



**DOWNTOWN
LEXINGTON
MANAGEMENT
DISTRICT**

**DOWNTOWN LEXINGTON MANAGEMENT DISTRICT (DLMD)
REGULAR BOARD OF DIRECTORS MEETING**

8:30 a.m., Wednesday, July 7, 2021
McBayer LLC

AGENDA

- I. Call to Order and Roll Call
- II. Motion approving the Minutes of the Regular Board of Directors Meeting of May 5, 2020.
- III. Motion approving the Financial Statements.
- IV. Chairman's Update.
- V. DLP Update.
 - Review of recent DLP/DLMD Events
 - Annual Meeting
 - State of Downtown
 - Marketing and Outreach
 - Grants
- VI. Block by Block monthly report by David Warren.
- VII. Adjourn Public Meeting. Next Meeting September 1, 2021

Downtown Lexington Management District
Board of Directors Meeting
Wednesday, May 5, 2021
Zoom Telephone Conference

Present Board Members: Dougie Allan, Clay Angelucci, Kevin Atkins, Liza Betz, Bryanna Carroll, Juan Castro, Scott Davidson, James Frazier, Stan Harvey, Vice Mayor Steve Kay, Councilmember Hannah LeGris, Thomas Petit, Taunya Phillips, Mary Quinn Ramer, Woodford Webb

Advisory Board Members: Beverly Fortune

Other Persons Present: Terry Sweeney (DLP), Laura Farnsworth (DLP), Taylor McDonald (DLP) Harrison Stiles (DLP), David Warren (Block-By-Block), Kate Savage (Arts Connect), Jomo Thompson (Resident)

The meeting opened at 8:32am.

Jim Frazier welcomed the board and opened the meeting. There were two items for approval on the consent agenda:

1. Approval of the minutes from the March 3 meeting. There was a motion by Kevin Atkins to approve, and a second by Thomas Pettit. The motion passed unanimously.
2. Approval of the Financial Statements. Jim Frazier noted that the balance as of April 30 was \$212,182.84. The meeting agenda includes a discussion the FY22 budget, but it was mentioned by Frazier that expenses were going to be cut as much as possible, highlighting that the Block by Block contract was reduced by \$16,000 for the next year. There was a motion by Thomas Pettit to approve, and a second by Councilmember LeGris. The motion passed unanimously.

DLMD Budget Approval

Jim Frazier began the budget discussion, noting that finances were going to be very tight in the immediate future due to reduction in assessment totals from the PVA. Councilmember LeGris questioned where art projects would be found in the budget, and it was noted that art projects were not specifically funded in the proposed budget. Suggestions were made on how to potentially reallocate funding to provide for art projects and to renew the contract for rotating art currently held with Arts Connect. After further discussion, it was determined that additional details were needed by the Board to determine whether or not to pass the budget or to made amendments prior. Frazier offered to add additional details to budget that would aid in decision making, and a special meeting of the Board would be held to pass the budget prior to presenting it the LFUC Council for approval later this year.

Rotating Public Art

Kate Savage provided an update on the "Windows Gallery on Main", a rotating art exhibit funded by DLMD in the windows of Triangle Center near the corner of Main Street and Broadway. The current exhibit is of Monarch Butterflies, created by John Hockensmith.

DLP Update

Laura Farnsworth provided an update regarding events and programming. She noted that the DLP/DLMD Annual Meeting was scheduled for a limited in-person luncheon on Monday, May 24 at the Hilton Lexington/Downtown. The State of Downtown, another DLP/DLMD cosponsored event, will take place as a limited in-person event on Wednesday, June 23 at LexLive. Both events will require masks,

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and guests will adhere to current social distancing guidelines. Finally, Farnsworth informed the Board that while Thursday Night Live was in the works to return in the summer, there was no official state date at this time. DLP staff continue to work with the Mayor's Office and Parks & Recreation to create an event that is safe and enjoyable to all involved.

On Street Report

David Warren mentioned that he was working on making the Ambassadors more engaged with the public and informative on DLMD and what the District does for the downtown community. Additionally, the Ambassadors will begin to extend their hours of operation as summer approaches to best serve the needs of the district.

