bureau, Inc. Carrie McIntosh 1316 Versailles Road Lexington, KY 40504	To assist with operational costs of the 39th Annual Farm Machinery Consignment Auction.



Budget, Finance & Economic Development Committee

January 25, 2022

Summary and Motions

Committee chair, Council Member Amanda Bledsoe, called the meeting to order at 1:05 p.m. Committee members Vice Mayor Steve Kay and Council Members Richard Moloney, Chuck Ellinger, James Brown, Josh McCurn, Susan Lamb, Preston Worley, Fred Brown, and Kathy Plomin were present. Council Member Hannah LeGris attended as a non-voting member.

I. Approval of November 30, 2021 Committee Summary

Motion by Plomin to approve the November 30, 2021, Budget, Finance, and Economic Development Committee summary; seconded by F. Brown. The motion passed without dissent (J. Brown was absent for this vote).

II. Comprehensive Annual Financial Report, FY 2021

Jeanna Jones, of Strothman & Company, provided the report for the annual audit. Commissioner Hensley thanked the staff at Strothman for a great working relationship, easy accessibility, and a smooth process. LFUCG received an unmodified opinion, the highest level of opinion an organization can receive. Jones pointed out that General Fund Revenue for 2021 was \$386.02 million up 5% from 2020. Expenditures were \$362 million versus \$348 million in 2021 - a 4% increase. She noted that the net change was an increase of 12% year over year. Ms. Jones also discussed General Fund balances. In 2021, the balance was \$105.49 million, up \$25.1 million from 2020. She pointed out that the biggest change to Fund Balance was the amount assigned to General Government.

Next, Ms. Jones provided the required communications, including the disclosure of Significant Accounting Policies in Note 1 of the Audited Financial Statements. There were no uncorrected misstatements and no difficulties in dealing with management or disagreements with management. Ms. Jones also shared about the use of estimates, which are sensitive because of their potential to significantly impact financial statements. She also shared upcoming GASB standards that will be changing for FY22 and FY23. She pointed out the change to leases under GASB 87, which requires leases to be recorded as an asset and liability as opposed to an operating expense. They are still working on auditing some of the federal funds but will finish soon. Jones thanked the committee and the Finance staff for allowing Strothman & Co. to perform this service.

Lamb asked if receiving the highest audit opinion is unusual for municipalities. Ms. Jones said that most organizations receive the unmodified opinion, the highest level opinion. Lamb thanked Ms. Jones for their work and the relationship that exists between city staff and our auditors. No action was taken on this item.

III. Lexington Economic Outlook and Occupational License Tax Forecast FY 2022 & 2023

Chair Bledsoe welcomed Dr. Mike Clark from the University of Kentucky for the annual economic outlook and occupational license tax forecast. Dr. Clark began by looking at GDP, real Gross Domestic Product. GDP is the value of goods and services being produced in the economy and is a broad measure for how the economy is performing and is adjusted for inflation. Recent data suggests that GDP, nationally and at

the state level, has recovered from pandemic lows. We seem to be back to pre-pandemic levels. Clark shared labor market statistics. The unemployment rate for Lexington and the state of Kentucky are trending below national numbers. In November 2021, the unemployment was 2.4%, the lowest since the 1990s. Dr. Clark said this indicates good news for job seekers. He reminded Council that anyone not searching for employment is not considered “unemployed” and are not part of the labor force. He pointed out that prior to the pandemic, the unemployment rate was 2.8%. Clark also noted trends in the labor force, particularly people leaving. This happens for a variety of reasons – childcare, retirement, health and safety concerns, etc. Dr. Clark reported that 8,000 fewer people were employed from November 2019 to November 2021, and 9,400 fewer people in the labor force.

Next, Dr. Clark shared total nonfarm employment numbers since January 2020. He pointed out that employment is generally improving in Lexington, Kentucky, and nationally. He expects that rate of growth to continue but to slow down. Employment numbers are 4.3% below where they were prior to the pandemic. Dr. Clark also presented employment numbers by sector. He pointed out that manufacturing jobs are still recovering. Government employment has bounced back – this includes the school districts. Dr. Clark drew attention to the leisure and hospitality industry, which is still down by almost 18% (or 6,000 jobs) since November 2019. Dr. Clark once again referenced the tight labor market, where strong demand for workers is putting upward pressure on wages. Employers are having to increase pay to retain and attract workers. Private industry workers are making on average 4.6% higher than 12 months ago. Dr. Clark showed that this upward wage pressure varies in scope by industry, but it is occurring across the board. Next, Dr. Clark displayed Consumer Price Index trends since 2010. Normally, this number is around 2%, but it is higher now due to supply chain issues, labor shortages leading to higher wages, and other issues. Dr. Clark said he expects some easing of inflation at the end of 2022.

Next, Dr. Clark shared Lexington’s Payroll Tax Revenue Projections for 2022 and 2023. Because of strong wage growth in the past 6 months, he expects to see 7.7% payroll growth in 2022. As wage growth slows in 2023, he expects payroll tax to grow, but more slowly at 3.8%. Next, he shared projections for Net Profit. He expects revenues from corporate profit tax to begin to decline by 1.3% heading into 2023. He noted that corporate profits are very challenging to project, especially with economic uncertainty. Some present factors he is monitoring for risk: Covid, consumer response to new Covid-19 variants, rate of growth in the labor market, and corporate profits. Bledsoe thanked Dr. Clark for this useful information.

Moloney asked about projections for 2024 and 2025 because of present bonding decisions the Council will soon make. Dr. Clark said they do not do a forecast for 2024-25 but could speak to general issues. Clark suggested we should see continued payroll growth because of the upward trend that was already in place prior to the pandemic but at a slower rate. F. Brown asked if 2022 projected payroll tax took into consideration the 6 months already behind us. Dr. Clark said yes, that is factored in. The second 6 months of FY22 will be compared to the same time in the prior year, which is when some growth had already taken place from the pandemic. Because of this base being higher, he would be surprised to see the same rate of growth the second half of the fiscal year. Brown asked how they forecast for inflation and wage growth. Dr. Clark said they look at national trends and ask – do they see unemployment and wage growth? Those two factors play into the forecast, and we are seeing growth in both areas. Brown said because we have had two good years, now would be a good time to reduce debt and invest in capital projects we may need in the future. He asked if those would be prudent investments. Dr. Clark said these are policy issues that the Council must decide, but that additional revenue does create the question about the most prudent course of action.

Vice Mayor Kay thanked Dr. Clark for not weighing in on policy matters. He asked whether wage growth will stabilize or continue. Dr. Clark said it is helpful to understand what is driving the wage growth. We currently have employers wanting to hire a smaller number of available workers, which has driven pay raises and hiring bonuses. As labor becomes more expensive, employers will either use labor or capital. As the cost of labor goes up, employers will either switch to capital and technology adoption which are cheaper, or pay higher wages, attracting workers into the labor force. Looking forward, he sees these two factors easing pressure on wage growth. Kay pointed out that companies like Amazon are issuing benefits unrelated to salary, like education. He asked if a shift away from direct compensation to other benefits will become more common. Dr. Clark said it isn't clear this will slow wage growth. However, as these other benefits are utilized, it would put less pressure on payroll taxes.

Ellinger referred to balanced budgets resulting from vacancies. Since many of our jobs are service-oriented, he noted that increasing wages and the impacts of bargaining agreements will impact the budget. He asked how we go forward to make sure wages don't overcompensate for growth. Dr. Clark said it is hard to calculate quantity and quality of workers for wages. He referred to private industry practices such as evaluating applicants and length of vacancies that would indicate a struggle to attract workers. These are hard to follow in real time. Dr. Clark verified that his team does not look at the LFUCG budget to make projections.

J. Brown thanked Dr. Clark for the valuable information. He reiterated that there could be a need to recruit from outside the region since labor force participation is lower. Dr. Clark said it is hard to predict why people are out of the labor force. J. Brown referred to retired employees who would need to be paid at a higher rate where recruiting new people would be less costly. Dr. Clark referenced barriers to being in the work force – childcare, virtual schooling. He said that identifying these barriers and how they can be addressed can be a helpful discussion. J. Brown spoke about diversifying the city's revenue streams. Moloney mentioned that many nurses are looking for new jobs, as are Corrections and 911. He noted that the pandemic has led to a lot of burn out, leading to career change. Bledsoe thanked Dr. Clark for his time and insight. No action was taken on this item.

IV. Quarterly Financial Update – December 2021

Commissioner Hensley presented the second quarter financials ending December 31, 2021. She noted that revenues exceeded expenses and transfers by \$25,226,453 for the period ending 12/31/21. One significant factor contributing to this is that we have received all library fund property taxes, but we have not paid that expenditure of about \$8 million. While we are seeing growth, we have been able to be proactive on the retention of staff through compensation changes. These compensation adjustments will begin to diminish savings from attrition.

Director Holbrook provided an overview for Revenue. He noted strong growth in payroll withholding and net profit. He also pointed out the national trend for one-time bonuses that may be pushing the payroll tax number higher. Early receipt of tax payments from businesses traditionally indicate a more profitable year. Holbrook presented a graph showing the performance of payroll withholding and net profits over budget. Holbrook also noted other accounts that are also performing ahead of budget – franchise fees, services which include golf courses, and insurance. F. Brown asked if the FY22 revenue to date of \$203,732,281 could be an indication that another \$200 million will come in for the rest of the fiscal year. Holbrook said many of these revenues are related to timing, such as property taxes which have already come in. He noted that revenue sources are volatile on their timing, which makes it hard to predict the second half of the year. F. Brown said that if we do receive another \$200 million, that would be \$400

million, which would be well ahead of budgeted revenue (\$376 million). Holbrook said the revenue budget is based on monthly trends, so the second half of the year depends on the timing of different revenue sources. F. Brown suggested there could be additional money for fund balance if this happens, which could impact ARPA discussions. Ellinger asked how compensation adjustments would impact the additional revenue coming in. Hensley reminded the committee that we balanced the FY22 budget using one-time funds, pre-funding from last year, and ARPA funding. If we bring in extra revenue, it would pay for what we budgeted. She noted that the police contract has already been implemented. She reiterated that while revenue is performing well, our payroll adjustments are dependent on those revenues. Hensley said they are using both higher revenues and operational savings to make necessary compensation adjustments. Ellinger reiterated that these expenses will continue to increase.

Director Leuker presented an overview of expenses. She noted a 2.4% personnel variance, a savings of \$2.6 million. She noted that some of those savings are diminished by over-time payments and payouts. She noted that January is a month with a lot of payouts related to sick checks and retirement payouts. Leuker pointed out the \$10.3 million savings in operating expenses. In division budget meetings, she found at least \$2 million in commitments to vendors that have not yet been processed. However, we are seeing savings in professional services and repairs & maintenance accounts. Leuker reminded the committee that the FY22 personnel decisions that have been made will begin to diminish personnel savings. She also provided an estimated impact of the FY22 personnel decisions. This slide projects an impact of \$4.7 million to the General Fund. Her team is working through variances to determine actual savings versus payment timing issues. Hensley provided an ARPA update with the ARPA dashboard with a breakdown of expenditures by ARPA expenditure category.

Moloney asked if Finance had run a formula indicating what would have happened if LFUCG had not received federal dollars. Hensley said our goal is to pay for expenses with regularly occurring revenue, not to balance the budget with one-time funding. She indicated that we are working towards a situation where our revenue can cover our expenses. F. Brown referred to the audited report's breakdown of Fund Balance. He asked for 12/31/21 fund balance amounts to compare to the audited amounts. Hensley referred to the fund balance presentation in October. Kay asked about the total budget in FY22. Hensley differentiated the revenue budget of \$376 million with the expense budget of \$400 million, the balance of which was paid by budget stabilization and pre-funding items. Hensley reiterated the timing of budgeted revenues and expenses, which are cyclical in nature. Ellinger noted that the budget wasn't balanced with recurring revenues in FY22. If we continue to overperform on revenue, we may not have to use other dollars to balance the budget.

Chair Bledsoe asked Finance to prepare a slide projecting expenditures related to bonding. We are currently at 12% of revenue for debt service. Including an estimated FY23 revenue increase, the graph indicates that there are points in time when the debt service will exceed 12%. Reynolds asked how ARPA discussions and potential bonding would impact this slide. Hensley noted that this graph is based on a \$30 million bond in FY23, which includes some of those ARPA expenditures. Ellinger noted that lower interest rates make it cheaper to bond. He asked how projected Federal Reserve interest rate increases will impact our ability to bond. Hensley noted that bonding and interest rate discussions are a policy decision for Council. She noted that Council might consider determining at what interest rate they would like to consider paying cash over debt service. Lamb asked for actual dollar amounts, not just percentages, of debt service. Hensley will send out the debt chart as well as those amounts.

The monthly financials were provided, reporting the first six months of the fiscal year as well as ARPA revenue and expenses to date. The property tax collection is included in the numbers. No action was taken on this item.

December 2021 YTD Actual Compared to Adopted YTD Budget

<u>Revenue Category</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% Var</u>
OLT- Employee Withholding	112,759,633	104,600,000	8,159,633	7.8%
OLT - Net Profit	17,774,962	13,260,000	4,514,962	34.0%
Insurance	18,026,040	17,830,000	196,040	1.1%
Franchise Fees	12,375,682	11,990,000	385,682	3.2%
TOTALS	160,936,317	147,680,000	13,256,317	9.0%

December 2021 YTD/December 2020 YTD Current Year Compared to Prior Year

<u>Revenue Category</u>	<u>Dec '21 YTD</u>	<u>Dec '20 YTD</u>	<u>Variance</u>	<u>% Var</u>
OLT- Employee Withholding	112,759,633	100,626,002	12,133,631	12.1%
OLT - Net Profit	17,774,962	18,694,077	(919,115)	-4.9%
Insurance	18,026,040	17,763,957	262,083	1.5%
Franchise Fees	12,375,682	11,772,146	603,536	5.1%
TOTALS	160,936,317	148,856,182	12,080,135	8.1%

FY2022 – Cash Flow Variance Revenue (Actual to Budget)

<i>For the six months ended December 31, 2021</i>				
	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>% Var</u>
<u>Revenue</u>	-	-	-	-
Payroll Withholding	112,759,633	104,600,000	8,159,633	7.8%
Net Profit	17,774,962	13,260,000	4,514,962	34.0%
Insurance	18,026,040	17,830,000	196,040	1.1%
Franchise Fees	12,375,682	11,990,000	385,682	3.2%
Other Licenses & Permits	4,487,158	4,038,717	448,441	11.1%
Property Tax Accounts	23,392,490	23,772,783	(380,293)	-1.6%
Services	12,697,602	10,977,853	1,719,749	15.7%
Fines and Forfeitures	125,950	127,000	(1,050)	-0.8%
Intergovernmental Revenue	179,648	224,413	(44,765)	-19.9%
Property Sales	128,454	50,000	78,454	156.9%
Investment Income	23,628	102,713	(79,085)	-77.0%
Other Financing Sources	40,000	40,000	0	-
Other Income	1,721,034	1,326,892	394,142	29.7%
<u>Total Revenues</u>	<u>\$ 203,732,281</u>	<u>\$ 188,340,371</u>	<u>\$ 15,391,910</u>	<u>8.2%</u>

FY2022 – Cash Flow Variance Expense (Actual to Budget)

<i>For the six months ended December 31, 2021</i>				
	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>% Var</u>
<u>Expense</u>				
Personnel	108,610,112	111,227,200	2,617,088	2.4%
Operating	20,842,131	31,233,603	10,931,472	33.3%
Insurance Expense	1,265,324	1,236,904	(28,420)	-2.3%
Debt Service	30,269,422	31,913,178	1,643,756	5.2%
Partner Agencies	10,994,218	11,203,389	209,171	1.9%
Capital	746,238	1,202,149	455,911	37.9%
<u>Total Expenses</u>	<u>\$ 172,727,445</u>	<u>\$ 188,016,423</u>	<u>\$ 15,288,978</u>	<u>8.1%</u>
<u>Transfers</u>	<u>\$ 5,778,383</u>	<u>\$ 6,000,931</u>	<u>\$ 222,548</u>	<u>2.5%</u>
<u>Change in Fund Balance</u>	<u>\$ 25,226,453</u>	<u>(\$ 5,676,983)</u>	<u>\$ 30,903,436</u>	

V. Legislation Impacting the Budget.

Chair Bledsoe thanked Hilary Angelucci for putting LFUCG and state regulations related to directing the budget in once place for Council. This will be a helpful tool when it is time to work on the budget. Angelucci

thanked David Barberie, Law Department, for helping. The document includes links to ordinances where possible. She pointed out the state KRS which relate to the budget. Angelucci highlighted obligations related to collective bargaining agreements, the ESR resolution, as well as an outline of LFUCG funds. She also noted contractual obligations. This document is included in the packet and will be available for Council to use for the FY23 budget process. Bledsoe reiterated that the budget ordinance supercedes other ordinances and resolutions and welcomed Dave Barberie to provide clarity. Barberie noted that this has happened by adding sections to the budget adopted by Council. In FY22, Council suspended the requirement to put \$50,000 per month in the contingency fund. Barberie noted the way we suspend other pieces of local legislation is by adding to the budget ordinance. No action was taken on this item.

VI. Items Referred to Committee

No action was taken on this item.

Motion by Lamb to adjourn at 2:57 pm; seconded by McCurn. The motion passed without dissent.

Materials for the meeting:

<https://lexington.legistar.com/MeetingDetail.aspx?ID=909881&GUID=BED8F5B3-879D-4605-9CD5-23402EFAF04&Options=&Search=>

Video recording of the meeting: https://lfucg.granicus.com/player/clip/5509?view_id=4&redirect=true

SD 1/31/22

PUBLIC ART MASTER PLAN



LEXINGTON
Public Arts Commission

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Lexington- Fayette Urban County Government**

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www.lexingtonky.gov/boards/public-arts-commission

ACKNOWLEDGEMENTS

The Public Art Master Plan was created by the Public Art Commission of the Lexington-Fayette Urban County Government.

The City of Lexington greatly appreciates the work of the Commission members, most of whom are volunteers who have contributed their time and expertise to the development of this plan.

Lexington Public Arts Commission members

Chair – Bill Farmer – former LFUCG Council member, business owner
 Vice Chair – Celeste Lewis, Director, Pam Miller Downtown Art Center
 Garry Bibbs, Professor, School of Art & Visual Studies, University of Kentucky
 James Brown, LFUCG Council member
 Jim Clark, Executive Director, Ashland – The Henry Clay Estate Stuart Horodner,
 Director, University of Kentucky Art Museum
 Roseanne Mingo, Destination Sales Manager, VisitLEX
 Kay'mon W. Murrah, Performing Artist, music educator
 Heather Lyons, Director of Arts & Cultural Affairs, Mayor's Office
 Graham Pohl, Architect and artist
 Richard Young, Director, CivicLex, musician

Former Public Art Commission Members

Ricki Rosenberg, Art Shechet, and Scott White

Photo Acknowledgements

Thanks to the following community partners for providing photographs included in the Public Art Master Plan.

Lexington-Fayette Urban Co. Government – Amy Wallot
 VisitLex
 University of Kentucky HealthCare's Arts in HealthCare program
 Kremena Todorova and Kurt Gohde
 Arts Connect
 Rob Bolson
 Pam Miller Downtown Art Center

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BACKGROUND

In the United States, the idea of “public art” was first developed in the 1930s and represented in national programs such as President Roosevelt’s New Deal and the Federal Art Project. Fairly radical in design and intention, these programs introduced the ideals of making art available to all and of utilizing federal funds to support works of art and artists. It was the New Deal that first developed a percent for art program, when it allocated one half of one percent of construction costs of all government building to go toward the purchase of American art for the site.

According to the Americans for the Arts 2018 Public Art Survey, there are now over 700 Percent for Art programs in the United States, 60% of which are run by city and state governments. Other programs are run by private foundations, non-profit organizations, colleges and universities. Though no two programs are exactly alike, it is widely understood, by cities and towns, large and small, that **robust public art programs drive economic activity, increase dialogue and community engagement, highlight history and diversity, and greatly increase the vitality and quality of life of the community.**

This Public Art Master Plan, as developed by the Public Arts Commission with community input through surveys and community meetings, determines how the City of Lexington’s Percent for Art Fund will be utilized and presents public art as “any art form that is accessible in public space and free to experience.” This plan provides an inclusive framework designed to encourage visual and performing arts digital media, and literary arts, as well as new media, materials and methods that may evolve as artists find new ways to reflect our contemporary culture. The plan encourages collaborative and participatory experiences in the arts and presents art as a vehicle to activate public space, ensure equitable arts experiences across our city and county, and to encourage and support local artists.

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LEXINGTON'S PUBLIC ART HISTORY

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THE HISTORY and ROLES OF THE PUBLIC ARTS COMMISSION and the URBAN COUNTY ART REVIEW BOARD

The Public Arts Commission was created in 2002 by the Lexington Fayette County Government for the purpose of advising the Mayor and the Urban County Council on the development of a long-range plan for selection, acquisition, placement, and maintenance of public art and public monuments. The Public Arts Commission was approved to proceed when a resolution was passed that would provide funding for a public art program.

In 2004, the Urban County Art Review Board (UCARB) was established for the purpose of reviewing proposals for permanent visual artwork including memorials, monuments and lighting projects. Duties of this ten-member board, appointed by the Mayor, includes reviewing proposals for permanent artwork in public spaces and advising the appropriate LFUCG departments and councilmembers about the proposed works. Public safety, appropriateness of scale, social and physical context and location, permanence, and installation and maintenance are considered throughout the selection and approval process.

UCARB has served the City of Lexington for 18 years, reviewing and supporting dozens of public art projects that have been installed

in parks, along the Legacy Trail, in medians, and in city owned facilities such as the Family Care Center and the Lexington Senior Center. UCARB operated in this capacity until a funding mechanism was established for the Public Arts Commission, and until a Public Art Master Plan was completed.

The provision for a funding mechanism occurred in August, 2018, when a Percent for Art Resolution was passed by the Urban County Council. The Resolution required that an amount equal to 1% of all bonds for capital improvement projects be set aside for the purchase, commissioning, and installation of public art.

Following the approval of the Percent for Art Resolution, then-Mayor, Jim Gray, determined the next step was to establish the terms of the Public Arts Commission and to engage them in developing a Public Art Master Plan. Terms for the commission included membership requirements, bylaws and duties. Nine Commission members were appointed by Mayor Jim Gray.

In January of 2019, Mayor Linda Gorton took office and expanded the Commission to include two additional appointees. The 11 members appointed by the Mayor, are

subject to confirmation by the Urban County Council, required to be residents of Fayette County, and have a demonstrated interest in the arts and its effect on communities and individual lives.

Appointed members of the Public Arts Commission include the following:

- One architect or design professional
- Two professional artists
- Two arts administration professionals
- One representative of the Lexington-Fayette County business community
- One representative of the Lexington-Fayette Urban County Government
- One representative from the community-at-large
- One representative from VisitLEX
- One member of the Lexington-Fayette Urban County Council
- One representative from the Office of the Mayor

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THE HISTORY and ROLES OF THE PUBLIC ARTS COMMISSION and the URBAN COUNTY ART REVIEW BOARD

Through its advising role to the mayor and the Urban County Council, the Public Arts Commission has focused on the development of a long-range plan for selection, acquisition, placement, and maintenance of public art and public monuments, and on establishing guidelines and processes for public art works, performances and programs.

The Commission, in partnership with appropriate LFUCG staff, shall:

- Recommend to the Mayor and the Urban County Council a long-range plan and guidelines (Public Art Master Plan), which shall include, but not be limited to, a method or methods for the selection of artists or works of art and for placement of works of art, and a broad philosophy regarding types of artwork appropriate for this community.
- Recommend purchase of works of art or commission of the design.
- Make recommendations regarding the design, execution and/or placement of works of art.
- Work in collaboration with LFUCG staff to oversee public art initiatives and to manage the Percent for Art Fund.

- Provide information and make recommendations on operation or maintenance expenses associated with particular art or a particular location and the interaction of art work with the function of its location, and provide for such artwork and installation that will not impede such function.