Future Meetings

The next meeting of the Downtown Lexington Management District will be held on Wednesday, July 7. There was a proposal to the Board on whether or not to host the next meeting virtually, in-person, or a hybrid of the two options. Kevin Atkins noted that, as a Board appointed by the Mayor, this group was required to submit a proposal to the Commissioner of Law and Mayor noting how COVID-19 precautions would be followed. Jim Frazier asked Woodford Webb to join him in finding locations that might allow for social distancing, and Terry Sweeney would check and see if LexLive would be open in the morning to host a meeting.

At 9:45am, the Chair asked for a motion to move into an Executive Session to discuss the DLP Management Renewal. Councilmember LeGris made the motion, Woodford Webb provided a second, and all were in favor.

Downtown Lexington Management District
Profit & Loss
July 2020 through June 2021

	<u>Jul '20 - Jun 21</u>
Income	
40000 · Property Tax Collections	
41000 · Downtown Distict Property Tax	486,144.35
41100 · Fayette Co. Sheriff's Commissio	-20,176.29
41200 · 2% Discount	-8,900.15
41900 · Property Tax Refunds	-62.77
Total 40000 · Property Tax Collections	<u>457,005.14</u>
45100 · Downtown Art Project Donations	20,000.00
Total Income	<u>477,005.14</u>
Expense	
61000 · Special Projects, Art & New Opp	
61100 · Downtown Art Project	5,000.00
Total 61000 · Special Projects, Art & New Opp	<u>5,000.00</u>
62000 · District Services	
62100 · Block By Block Ambassadors	302,064.63
62200 · Supplies & Equipment	681.88
62300 · Security Services	24,139.38
Total 62000 · District Services	<u>326,885.89</u>
63000 · Marketing & Communications	
63100 · Advertising and Promotion	195.00
63250 · Website Hosting Services	409.90
63300 · Annual Meeting	6,000.00
63500 · Communications	2,850.00
Total 63000 · Marketing & Communications	<u>9,454.90</u>
64000 · Business Support/Economic Devel	
64100 · Grant Disbursements	46,743.00
64300 · State of Downtown	6,000.00
Total 64000 · Business Support/Economic Devel	<u>52,743.00</u>
65000 · Management & Planning	
65100 · Management Services	64,083.37
65200 · Bank Fees	60.00
65500 · Tracking Software	1,245.00
Total 65000 · Management & Planning	<u>65,388.37</u>
Total Expense	<u>459,472.16</u>
Net Income	<u><u>17,532.98</u></u>

Downtown Lexington Management District (DLMD) FY 2021-2022 Budget

	2020-2021 Budget	2020-2021 Actual
Revenues		
40100 District Levy	475,000.00	487,472.15
40900 Minus Sheriff Fee 4.25%	(20,000.00)	(20,717.57)
40910 Minus Uncollected 2% City Loan	(10,000.00)	(9,749.44)
45100 Downtown Art Project	-	-
Previous Year Surplus	45,000.00	20,000.00
Total Revenues	\$ 490,000.00	\$ 477,005.14
Expenses		
61000 Special Projects, Art & New Opportunities		
61100 Downtown Art Project	2,500.00	5,000.00
Total Special Projects, Art & New Opportunities	\$ 2,500.00	\$ 5,000.00
62000 District Services (Cleanliness & Safety)		
62100 Block by Block Ambassadors	315,000.00	302,064.63
62200 Supplies & Equipment	3,200.00	681.88
62300 Off-Duty Police	-	24,139.38
Total District Services (Cleanliness & Safety)	\$ 318,200.00	\$ 326,885.89
63000 Marketing & Communications		
63100 Advertising & Promotion	-	195.00
63200 Website Design & Maintenance	500.00	409.90
63250 Website Hosting (OX.net)	6,000.00	6,000.00
63300 Annual Meeting	2,500.00	-
63400 Merchant Marketing	-	-
63500 Communications	-	2,850.00
Total Marketing & Communications	\$ 9,000.00	\$ 9,454.90
64000 Business Support/Economic Development/Recruitment		
64100 Grant Disbursement	85,000.00	46,743.00
64200 Lighting	5,000.00	-
64300 State of Downtown	6,000.00	6,000.00
64500 Downtown Improvement	-	-
Total Business Support/Economic Development/Recruitment	\$ 96,000.00	\$ 52,743.00
65000 Management & Planning		
65100 Management Services	59,000.00	64,083.37
65200 Bank Fees	-	60.00
65300 Auditing Services	2,500.00	-
65400 Renewal, Communications, Supplies, Property Printing, Services	3,000.00	-
65500 Tracking Software	-	1,245.00
65600 Office Expense	-	-
Total