The Public Arts Commission made the further determination that the Urban County Arts Review Board should be dissolved so that one commission is dedicated to fulfilling the guidelines and policies established by the Public Art Master Plan. To ensure a smooth transition between UCARB and the PAC, for a period of one to two years, the PAC will expand to 15 members to include some current UCARB members representing engineering, landscape architecture, art, or architecture fields. The expanded PAC will then adopt UCARB's duties of reviewing community initiated proposals for public art work on city property.

Following the transition period between UCARB and PAC, it is intended that the Public Art Commission will continue with a revised membership roster to include:

- Two licensed architects
- One licensed landscape architect
- One professional visual artist with public art expertise
- One performing artist
- One licensed civil engineer
- One arts administrator or arts historian
- One representative of the Lexington-Fayette Urban County Government
- One representative from VisitLex
- One member of the Lexington-Fayette Urban County Council
- One representative from the Office of the Mayor

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PERCENT FOR ART PROGRAM

Percent for Art (PFA) programs, often established by ordinance, allocate a percentage of public project budgets to support the purchase, administration, commissioning, installation, and maintenance of art on property owned or operated by the Government.

The benefits of a Percent for Art program are far-reaching and contribute to a community's quality of life through economic development, creative place-making, cultural heritage celebration, community development, public space enhancements, and civic pride. Percent for Art programs also help leverage additional grants, donations and encourage partnerships with public and private agencies and organizations.

Lexington's Percent for Art Program was first introduced by then LFUCG Councilmember Bill Farmer, in 2016. Presentations were made to the General Government and Social Services Committee in the Spring and Summer of 2018. The Percent for Art program was then approved by the Urban County Council in the Fall of 2018.

The Percent for Art Resolution established a funding source for public art in Lexington-Fayette County and determined that an

amount equal to 1% of the funds budgeted by the Lexington-Fayette Urban County Government for general fund capital improvement projects shall be designated annually within the Department of General Services for the purchase, commissioning, installation, and maintenance of public art.

The Percent for Art program provides the funding mechanism for the Public Arts Commission's implementation of the Public Art Master Plan. The Percent for Art program will also be used to leverage additional public art funding through grants and donations.

Funds to be allocated from the Percent for Art program will be solely for public projects and will include, but are not limited to projects in or on, the following:

- Parks
- Trails and greenways
- Transportation corridors
- Streets and roads
- Neighborhoods
- Interiors and exteriors of public buildings such as Government Center, Family Care Center, Senior Center, community centers, police or fire stations, etc.
- Building and infrastructure projects
- Other public property such as empty lots



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PUBLIC ART MASTER PLAN PROCESS

The Public Arts Commission's initial task was to develop a Public Art Master Plan that would establish a vision and framework for the expansion of a public art program in Lexington-Fayette Co. Further, the Master Plan would identify the responsibilities and roles of the Public Arts Commission in relation to the administration, funding, and oversight of the Public Art program.

The first meeting of the Public Arts Commission was held in June 2019 and in discussions of the Public Art Master Plan, first priorities established were to engage the community in discussion and to gain community feedback regarding public art. Two primary initiatives were organized to include:

Public Art Survey

A public art survey was created to gauge the community's interests and priorities in public art. The survey was accessed on-line as well as through print copies distributed throughout the community in libraries, coffee shops, arts venues, community centers, shelters, and at the Commission's Public Art Community Meetings.

The survey included multiple choice and open responses questions. The survey was

open for approximately 5 months and the Commission received 645 responses. A Survey Summary is included in [Appendix A](#).

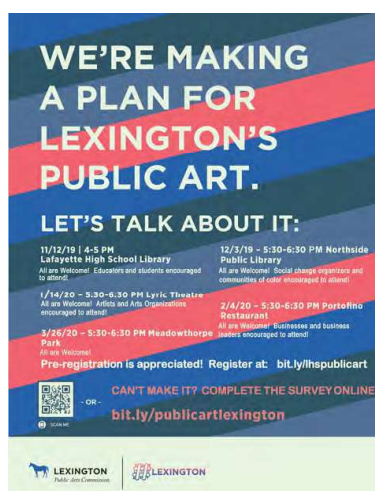
Community Meetings on Public Art

The public was also invited to attend Public Art Meetings where Public Arts Commission members provided information about the Percent for Art Resolution and the Public Art Master Plan, and facilitated discussions about community interests and local goals for public art.

The Public Arts Commission hosted the following meetings:

- November 16, 2019 – Lafayette High School (12 attendees)
- December 3, 2019 – Northside Public Library (12 attendees)
- January 14, 2020 – Lyric Theatre (70+ attendees)
- February 4, 2020 – Portofino Restaurant (55 attendees)

A fifth meeting was scheduled to occur on March 26, 2020 at the Meadowthorpe Community Center but had to be cancelled due to the COVID-19 pandemic.



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PUBLIC ART MASTER PLAN PROCESS

At each Community Meeting, a presentation included information about the Public Arts Commission, intentions for the Public Art Master Plan and the Percent for Art Resolution, as well as a discussion about public art and a review of public art in local, national and international settings.

Following the closure of the survey form, summaries were produced of survey responses and distributed to the Public Arts

Commission to inform the ongoing process of developing a Public Art Master Plan.

Throughout the first year, research of other city's public art plans was conducted. Over twenty public art plans were reviewed and best practices within plans from cities such as Chattanooga, TN; St. Paul, MN; Arlington, VA; Asheville, NC; and San Diego, CA; inspired the Commission's master plan outline.

Following a ten-month hiatus due to the Covid 19 pandemic, in January of 2021 an outline was created for the Public Arts Master Plan. In March of 2021, the Commission reconvened via Zoom to review the outline and begin developing the master plan.



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LEXINGTON'S PUBLIC ART MASTER PLAN

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OVERVIEW

Public Art is widely recognized as an essential part of a city's vitality and health. Even without a centralized plan or vision, it is clear that Lexingtonians value public art. Over the past twenty years, public art in Lexington has increased significantly and is regularly integrated into downtown streetscapes, exterior walls, neighborhood gateways, and festivals and community events. Public Art projects have most often been initiated by local non-profit organizations such as LexArts, PRHBTN, and Arts Connect, and through the efforts of individual neighborhoods, artists, businesses, and community members.

With the establishment and activation of the Public Arts Commission and Percent for Art program, the City of Lexington is making strides to assume a leadership role administratively and financially in the support of public art. The Public Art Master Plan, developed with and for Lexington-Fayette Co., will provide the framework, guidelines and priorities for a public art program that enhances the city and county, through utilizing public property, facilities, administration and funding. Further, the Public Art Master Plan will encourage and model best practices for public art initiatives that may be led by businesses, foundations, nonprofits, or other independent groups.

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VISION

The Public Arts Commission envisions a Fayette County where the transformative power of art is woven into the everyday life of our diverse communities. We are committed to supporting art that inspires, challenges, and enhances where we live, work, and play.



MISSION

The Lexington-Fayette Public Arts Commission champions the arts as essential to daily life. The commission advocates for and invests in free-to-experience art that shapes public spaces and excites the imagination.

GUIDING PRINCIPLES

- Proactive public engagement
- Integration with other LFUCG plans
- Animation of public spaces
- Collaboration and partnerships, accessible art and art experiences
- Expand educational opportunities through public art
- Diverse strategies for identifying and supporting artists
- Support of neighborhood and local identity
- Commitment to curate, conserve, and maintain public art & art experiences

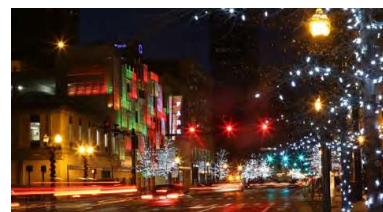
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BEST PRACTICES

The Public Arts Commission will adhere to the following best practices and methods for the development, commissioning, purchase, acceptance, maintenance and conservation of public art projects.

The Public Arts Commission will:

- Annually establish a Work Plan, identifying the range of projects that the PAC will initiate, support and consider in the following year. Projects will be prioritized and budgeted with flexibility to respond to new opportunities.
- Establish Project Advisory Committees to include community stakeholders, city departments, and PAC members for each project. The Advisory Committee will develop a "project plan" with budget, schedule, artist selection and other processes detailed.
- Establish Artist Selection Committees for each project. The Artist Selection Committee will review goals and objectives of RFP's, RFQ's, and other application materials and presentations, to recommend the artist(s) best capable and suited for the project.
- Follow the Goals and Strategies ([page 17](#)) and Program Areas ([page 21](#)) as identified by the Public Art Master Plan to inform all decisions, strategies, priorities and focus areas.
- Pursue projects that provide a leadership or catalytic impact resulting in public artworks that would not have occurred through community efforts alone.
- Initiate competitive projects through mechanisms such as RFQ's and RFP's; and may initiate non-competitive commissions or purchases per special opportunities defined in PAC policies.
- Follow the Master Plan policies for gifts, deaccessioning, commissioning, conservation and maintenance.



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GOALS & IMPLEMENTATION STRATEGIES

The following goals and implementation strategies form the foundation of the Public Art Master Plan for Lexington – Fayette County, Kentucky.

1. Embrace local identity, be reflective of the community and tell local stories.

- Solicit ideas and partner with neighborhood associations, developers, artists, historians, and community groups to identify meaningful stories, themes and public art sites;
- Develop a Neighborhood Stories project (with funding and project guidance) for underserved neighborhoods to identify a local point of pride --- location or story --- for public art;
- Collaborate with UK Public History / Oral History program
- Identify ways to use public art to connect neighborhoods --- for example using trail head/terminus locations of walking and bike trails.

2. Initiate and support public art through projects originated by the Public Arts Commission, city and county planning collaborations, and by neighborhood and community groups.

- Initiate and facilitate projects based upon Master Plan priorities; Accept proposals from and lend support to neighborhood and community groups;
- Collaborate with LFUCG departments such as Division of Planning and commissions such as the Corridors Commission;
- Incentivize developers to include public art or public art venues within their plans;
- Make public art part of the discussion between the City and developers when negotiating regulations regarding landscape,

sidewalks, parking, monument, signs, and public space, and streetscape improvements.

3. Distribute Public Art equitably county-wide, enhancing and activating public spaces, and providing a vehicle for communities to express their unique identity.

- Merge various public art maps and inventories to create comprehensive mapping of public art in Lexington/Fayette Co.;
- Utilize comprehensive map to identify underserved areas;
- Establish goals for projects in downtown, inside of New Circle Road, outside of New Circle Road, urban, suburban and rural areas --- and in varying districts;
- Encourage property owners to embrace urban initiatives, such as art in empty storefront windows, in suburban and rural venues as well. Encourage and create driving and walking tours of storefront or outdoor artwork;
- Lend support, guidance and oversight to non-city initiated public art projects to be placed on city-owned land.
- Use Public Art to activate and define spaces;
- Be intentional in ensuring equity and accessibility when establishing priorities and selecting opportunities throughout Lexington / Fayette Co.

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GOALS & IMPLEMENTATION STRATEGIES

4. Include all media and creative disciplines.

- Sites will be identified that can support various art forms such as digital media, projections, sculpture, performances, etc.;
- Diversity of art forms will be ensured through intentional selection of sites, events, projects and media.

5. Include temporary and permanent installations.

- Sites will be identified and prepared to support rotating and temporary works and public art events;
- Initiate temporary art projects that can help to build the experience level and qualifications for local and regional artists;
- Establish a program for rotating works of art and/or performances throughout the city --- art in unusual places.



6. Prioritize local artists while also providing opportunities for regional, national, and international artists.

- Develop and maintain a roster of local/regional artists with interest in/ track record of, creating public art;
- Identify projects that will be exclusively for local artist applicants;
- Support professional development workshops to assist local artists with increasing knowledge, understanding, skill level, and capacity for working within the public art realm. (See Making It Public program - <https://louisvilleky.gov/government/arts-culture/funding-and-opportunities>).



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GOALS & IMPLEMENTATION STRATEGIES

7. Employ a variety of strategies to identify and support a diverse range of artists and perspectives.

- Develop protocols for a variety of ways that artwork, artists and/or other creative professionals are engaged and artworks selected, including:
 - Commissioning of new work through calls to Artists (RFQ and RFP)
 - Purchases of existing works
 - Temporary rental or leasing of works
 - Initiating projects of various sizes and scale which will be accessible to a wider variety of artists;
 - Initiating projects and hiring artists in support of various art forms and media;
- Working with LFUCG staff, the Public Arts Commission will utilize a variety of methods to disseminate information regarding public art initiatives, workshops, calls for artists, etc., working to make all information accessible. This will include:
 - Announcements via media releases, printed materials, social media, web sites, community distribution, and more;
 - Providing materials in multiple languages. (Work with Global Lex for translations);
 - Utilizing accessible design for dissemination of materials and design and implementation of projects. (Information available in large print, recorded info, physically accessible art locations, etc.);

8. Include opportunities for community involvement throughout the planning and implementation processes.

- A public art program depends upon the input of the public for its success;
- Solicit public opinion regarding priorities such as potential sites, topics, stories, themes, and media.
- Facilitate stakeholder meetings with neighborhoods, organizations, and city departments;
- Utilize a wide variety of public outreach methods to keep the community aware and engaged in the process;
- Engage the community through on-site programs to meet artists, etc.;
- Establish marketing plans for planning, implementation and follow-up of projects.

9. Include artworks, performances, and experiences that are interactive and encourage civic dialogue.

- Performance zones will be established at venues for both programmed and self-directed busking and street performances;
- City sponsored events and festivals will include interactive and engaging arts experiences for all ages;
- Some RFP's will include specific requests for interactive works of art.

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GOALS & IMPLEMENTATION STRATEGIES

10. Celebrate artistic excellence by adopting and utilizing professional standards throughout the planning, artist selection and installation processes.

- The Public Arts Commission will adopt best practices and professional standards for all phases of project, planning, artist selection, commissioning, and installation, and conservation;
- Professional artists, design professionals, and public arts professionals will be included on all committees and panels throughout all phases of the projects.

12. Establish collection management, conservation and maintenance procedures for the city's public art works.

- Establish a maintenance and conservation plan and schedule for all of the city's public art works;
- Identify funding sources for maintenance and conservation;
- Determine the managing authority for public art works within LFUCG.

11. Present educational opportunities through collaborative processes, integrated programming and workshops.

- Application workshops for prospective applicants (see Making It Public program - <https://louisvilleky.gov/government/arts-culture/funding-and-opportunities>);
- Related public events in connection to theme, subject matter, or location of artwork (partner with groups/orgs/neighborhoods);
- Meet the artist / watch the artist work to engage the public;
- Collaborate and coordinate with related existing arts and non-arts organizations;
- Establish RFP's, and workshops, specifically for youth groups, schools or young artists;
- Develop hands-on public art experiences at city festivals and other events;
- Encourage public art initiatives with local public and private schools.



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PUBLIC ART PROGRAM ELEMENTS

The Public Art Program, as defined by the Public Art Master Plan, will consist of a number of programs, each with specific criteria, processes and focus areas, for the creation, installation and presentation of public art.

COMMISSION PROGRAM

The Commission Program will include several methods of soliciting and selecting artists and the creation of new work or new presentations of works of art. These include competitive and non-competitive processes.

COMPETITIVE COMMISSION

RFQ's / RFP's

Artists and works of art are selected through competitive processes such as Requests for Qualifications (RFQ) and Requests for Proposals (RFP), and a tiered approach with artist selection committees, and rounds of competition.

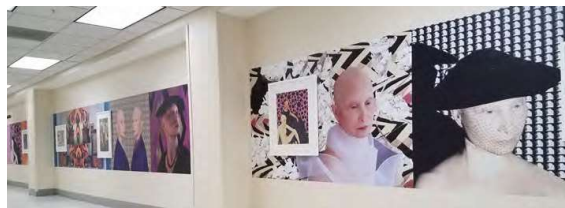
Invitational Competition

A competitive process through which a limited number of artists are invited to submit. This also consists of a tiered approach with artist selection committees and rounds of competition.

Competitive commissioning of works of art by the Public Arts Commission will utilize this process:

1. Identification of opportunity. This will determine a site-based or other public art opportunity.
2. Creation of an RFP or RFQ. These provide the project description, scope, site details, budget, timeline, selection criteria, qualifications, and other details. Information regarding the number of finalists and continuing application process will also be included.
3. Create a rubric for artist selection. A rubric, based upon the RFP/RFQ will be utilized by the artist selection committee for identifying finalists and recommended artists.

4. Dissemination of the Call to Artists. Various distribution methods will be utilized to issue a Call to Artists based upon the RFP/RFQ's specifications for local, regional, national or international artists, and other areas of eligibility.
5. Creation of a selection committee. The selection committee will be chosen based upon the details of the project and will be composed of city administrators, arts professionals, artists, community members from partner groups or neighborhoods, and related professionals such as architects, landscape architects, engineers, etc.
6. Receipt of proposals. Proposals will be received by LFUCG staff and prepared for selection committee review.
7. Proposal review and selection of finalists. The selection committee will review proposals, score them and typically select three to five finalists.



COMMISSION PROGRAM

8. **Concept Development and Presentation.** Finalists may be asked to develop a site-specific concept for the project and/or to interview. Artists will be provided a site visit and will then prepare a physical representation of their work such as a rendering or maquette as well as a written description with concept, materials, budget, fabrication techniques, timeline, event plan, and other details as requested in the RFP. Finalists may be invited to present their concept to the Artist Selection committee. Artists will be paid a fee for the further development of a proposal as well as for travel expenses if they are from out of town.
9. **Recommendations to the Public Arts Commission.** The Artists Selection committee will make their recommendation to the Public Arts Commission, which, upon approval will move forward with a contractual process.



NON-COMPETITIVE COMMISSION

Invitational Collaboration

A non-competitive process through which a limited number of artists are invited to collaborate with the Public Arts Commission for a specific purpose or event. Guidelines and policies will still be in force to assure the quality of the artists and that the project is in support of the established Goals and Implementation Strategies.

Direct Selection

Under limited circumstances, artists may also be commissioned if a competitive process is not feasible due to timeline, community needs, or other considerations. If this method is utilized, guidelines and policies will still be in force to assure the quality of the artists and that the project is in support of the established Goals and Implementation Strategies.



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ACQUISITION PROGRAM

- Opportunities may occur that would lead the Commission to recommend a direct purchase of an existing work by an artist. Processes for the purchase of artworks will be as deliberate as those for the commissioning of artworks.
- For artworks under consideration for purchase, the Commission will review the opportunity in relation to the Public Art Master Plan's established goals and priorities, quality of the work, financial costs, aesthetic benefit, relevance to Lexington's public art collection, public interest, proof of ownership and provenance, safety and liability, site suitability, and ability to provide appropriate insurance, maintenance and conservation.
- It is standard practice in the field of public art to have artworks inspected and condition reports prepared by a professional conservator prior to acquiring an existing work of art.

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LOAN PROGRAM

At times, public art works may be offered to the City of Lexington, or may be sought out by the Public Arts Commission, as part of a public exhibition or program, to be utilized for a limited amount of time. Loaned works will be accepted based upon the Public Art Master Plan's established goals and priorities, quality of the work, financial costs, aesthetic benefit, relevance to Lexington's public art collection, public interest, proof of ownership and provenance, safety and liability, site suitability, and agreements regarding maintenance plans. It is standard practice in the field of public art to have artworks inspected and condition reports prepared by a professional conservator prior to the loan.

DONATION PROGRAM

Existing works of art that are offered to the LFUCG as a permanent donation, may be considered by the Public Arts Commission, and LFUCG departments, based upon the relevance of the artist and artwork to the established goals, priorities, and policies of the Public Art Master Plan. Considerations will include the quality of the work, financial costs for site prep or installation, the value of the work of art, aesthetic benefit, relevance to Lexington's public art collection, public input, proof of ownership and provenance, safety and liability, site availability, and the donor's ability to provide maintenance and/or conservation funds. To ensure appropriate maintenance and conservation of all public art works, art donors may be asked to provide a donation to LFUCG's public art maintenance fund. This will be determined by the PAC and will typically range from 5 - 10% of the donated artwork's value. It is standard practice in the field of public art to have artworks inspected and condition reports prepared by a professional conservator prior to accepting donations.

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PERFORMANCE / EVENT PROGRAM

The inclusion of and accessibility to all art forms, disciplines and media are important aspects of the public art plan for the City of Lexington. The Public Arts Commission, in collaboration with LFUCG staff and other partner groups, will support the presentation and inclusion of performing artists and performing art forms in public spaces and at public events. Dependent upon the type of event or performance space, artists may respond to RFQs or RFPs or may be invited to perform or participate based upon the quality of their work and/or the relevance of their work to the event purpose or site. Performing arts such as theatre, music, dance, spoken word, storytelling, circus arts, or other live art forms may be presented as unique events or may intersect with other art forms, environments or practices.



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COLLABORATION PROGRAM

Continuing the role of the Urban County Art Review Board, the Public Arts Commission will accept proposals from independent arts groups, partnering organizations, businesses, developers, artists, and others, and support plans for permanent public art works that align with the goals, priorities and policies of the Public Art Master Plan. Collaborative projects may include approval of community projects on public property, in-kind project support through various departments and divisions of the LFUCG, and/or funding support.

Guidelines and applications for Collaborative Projects can be found at the Public Arts Commission's website: <https://www.lexingtonky.gov/boards/public-arts-commission>.

Dependent upon the proposed project, The PAC will consult with relevant LFUCG departments and will review each application. Successful applications will receive a conceptual design approval, a final design approval, and a post-installation approval, each of which will occur at a separate meeting of the PAC. A minimum of six to eight months is recommended for completion of project approvals.

At times, the Public Arts Commission will issue their own calls for proposals for collaborative projects with artists, neighborhoods, or community groups.

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PROJECT EVALUATION CRITERIA

The Public Arts Commission's primary goal is to support public art works and events that are of the highest quality and that hold the greatest potential for public engagement and for increasing accessibility to the arts.

When establishing the annual Public Art Work Plan, the Public Arts Commission will consider the following criteria for each potential project. Each project must meet a majority of the following criteria before it will be selected by the Public Arts Commission.

Criteria:

- Project meets and/or furthers the stated guidelines, goals and strategies of the Public Art Master Plan
- Project falls under one of the stated program areas of the Public Art Master Plan
- Project presents a unique and compelling vision/event for Lexington / Fayette Co
- Project contributes to an understanding or appreciation of Lexington/ Fayette Co
- Project contributes to a diversity of art form and/or artists
- Project has an appropriate site: It is located in a place of high visibility, has broad public access, is amidst multiple uses and activities, and the site is available for the project
- Project has engaged partners and adequate funding
- Project specifies involvement of local, regional, national, or international artists
- Project has addressed appropriate safety and permitting issues
- Project can be successfully completed within determined budget and timeline
- Project has a maintenance plan and maintenance funds

Additionally, the following details will be evaluated before approving a public art project:

- Identification of the community stakeholders and how will they be involved
- The Public Art Program and process that will be utilized for the project
- Review of the Project Task Force and their capacity to manage the project
- Level of community involvement and plan for public engagement

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ARTIST EVALUATION CRITERIA

The Public Arts Commission's goal, regarding the selection of artists for public art projects or events, is to select artists whose skill, experience, style, and commitment to collaboration and community engagement, will best match the needs of each project.

Depending upon the program area, the Artist Selection Committee or Public Arts Commission will utilize established evaluation criteria in the selection of artists for public art projects. The evaluation criteria will be included within all RFQ's and RFP's so that artists are aware prior to submitting proposals.

Artists will be selected based upon the level at which they meet each of the following criteria:

- Demonstrates artistic excellence, innovation and originality as represented in past work and supporting materials.
- Demonstrates capacity for working in the proposed media and with concepts that are appropriate to the project goals and site.
- Demonstrates interest and capability in creating public artwork in collaboration with the City, Public Arts Commission, the design team (if applicable) and other project partners.
- Demonstrates experience in successfully completing works of similar scope, scale, budget and complexity, or ability to articulate how he or she would be able to bring the necessary artistic and technical skills to this project.
- Provides relevant professional references and positive reviews
- Meets special eligibility requirements (such as local residency, affiliation with particular neighborhood, or other special designations identified for specific projects)
- Demonstrates interest in and understanding of the project.
- If applicable, demonstrates a cohesive team.

DEACCESSIONING

The Public Arts Commission's overarching role is to develop and maintain the City of Lexington's Public Art Collection. At times, this may include the necessary temporary or permanent removal or "deaccessioning" of artwork. The City of Lexington retains the right to remove any work of art in the public art collection. Reasons for deaccessioning may include, but are not limited to, works that are determined to require excessive maintenance, pose public safety risks, are damaged beyond repair or that have been or are expected to be adversely affected by changes to the site. Determinations about the removal or relocation of existing artwork will be made by the Public Arts Commission, with input from a professional conservator and other arts, design, and engineering professionals. Issues such as Artists' rights, public benefit, censorship, copyrights and legal obligations will be considered along with concerns regarding maintenance, repair, on-going conservation, site requirements, and costs.

Deaccessioning of works of art will be determined as a joint decision between the LFUCG public art staff and the Public Arts Commission.

RELATED PLANS – LFUCG

The Public Art Master Plan is the first comprehensive public art plan created for the City of Lexington. There are, however, additional plans that have been developed over the years, which incorporate or focus on, public art within their program area. The Public Arts Commission will respect the previous and current planning of other commissions and initiatives as priorities are set and public art projects are determined.

Corridors Commission

The purpose of the Corridors Commission is to assess the major roads of Lexington-Fayette County, especially the major and minor arterials, regarding but not limited to aesthetic qualities, landscaping, fencing, signage, litter control, bike and pedestrian considerations and other elements the Commission may deem appropriate. The Commission partners with neighborhoods and other community-based groups to enhance the corridors leading into and out of Lexington and to increase awareness of corridor enhancements. The Commission's Neighborhood's Enhancement Match Grant Program provides funding support to selected projects along eligible corridors. Details regarding the Corridors Commission and grant program, including the list and map of eligible corridors is available here: <https://www.lexingtonky.gov/boards/corridors-commission>

Legacy Trail Public Art Master Plan

The Legacy Trail is a nine mile walking and biking trail that begins at the Isaac Murphy Memorial Art Garden in the East End, travels through urban and rural landscapes, and concludes at the Kentucky Horse Park. It now connects to the Town Branch Trail which leads into the countryside to the northwest of the urban core. Early in the planning for this extensive trail program, a Legacy Trail Public Art Master Plan was developed. The 2010 Plan details that the trail "would be a place for the community to learn about its culture, environment and heritage (and) the trail, as an important civic space, could also be Lexington's next frontier in exploring art in the

public realm, and for exploring the potential of a broader public art initiative." The few public art initiatives that have been implemented along the Legacy Trail, such as murals on the paved path, and fabric "blazes" on flag poles, have not been maintained and are in need of reimagining and repair. The entire Legacy Trail Master Plan is available here: <https://www.railstotrails.org/resourcehandler.ashx?id=4762>



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RELATED PLANS – LFUCG

Lexington-Fayette Urban Co. Government Parks and Recreation Master Plan

In 2016, the ETC Institute administered a needs assessment survey for the Lexington-Fayette Urban County Government. The survey was administered as part of the City's efforts in undertaking a comprehensive study of its parks, recreation, trails, programs, events, and open space and developing a parks and recreation master plan. Surveys and public input was solicited and analyzed in the development of the master plan. Public responses showed significant support of the arts and placed summer concerts as the 2nd most important programming element. The arts and performances for adults and children were also identified as high priority programming. Further, outdoor performance spaces were selected as high priority in the facilities category. The complete Parks and Recreation Master Plan is available here: https://www.lexingtonky.gov/sites/default/files/2017-05/REPORT-Lexington-Fayette%20Urban%20County%28December%208%202016%29_0.pdf



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PUBLIC ART PARTNERSHIPS

Partnerships are critical to developing, building and maintaining public art in the community. Internal and external partners will be key to set priorities, avoid conflicts with potential sites and duplication of efforts, and to create a process that will invite and encourage community input.

INTERNAL PARTNERS

The Public Arts Commission will work with LFUCG departments and divisions in the early planning and development stages to identify potential sites, set priorities for projects, and to enhance (not compete with) existing plans. Departments and other partners may include:

Planning

Evaluating long-term plans for sites, influencing percent for art initiatives for local developments, integrating public art priorities into LFUCG planning initiatives

Parks & Recreation

Involvement when sites are considered for any of the more than 100 park in Lexington Fayette Co., as well as Community Center locations.

Historic Preservation

Involved when any projects are proposed that would involve the structure or grounds of a historic property or neighborhood, within an historic overlay zone and/or on the National Register of Historic Places.

Environmental Quality & Public Works

Involved when requests are made for city right-of-way (such as medians, etc.)

Corridors Commission

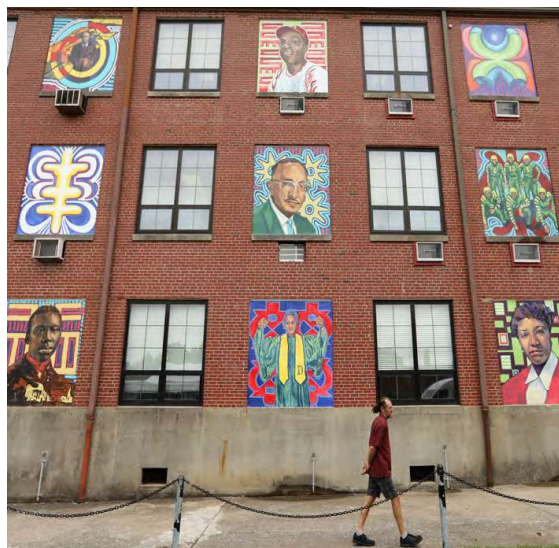
Working with them on established priorities for city corridors and potential partnership with funding as well.

Urban Co. Art Review Board

Gradual transition of Urban Co. Art Review board to Public Arts Commission

Urban County Council

Working with council members on projects in their district.



EXTERNAL PARTNERS

The development of partnerships and community engagement is a vital part of creating a public art program. Engaging the community early and often will help to ensure productive and meaningful input to the public art process. Potential partners include:

LexArts

An organization that serves as Lexington's Local Arts Council and United Arts Fund in support of the arts across Lexington-Fayette County.

University of Kentucky Arts in Healthcare

UK's Albert B. Chandler Hospital includes art and artists to create and maintain a healing environment and culture of care. Their program includes over 2100 works of art from local, national, and international artists and presents live performances in lobbies, public spaces and in their 305 seat auditorium.



Neighborhood Associations

Lexington-Fayette Co. has a network of over 250 registered neighborhood and homeowner's associations.

PRBHTN

For over 10 years, PRBHTN has expanded Lexington's Public Art by engaging internationally recognized artists and celebrating marginalized art forms.



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EXTERNAL PARTNERS

Louie B. Nunn Center for Oral History

More than 14,000 oral history interviews are included in this collection and focuses on 20th century Kentucky history; Appalachia, agriculture, African American history, the Civil Rights Movement, veterans, and industries such as the coal, equine and bourbon industries.

Transylvania University

Founded in 1780, Transylvania University is a liberal arts university located in downtown Lexington.

Fayette County Public Schools

Fayette Co. Public Schools serves over 40,000 students throughout Lexington and Fayette County and operates 70 schools, technical centers and alternative programs.

University of Kentucky Art Museum

Part of the University of Kentucky's College of Fine Arts, the museum is home to a collection of more than 4,800 objects and presents special exhibitions as well as shows of work from its permanent collection.

VisitLex

The Lexington Convention and Visitors Bureau, VisitLex, is a public service organization dedicated to showcasing Lexington as an outstanding destination for leisure travel, business travel, meetings and conventions.

Arts Connect

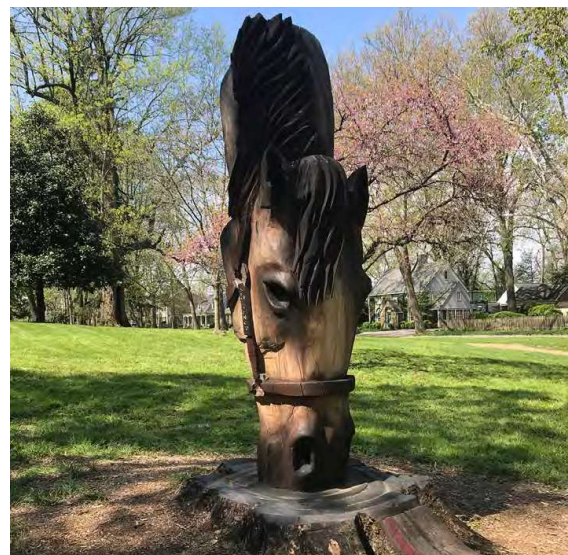
Presents a wide range of public programs including open studios weekends, art walks, mobile galleries, plein air programs, art radio programs, and arts awards celebrating individuals who have made significant contributions to the Lexington arts community.

Local Arts Organizations

Lexington is home to over 55 nonprofit arts organizations that represent a diverse range of art forms and disciplines.

Funders

Additional support for public art projects may be sought from individual donors, corporate sponsors, or from grants from local, regional or federal sources such as the National Endowment for the Arts.



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PUBLIC ART ADMINISTRATION

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PUBLIC ARTS COMMISSION

The Public Arts Commission is a volunteer board appointed by the Mayor. The Commission's role is to establish the Public Art Master Plan and to make recommendations to the Mayor and to the Urban County Council regarding the purchase, commissioning, presentation, maintenance and conservation of public art in the City of Lexington. Further, the Public Arts Commission works with the LFUCG's staff to review project budgets, expenditures, policies and the use of the Percent for Art Fund.



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PUBLIC ART PROGRAM ADMINISTRATION

Over the past 20 years, Lexington has seen a significant increase in public art projects, on both municipal and private property. With the Percent for Art Ordinance passed in August, 2018, and growing public interest in enhancing and activating public spaces, there is now opportunity to expand and increase Lexington-Fayette County's scope of public art.

However, it is also understood that with an increase in public art proposals and arts inventory, there will also be increased needs and requirements for safeguarding the conservation and maintenance of existing public art, for ensuring that appropriate policies and processes are followed in the development of new public art projects, and in coordinating public art projects within LFUCG departments, public commissions and other community organizations.

With many LFUCG departments, boards, commissions, community groups, and artists potentially involved in each project, it is critical that there are experienced Public Art professionals on staff with the city, ensuring a holistic approach to the Public Art Program.



To identify best practices for initiating and sustaining a public art program, and managing the Percent for Art fund, research of over 20 smaller to slightly larger-than-Lexington sized cities was conducted to identify municipal structures for the arts and for public art and percent for art programs. The vast majority of them include a dedicated city arts staff that work in concert with an appointed, volunteer, commission or other advisory council. A summary of cities and findings is included in the Appendices.

Currently, the Director of Arts & Cultural Affairs, within the Office of the Mayor, is responsible for implementing and facilitating art initiatives in coordination with the Public Arts Commission, and as the Mayor's representative on numerous boards and commissions, including the LexArts, UCARB, Picnic with the Pops, and Sister Cities Boards. Additionally, the Director collaborates with numerous community partners on art projects and helps facilitate community arts programs such as the upcoming Art on the Town project.



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DIVISION OF ARTS & CULTURE

To manage the growing demands of the LFUCG's Percent for Art Program and public art project, the Public Arts Commission strongly recommends that the Lexington-Fayette Urban County Government create a new governmental division – the Division of Arts & Culture. The Division of Arts & Culture would be in the Mayor's Office which also includes Global Lex, Division of Planning, and other Mayoral appointments serving neighborhoods, youth violence, veterans, agriculture, arts, LGBTQ+, and workforce development.

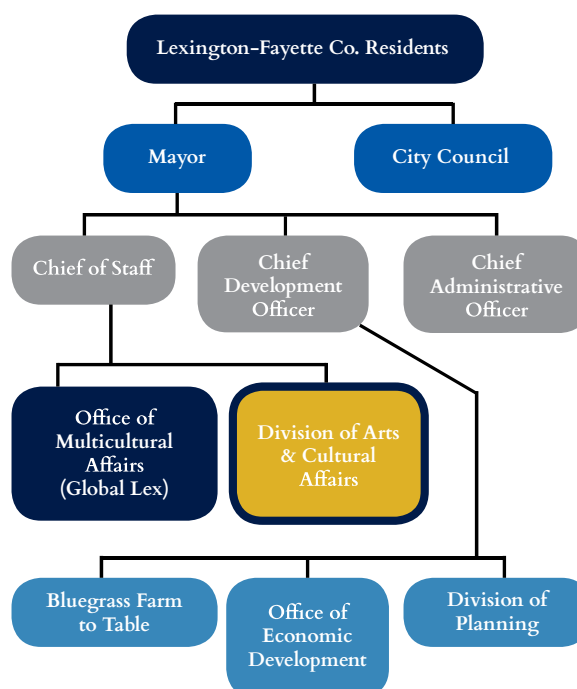
Inclusion of a Division for the Arts will provide opportunities for direct collaboration with various community groups and neighborhoods; will provide access to the Mayor, Mayor's staff and Council members; and provide professional expertise and common vision and direction in all matters relating to art programs, facilities, and policies across city government and within Lexington-Fayette Co.

PROPOSED ARTS & CULTURE DIVISION – STAFFING

Successful implementation of Lexington's Public Art Master Plan requires staff with a range of skills—especially administrative, project management, public art, education, and public outreach. The number of projects Lexington can manage and complete will directly relate to the program's available staff resources, existing multi-year project commitments, and project schedules.

Decisions about appropriate staffing levels should consider that Public Art programming is highly process-oriented, and initiating, planning, and implementing these projects requires extended internal consultation and public meetings.

PROPOSED ORGANIZATIONAL CHART DIVISION OF ARTS & CULTURE



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DIVISION OF ARTS & CULTURE

This is especially true given the emphasis this plan places on community engagement and the integration of community and city project planning.

There is already a significant public art inventory which does not fall under the ongoing management or review of any department. As the Public Arts Commission will initiate new projects annually, including those that may continue over a period of many months and even years, the depth of project management will continue to expand. Further, the Commission is committed to the conservation and management of pre-existing works as well as all the public art projects to come.

Public Art staff should develop collection management methods for maintaining an inventory and documenting works, as well as maintenance and conservation plans for all works of art. The Public Art staff would oversee collection maintenance as well as provide expertise and support to other LFUCG agencies and the private sector as needed. Recommended staffing includes:

Director of Arts & Cultural Affairs

As proposed, the Director of Arts & Cultural Affairs would supervise the work of the public art manager and the arts events coordinator, and collaborate with city Boards and Commissions, LFUCG departments, and community groups, organizations and artists, in order to develop a vision for the curatorial and programmatic goals of the arts in Lexington- Fayette Co. The director would oversee the Percent for Art Fund and identify and seek funding and partnership support from federal, state and municipal sources as well as in partnership with local organizations and corporations to grow and

develop arts and cultural opportunities and experiences in Lexington-Fayette Co.

The director is the Mayor's representative for numerous boards and commissions including the Urban Co. Art Review Board, the Picnic with the Pops Commission, the Public Arts Commission, LexArts, among others.

Public Arts Program Manager

As proposed, the public art manager would work with the division director, and the Public Arts Commission to facilitate the vision for the curatorial and programmatic goals of the public art program. The public art manager is responsible for the overall management of 2D and 3D public art projects from inception to completion, and collaborates with LFUCG departments and community groups throughout the process including public outreach, budgeting, artist and site selections, and installations.

The public art manager will also ensure the proper reporting throughout projects and manage documentation, inventory, conservation and maintenance of the city's art collection and consult with professional conservators when appropriate regarding conservation and maintenance.

Arts Events Program Manager

As proposed, the Arts Events Program Manager is the manager for city sponsored arts and cultural programs and events such as Arts on the Town (along Town Branch Commons) and the Afternoon Arts series, and other city events, and collaborates with city departments and community groups on arts programs and events that feature live and performing artists.

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GLOSSARY OF TERMS

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GLOSSARY OF TERMS

Accessible

This term is used to describe the ease of physically reaching a location or destination. It also is used to describe the ease of understanding or obtaining information.

Acquisition

The acceptance, through a gift or purchase, of a work of art.

Collaboration

To work in cooperation with other people or groups on a common goal or project.

Commission

The Public Arts Commission is a group of people who have been asked to provide leadership and guidance on public art. Commission is also used to describe the formal request or contract (such as to an artist) to produce a work of art.

Conservation

Activities required to repair, restore and conserve a damaged or malfunctioning artwork, and the necessary steps to return the artwork to its original condition.

Deaccession

The removal of a work of art from the City of Lexington's public art collection. Many reasons, such as excessive maintenance, public safety issues, or permanent damage, may contribute to decisions to deaccession a work of art. Deaccessioning of artwork from the city collection will be based upon set policies and procedures of the Public Arts Commission.

Donation

A contribution or gift of money or tangible items, such as a work of art.

Loan

Providing the use of something, such as a work of art, on a temporary basis.

Local Artist

Artists residing in, or with primary work environment in Lexington-Fayette Co.

Long-Term/Permanent

Work anticipated for up to 50 years.



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GLOSSARY OF TERMS

Maintenance

Activities required to repair or maintain the artwork and site in which the artwork is located. Based upon the maintenance plan for the work, this may include cleaning of the surface, removal of graffiti, upkeep of lawn or plantings around sculptures, etc.

Public Art

Any art form that is accessible in public space and free to experience.

Temporary Work

Art work that is installed for less than two years.

RFP

Request for Proposals.

RFQ

Request for Qualifications.



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APPENDIX A

PUBLIC ARTS COMMISSION ORDINANCE

ARTICLE XLII. ARTS COMMISSION¹

Sec. 2-451. Creation; purpose.

- A commission is hereby created which shall be known as the Lexington-Fayette Urban County Government Public Arts Commission, hereinafter referred to as the "commission".
- The commission is established for the purpose of advising the mayor and the urban county council on the development of a long-range plan for selection, acquisition, placement, and maintenance of public art and public monuments.

(Ord. No. 203-2002, § 1, 7-16-02; Ord. No. 233-2002, § 1, 9-12-02)

Sec. 2-452. Membership.

- The commission shall consist of eleven (11) appointed members.
- The appointed members shall be residents of Fayette County and shall have demonstrated an interest in the arts and the effect of same on communities and individual lives. They shall be appointed by the mayor, subject to confirmation by the urban county council, from the following:

1. One (1) architect or design professional;
2. Two (2) professional artists;
3. Two (2) arts administration professionals;
4. One (1) representative of the Lexington-Fayette County business community;
5. One (1) representative of the Lexington-Fayette Urban County Government;
6. One (1) representative from the community at large;
7. One (1) representative from the Lexington Convention and Visitors Bureau;
8. One (1) member of the Lexington-Fayette Urban County Council; and,
9. One (1) representative from the Office of the Urban County Mayor.

(Ord. No. 203-2002, § 1, 7-16-02; Ord. No. 54-2018, § 1, 8-30-18; Ord. No. 24-2019, § 1, 4-11-19)

Sec. 2-453. Terms.

- Members of the commission shall serve a term of four (4) years from the date of appointment, provided the terms of

¹Editor's note(s)—Ord. No. 203-2002, § 1, adopted July 16, 2002, enacted provisions intended for use as §§ 2-443—2-447. As those sections are already in use, these new provisions have been renumbered §§ 2-451—2-455, as set forth herein.

those originally appointed shall be staggered in the following manner:

1. Two (2) members shall be appointed for one (1) year;
 2. Three (3) members shall be appointed for two (2) years;
 3. Three (3) members shall be appointed for three (3) years; and
 4. Three (3) members shall be appointed for four (4) years.
- Vacancies in the membership shall be filled for an unexpired term in the manner prescribed for the original appointment.
 - No member who has served two (2) consecutive four-year terms may succeed himself until the lapse of twelve (12) months from the end of said consecutive terms.
 - A member of the commission shall be removed only by a majority vote of the urban county council, and only for cause.

(Ord. No. 203-2002, § 1, 7-16-02; Ord. No. 72-2018, § 1, 10-11-18; Ord. No. 24-2019, § 2, 4-11-19)

Sec. 2-454. Officers; rules; quorum; meetings.

- The officers of the commission shall consist of a chair and a vice chair, and other officers elected from the membership as set forth in the bylaws. They shall take office at the first meeting of the commission after their election. The duties of the officers shall be as specified in the bylaws. The commission shall determine its own rules and order of business and so provide for keeping a record of its proceedings.
- A majority of the members of the commission, that is six (6), shall constitute a quorum for transaction of business at any meeting of the commission. The acts of a majority of those members present at any regular or special meeting of the commission shall constitute the acts of the commission.
- The commission shall meet at a minimum on a quarterly basis at a date, place and time to be determined by the commission.

(Ord. No. 203-2002, § 1, 7-16-02; Ord. No. 54-2018, § 2, 8-30-18; Ord. No. 24-2019, § 3, 4-11-19)

Sec. 2-455. Duties.

The commission shall, as permitted by law:

- Recommend to the mayor and the urban county council a long-range plan and guidelines, which shall include, but not be limited to, a method or methods for the selection of artists or works of art and for placement of works of art, and an overarching philosophy regarding types of artwork appropriate for this community.
- Recommend purchase of works of art or commission of the design.
- Make recommendations regarding the design, execution and/or placement of works of art.
- Provide information and make recommendations on operation or maintenance expenses associated with particular art or a particular location and the interaction of art work with the function of its location, and provide for such artwork and installation that will not impede such function; and
- Promulgate rules and regulations consistent with sections 2-1 through 2-55 to facilitate the implementation of its responsibilities hereunder.

(Ord. No. 203-2002, § 1, 7-16-02)

Sec. 2-456. Commission authorized to proceed.

- The commission shall be appointed and authorized to proceed upon the adoption by the urban county council of an ordinance or resolution approving the funding mechanism for the public art program.

(Ord. No. 314-2002, § 1, 12-5-02)

APPENDIX B

PERCENT FOR ART RESOLUTION

RESOLUTION NO. 535 - 2018

A RESOLUTION AUTHORIZING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DESIGNATE FUNDS EQUAL TO 1% OF THE TOTAL BUDGETED COST FOR CAPITAL IMPROVEMENT PROJECTS OTHER THAN THOSE PROJECTS REQUIRED BY LAW WITHIN THE DEPARTMENT OF GENERAL SERVICES FOR THE PURPOSE OF FUNDING THE PURCHASE, COMMISSIONING, INSTALLATION, AND MAINTENANCE OF ART ON PROPERTY OWNED OR OPERATED BY THE URBAN COUNTY GOVERNMENT, WHICH FUNDS SHALL BE ALLOCATED FROM THE GENERAL FUND, AN ADDITIONAL AMOUNT ADDED TO THE BOND, OR A COMBINATION OF THE TWO, PROVIDED THAT ALL FUNDS RAISED THROUGH THE ISSUE OF BONDS SHALL BE MAINTAINED, ACCOUNTED FOR, AND USED IN ACCORDANCE WITH THE LEGAL RESTRICTIONS RELATED THERETO.

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

Section 1

That an amount equal to 1% of the funds budgeted by the Lexington-Fayette Urban County Government for general fund capital improvement projects costing less than ten million dollars (\$10,000,000.00), other than those projects required by law, shall be designated annually within the Department of General Services for the purchase, commissioning, installation, and maintenance of public art through a transfer from the general fund to one or more Capital Project Funds designated for such purpose or by an additional amount added to the bond, or a combination of the two. Provided, however, that all such designated funds raised through the issue of bonds shall be maintained, accounted for, and used in accordance with the legal restrictions related thereto.

Section 2

That an amount equal to 1% of the funds budgeted by the Lexington-Fayette Urban County Government for general fund capital improvement projects costing ten million dollars (\$10,000,000.00) or more, other than those projects required by law, shall be designated annually within the Department of General Services for the purchase, commissioning, installation, and maintenance of public art in, at, or on the project site through a transfer from the general fund to one or more Capital Project Funds designated for such purpose or by an additional amount added to the bond, or a combination of the two. Provided, however, that all such designated funds raised through the issue of bonds shall be maintained, accounted for, and used in accordance with the legal restrictions related thereto.

Section 3

That the administration shall identify the amount and source(s) of funds to be designated for the purchase, commissioning, installation, and maintenance of public art each year in its presentation to the Urban County Council of its proposed Capital Improvement Project budget for the following fiscal year.

Section 4

That the Resolution shall become effective in the Fiscal Year 2020 budget, and remain in effect each year thereafter unless modified by Council.



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APPENDIX C

PUBLIC ART SURVEY SUMMARY

What do you care about most when it comes to Public Art? (645 responses)

34.4% – what it looks like
21.9 – topic / content
18.9 – community involvement
13.0 – community placement 6.7% – medium / type of art

If Public Art were to be installed in ____, how much involvement would you want to have in the factors mentioned in the previous question? (scale of 1 to 5) (643 responses)

34.5% – marked #5
9.1% – marked #4
27.2% – marked #3
6.2% – marked #2
3.0% – marked #1

Where would you want to see more Public Art? (645 responses)

62.2% – City Parks
58% – Neighborhoods
50.1% – Downtown
41.6% – Roadside or Medians
41.2% – City gateways
36.3% – Schools

33.5% – Bike or Hiking Trails
23.6% – Parking Lots / Garages
22.2% – City Facilities
19.2% – Interior Public Spaces
13.8% – Shopping Centers
3.6% – Businesses
3% – Other

What do you want Public Art in Lexington to do?

72.0% To enhance a sense of belonging, joy, or wonder
66.5% To beautify a specific place or area
48.9% To connect groups of people
42.4% To share the history of our community
40.9% To make a statement about who we are as a community
38.2% To tell a story
33.0% To educate the community or visitors
29.3% To attract businesses and tourists
29.3% To spur dialogue about important issues
2.5% Other

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APPENDIX D

PUBLIC ART MEETING SUMMARIES

12 people attended including Public Arts Commission Members:
Heather Lyons and Ricki Rosenberg

Discussion Points:

1. What do you Value about Public Art?

- Accessible to everyone
- Creates discussion
- Creates Destination points
- Distinguishes a location
- Opens minds and emotions
- Variety of viewpoints
- Defines an area to gather
- Encourages critical thinking
- Participatory opportunities
- Encourages play --- safe for kids
- Responses to what public art have you experienced that you especially appreciate:
- St. Louis Arch, Bean (Chicago), Christo installation in Central Park, Giants in Bernheim Forest, Disc in Charlotte, NC

2. Whose Stories do you think should be told through Public Art?

- Traditionally underrepresented stories
- Multi-disciplinary work

- Difficult issues reflected through art - (referenced Marjorie Guyon's/Nikki Finney/Patrick Mitchel project, I Was Here, as a good example)
- Telling story of Kentucky making connections
- Representing traditional art of Kentucky
- More than horses
- Art use as Marketing ways to draw people to Lexington
- Art that reflects and blends Rural and Urban history ---
- Art that is sustainable and that recognizes climate change
- Literary Arts
- Forward Looking --- not just focused on history
- Find ways to connect talented young people with the community --- recognition of Poetry Slams as a great way to do that

3. Where do you want to see Public Art?

- Surprising places
- Storm drains (liked Blake Eames previous project)
- Bus stops
- Price Road Overpass
- Suburbs (they are the most artless places)
- Neighborhood Parks
- Neighborhood parks especially to involve children
- Where people play sports --- bring the arts and sports together

- Art in Hospitals and Health Dept.
- Art in Service Centers
- Art in Veterans Centers
- Art in Retirement Homes
- Make Art accessible to all

Group Activity: Determine these four perimeters and design a public art project:

1. Identify a purpose / result / goal
2. Select a location
3. Determine if it will be temporary or permanent
4. Design site specific public art to achieve your goal

• **Group A:**

Decided to create a mobile work that could be moved to various sites that would “create a destination” and create a “performance/engagement happening”.

Something interactive (such as giant Lego Pieces or building block) that could take on a different shape evolution in each location.

“Additive” in each location

Distribution at end so it isn’t a legacy problem. Possibly environmental / impact themed.

• **Group B:**

Goal was to lighten and beautify an unsightly area. Location: Price Road underpass

A permanent work that would be designed by students from The Learning Center and The Stables in collaboration with artists/teachers. Include painted design as well as lighting for such a dark area. Important to use Nova Color which is 100% pigment and will last a long time.

NORTHSIDE PUBLIC ART MEETING

DECEMBER 3, 2020

12 people in attendance + Commission Members: Richard Young, Heather Lyons, Celeste Lewis, and Ricki Rosenberg

Public Art:

1. It's especially important when it is in your neighborhood.
 2. Important to have it all over Lexington
 3. Needs to beautify the city
 4. Brings a sense of place
 5. Keeps one from being lonely
 6. Needs to tell our story
 7. History of horses and other local history
- Good example is Gardenside project that DLP did of native plants --- Landscaping adds so much. San Antonio is beautiful through creative landscaping.
 - Look at Charlotte, NC for ideas lots of public art
 - There was a lot of input in the Isaac Murphy garden – 1st one that the commenter remembered being invited to participate in.
 - Bus stops are a great way to incorporate public art can represent the local history.
 - Interactive public art is great encourages more involvement and gets children involved.
 - Would be good to incorporate sound in public art.
 - UK doesn't have much public art.
 - Parking garages could use public art to make them more attractive and interesting.
 - People don't know the story behind the public art.... Consider adding more explanation about them.
 - The process is interesting and no one knows the backstory about them.
 - I hadn't thought about hardscape being a part of public art but the concept intrigued me.
 - Civic engagement with chalk was done on Davidson's campus. The question was, “Is there racism at Davidson?” I liked the civic engagement component, as well as the halos of Unlearn Fear & Hate in the Student Center at UK.
 - Plaques near public art is a good idea with a brief explanation. However, using a URL code for Smart Phone usage is a good idea, as well. The artists' stories can be included with this.
 - Possible stories: immigrants, farming, nature at McConnell Spring and Raven
 - Run, visual arts reflecting change over time in Lexington from the early settlers until now, ephemeral art that has a brief but high impact and visual lights and auditory art reflecting horses racing around a track.
 - People loved Horsemanship, the doors, and the benches
 - Where do people want to see art: Corridors, murals on retaining walls, water towers, transforming stations, and rural hamlets
 - Temporary art was discussed as an alternative to people becoming numb to statues, etc.

LYRIC THEATRE PUBLIC ART MEETING

JANUARY 14, 2020

About 70+ people there --- Commission Members: Celeste Lewis, Richard Young, Heather Lyons, Bill Farmer – also Vice Mayor Steve Kay. Start of Meeting included a Review of many images of public art:

PUBLIC ART DISCUSSION

- Consider the use of water – public fountains with water cascading through stuff
- Make the city more beautiful --- downtown can be very grimy easy to add color and make people enjoy the environment ---
- The whole Hyatt (and other downtown buildings) creates a dull gray canvas ---- what can we do?
- Keeneland entrance and airport spread the art out away from downtown
- Man O'War has a lot of nice medians where there could be public art
- Town Branch should be a focal area for the arts
- Could move art from one site to another site moving pieces around town
- Guayaquil, Ecuador has an art trail
- Let's build a permanent band shell for performing arts
- Carson's had a cool mural that faded away no money to keep it maintained
- Need to consider ephemeral vs. permanent ----
- What is the purpose? If the purpose of the public art is that Art is Important to the Quality of Life, then where the art goes should be part of the discussion.
- Just like the way that public libraries are distributed across town

to be accessible to people in every area of Lexington public art should be accessible in numerous locations across town as well.

- Public art effects livability
- If art is de-installed ---- it could be given another purpose some other higher purpose after it is taken apart.
- This provides an interesting opportunity to work together.
- Should use existing channels of communication to get the word out about the meetings, master plan, etc.
- Use existing networks that can be used to bring art into the community ---- neighborhood associations, etc.
- The book benches project had 4 neighborhood associations involved and bus shelters were also neighborhood projects.
- What are the indicators of a successful launch of the public art or the master plan? Is it to generate buzz? Would negative feedback be welcome? How will public comment be responded to? The intention and purpose of each piece must be considered and each piece may have their own intent and purpose. (A great deal of conversation followed in regard to "purpose.")
- An out-of-town person mentioned that they loved to come to Lexington to hear the creek in the art installation downtown.
- Having art that is accessible is important (This idea echoed by many people.)
- If children are using it then it is successful.
- The Master Plan is not based on commission members but is based on the public comments we get.
- Perhaps there should be a term "Art Desert" like there are "food deserts" to describe where there is no public art.

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- Think of public art spaces as "3rd spaces" First two spaces are home and work public spaces, where people gather are "3rd spaces" like a coffee shop. Create art where people are!
- Create art that will draw people together ----
- Do not fear controversy be careful about always dictating exactly what the art should be. Leave room for the ARTIST to decide what it should be in a particular space. Invite conversation and differing opinions.
- The Statue of Liberty is the most controversial sculpture in the world ---- originally it incited wildly differing opinions and attitudes now it is an iconic symbol around the world.
- Be careful always identifying labels and themes for the artwork. Do not construct the artists. Instead, imagine how wonderful it is to see something that you haven't seen before.
- Bring the unknown out of people.
- Let the artwork create conversation and discussion.
- Are we looking for art to draw people to the place? let's create destinations that bring people here to see the art.
- Chicago shut down a LOT to build the Bean (Cloud Gate). It takes a commitment on the part of the city to be able to take on big projects. But, a project such as this is a downtown engine, now drawing audiences to it.
- Measure success by getting temporary installations out into the public --- Southland Dr. is a project that will encourage people to use the new sidewalks and to come to Southland for shopping.
- Think about temporary works most things don't last forever.
- Establishing an identity is important creating an identity for the neighborhood project.
- Public service buildings are perfect ways to reach the community.
- Lexington has destroyed many spaces and places Town Branch is going to create a new place for public art.

- Demographics change ---
- Create spaces where people gather.
- Get GOOD art don't just focus on LOCAL art and artists.
- Can people send us (the commission) images of public art they like? Is there a way we can post them?
- A person stated that they were interested in knowing the "values" of the commission and master plan and knowing what they are going after. It is important to know what the commission wants to accomplish.
- Reach out to neighborhood associations to help get the word out about survey and meetings ---
- Knock on doors ---- commission should reach out more. Will we be going door to door?
- People might be willing to volunteer to help do that University of KY students could be engaged to assist.

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PORTOFINO RESTAURANT

PUBLIC ART MEETING

FEB. 4, 2020

About 55 people in attendance. Commission Members included: Heather Lyons, Bill Farmer, Rikki Rosenberg

QUESTION: What is Public Art? Answers:

- Something that's accessible
- Buskers
- Statues / sculpture
- Murals
- Performance art

QUESTION: How do you want to see public art impact this community?

- Historical awareness –
- Get lots of people involved and bring the community together through art
- Would love to see artwork that is interactive --- art that is post-able, shareable, etc.
- From economic development standpoint – business development standpoint --- one of this city's main thoroughfares is Versailles Road --- it is the main route from the airport that it is horrible.
- Winchester Road is also bad.
- Would like to see food being made on the street --- seeing through windows to watch bread being made, etc.

purposes. Finding the locations is going to identify what the purpose should be.

- Amanda Mathews everything we design is site specific – site and purpose are both critical. Our work speaks to progressive change --- societal change. Many public parks don't do a very good job of including interactive works for very young children or for older teens.
- There are many ways to find a focus and a unique way of working --- a city that wants to be known for something special --- like a city that is using roundabouts as art forms. Does Lexington want to become known for something specific like that or just art in general? The site ALWAYS has an influence on what should be there and who the audience is.

QUESTION: What are Priorities that you would like to see with the public art?

- People want to be involved plays, music, performance so that people aren't just paying attention to TV...help people to be creative.
- Equity and inclusion are buzz words but I would like to be sure that the art is included for everyone – for all ages and across town.
- Public Art is often discussed as being outdoors but it can also be indoors ----
- Indoor art can provide some opportunities when electric is needed or other logistical concerns.
- One of my priorities is that the community that surrounds it gets to have a say in what it is For example, if someone who lives with you decides to come in with a painting and put it up in your house without checking with you that can feel invasive. One very positive way that this was done was with a project with LexArts and BGCF on the corner of 3rd and Race St. Before a call for artists, we had a community event and asked people to discuss what they would like to see on a mural---

- Getting kids involved in the artwork --- making it, responding to it ----
- Space around the football stadium needs to be beautified ---

QUESTION: How much of cities property will be utilized for art purposes?

– Answered that it will depend upon what the priorities are to be.

- The sites should be identified first locations should be chosen first to then determine what should be done there...

QUESTION: Can the rule be changed that the funds can only be spent on projects for public property?

– Answer is “NO”

- Create a short list of sites that are priorities for what projects should be pursued.
- City property can mean a lot of things for instance medians in streets, intersections, etc.
- I'd like to see a lot of art programs geared toward our children. Everyone can benefit from that creative spark would like to see it on schools. We don't have creative thinkers and need to help bring art onto school property.
- What about the sensory playgrounds there are instruments and ways for children to participate with things that you feel and touch.
- Part of the challenge is going to be determining the purpose for what the art should be. Different sites will determine different

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- We put up butcher block paper and put up words like “memories”, “Stories”, “people”, and other things and people added to it. When we were getting ready to commission an artist, we gave them the list of words to work from. We had people in the community to pick the artists and the artist that was selected was actually from the neighborhood and neighborhood children go the chance to help paint it. There was a LOT of inclusion in the process rather than just a handful of people making the decision.
- There is a completely contrary type of public art a great example is Teresa's
- Thriller Parade which is arguably the most popular local public art in Lexington. That was just one person saying “I want to do this.” When you talk about public art, we have to accept that we are going to like things and we are going to NOT like things. If we only accept things that we like, then we are going to have really boring public art. If we only accept things that everyone likes, then we are going to have very boring public art. It will not be compelling, contemporary public art. If this is really going to happen, we have to all be willing to accept that everything we do is going to be liked.
- Instead --- be a proponent of what you value but also be willing to accept what other people value too. For instance, I would be a proponent of bringing an international artist make something here that would bring people to
- Lexington. But, that is completely different than some of the other ideas here.
- One great thing about using art in bus shelters is that they are functional, they can respond to the immediate community, they can also have changing exhibits of art --- with panel rotations, etc. It is easy to swap out the art. It changes and engages people and it doesn't get boring it refreshes it.

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QUESTION: To clarify something isn't 13 million dollars at the lower end of what the city bonds?

- Bill Farmer answers I'll be specific. One of the core principals of our new mayor is to bond 20 Million dollars per year --- every year.... That is \$200,000 for art. So, it will be \$200,000 every year so we know what it will be.

QUESTION: What will success look like? What will be considered a successful plan, project, public art work?

- If we have art that becomes a destination that people are coming to see it.
- That it is bringing people here and asking people "have you seen this?"
- The idea of successful will constantly be evolving...
- Public / Private partnerships will be an indicator of success.
- Public Art that attracts me is public art that is permanent it is difficult for me to discuss public art without knowing exactly what we are discussing. It would be helpful to have a map to look at to see where the art could be or what kind of art we are talking about it.

QUESTION - Are there demographics in that survey --- If all of us take this survey - we are all white. How are you getting the survey out?

- An on-line survey may not work for everyone I think there are much larger things that need to happen and to make sure that many people are accessing the survey and are able to respond and participate in this.
- Go into the community and just do what the community wants to do So,
- identify a community and then select what they would like to do. That way they can have their own say in what they can get.

- I like the idea of how do you evaluate success --- what does success look like?
- It seems like there could be a tool where you could look at successes and failures.

QUESTION - Who will administer this?

– Answer the Master Plan will have to make some decisions like that.

QUESTION -- Is there any attempt to evaluate the success / fail rate in terms of what has already been done already?

- Nathan Zammarron answers -- there are some evaluations that are done on projects that received grant funding. There are corridors that have been left out --- Georgetown Rd., for instance. Versailles Rd., Winchester Rd.
- The city has put a lot of money into Masterplans that call for public art so it is important to look at those plans as well.
- There are challenges with every project but those just have to be addressed.

QUESTION -- Are there rubrics for how you evaluate success?

- Well think that if nobody hates it, you fail!
- In this survey you could have asked: What are your 3 favorite public art works? What are your 3 least favorite to see what are some shared values.
- Public Opinion has a good place to start. There have been some failures and it would be good to look at how that happens.
- Also good to ask people who know about art and who make art for a living. Expert opinions are good too but public opinion is good too.

QUESTION - "What do you think of as a failure?"

– Answer: because they are ugly. (Crowd laughing about this statement.)

- They might also be placed wrong --- there are siting issues
- They fall apart.
- There is always talk about what how public art can pump millions into the community but how do you really evaluate – There is some sort of algorithm.
- For instance if we put public art on Georgetown Rd., it would be really hard to test what the value to the community would be. It could be a really good thing – but perhaps not measurable to have something that the neighborhood can be proud of when there may not be a lot of other stuff to be proud of.
- Many people consider the litmus test of whether it brings money into the community.
- The success question creative placemaking is one idea for success for public art. But, in a public school, where you are engaging children in creating something that stays in their school. The success there is not necessarily community placemaking but instead, is community building.
- Think about the Louvre --- When IM Pei designed the addition to the Louvre --- there was huge public outcry about it it was horrible! Now, it is considered one of the most successful building additions in the world.
- You have to allow art to be what it is Sometimes it might "fail" in one way but be successful in another. Sometimes the success is that it is a brief, temporary existence
- Description of a community that has a large pink elephant in the community along the side of the road --- in West Virginia has no relevance to anything but is so important to the community --- it has been there forever it is a landmark, etc. It may not have any point other than to encourage people to ask "why?"
- One example of an interactive and engaging project is in

Capitol Hill and there are these little feet on the sidewalk and they are dance steps the fox trot or a different dance that you can learn a dance step as you go down the street or as you are waiting for a bus. You don't see it unless you are walking down the street. There are all sorts of different ways to engage a plethora to engage different parts of the community.

- Another iconic piece to mention is in Seattle --- the Troll --- that was underneath... It was a university project, with students, that put the troll underneath the bridge. Everybody goes to see the Troll.
- To be surprised and delighted --- you don't have to like it but it is wonderful to be surprised. It can be small, it can be big. If I turn the corner and see something I haven't seen before, Oh my gosh. It's great to see something I haven't seen before.

(Heather explains about the survey that is out invites people to take the survey and offers print copies.)

- One of the cool public art things we did several years ago was when Damon Farmer did the sand sculpture in Triangle Park. Amazing sand sculpture ----- of course, it was temporary. It might be interesting to do something like that in a competitive way and have other people doing sand sculptures as well. Over a weekend in August... or something.

QUESTION --- Are there any burning ideas that people are sitting there with "Why aren't we talking about THIS?"

(no responses)

Heather asks everyone to please fill out the survey and explains about the last meeting to take place in March – in Meadowthorpe.

Goa is to have the Public Art Master Plan created for July 1, at least the plan to know how we are going to be able to proceed. Print copies and / or on-line for survey.

MEETING CONCLUDES

APPENDIX E

PEER CITIES PUBLIC ART ADMINISTRATION

Research regarding the administration of Public Art Programs and/or Percent for Art Programs:

Alexandria, VA: (157,613)

The Office of the Arts is located within the Department for Recreation, Parks and Cultural Activities. The five-person Office of the Arts manages calls for artists, public art programs, galleries, art centers and facilities, arts planning, grants, etc. They work with the Alexandria Commission for the Arts.

Boise, ID: (447,000)

The Boise City Dept. of Arts & History includes a 14 member staff of which two are a Public Art Program Manager and Public Art Program Asst. This office administers the Percent for Art Program as well as arts programs, cultural sites, grants and events and works with an Arts & History Commission and an Arts & History Advisory Team.

Charlotte, NC: (857,000)

The Office of Cultural Resources for the City of Charlotte provides advocacy, cultural education, cultural planning, grant making, public art, and workshops and training. A staff of 16 includes two staff members devoted to Public Art including a Project Manager for Public Art. They work with several Advisory Councils by sector.

Chattanooga, TN: (421,000)

Public Art Chattanooga is administered by the City of Chattanooga and the Public Arts Commission. Staff includes a Public Art Director and manages several arts programs including the public art program and collection.

Columbia, MO: (124,500)

The Office of Cultural Affairs include a staff of three and manages the Percent for Art program as well as grant funding, arts programming, Arts Funds, and events. They work with a Commission on Cultural Affairs as well as an appointed Standing Committee on Public Art.



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El Paso, TX: (679,800)

The El Paso Museums and Cultural Affairs Department administers the Public Art Program and the Percent for Art program, in addition to providing arts funding, managing art and history museums and other facilities, and developing and presenting programs and events. A staff of 11 includes two staff members dedicated to public art programs.

Gainesville, FL: (132, 127)

The city's Parks, Recreation and Cultural Affairs department manages arts programs, events, historic landmarks, grants, art spaces and facilities, artist studios, and the Art in Public Places Trust (percent for art program.)

Kansas, City, MO: (486,400)

Municipal Art Commission works with a staff Public Art Administrator to administer the Percent for Art program. Parks & Recreation manages performing art centers, arts programs, public art, and cultural assets.

Nashville, TN: (692,587)

Metro Arts is the Office of Arts + Culture for Nashville and Davidson Co. Fully staffed office of 13 includes four devoted to Public Art.



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The Public Art Commission website, www.lexingtonky.gov/boards/public-arts-commission, includes this interactive map of the City of Lexington's public art collection. The searchable map includes locations, photographs, and details of over 50 works of art currently located on public property.

APPENDIX G

DEACCESSION POLICY

The Public Arts Commission's overarching role is to develop and maintain the City of Lexington's Public Art Collection. At times, this may include the necessary temporary or permanent removal or "deaccessioning" of artwork. The City of Lexington retains the right to remove any work of art in the public art collection that is determined to require excessive maintenance, pose public safety risks, is damaged beyond repair or that has been or is expected to be adversely affected by changes to the site. Determinations about the removal or relocation of existing artwork will be made by the Public Arts Commission, with input from a professional conservator and other arts, design, and engineering professionals. Issues such as Artists' rights, public benefit, censorship, copyright and legal obligations will be considered along with concerns regarding maintenance, repair, on-going conservation, site requirements, and costs.

Deaccessioning of works of art will be determined as a joint decision between the LFUCG public art staff and the Public Arts Commission. Any artwork may be reviewed

for deaccession at any time unless the artwork is accompanied by verified legal stipulations that the artwork may not be deaccessioned.

Any object considered for deaccession must meet at least one of the following criteria:

- The artwork is outside the scope of the collection.
- The artwork endangers public safety
- The artwork is in such poor condition that restoration is impossible or will affect the integrity of the work.
- The artwork has been damaged and repair is financially unreasonable (i.e. the cost exceeds the current market value of the artwork) or is unfeasible in the judgment of an independent conservator.
- The security of the artwork cannot be guaranteed.
- The artwork no longer exists because of theft, accident or an act of god.
- The artwork requires excessive maintenance or has significant faults of design or workmanship.
- The artwork is proved to be fraudulent,

not authentic, or in violation of existing copyright laws.

- The artwork is not, or is rarely on display, due to a lack of appropriate location.
- Significant changes in the use, character, or design of the site where the work is displayed.
- Significant changes in the site that limits the public's access to the artwork.
- The site where the work is located has become private property.
- Deaccession is requested by the artist.

APPENDIX H

ANNUAL WORK PLAN TEMPLATE 2022

ANNUAL WORK PLAN TEMPLATE

Priority #

Public Art Program Area:

Artist Selection / Invitation Process:

Discipline(s) / Media:

Master Plan Goals supported:

Proposed Site(s):

Temporary / Permanent:

Proposed Budget:

Advisory Committee Members:

Selection Committee Members (if applicable):

Timeline:

Proposed Site(s):

Temporary / Permanent:

Proposed Budget:

Other Details: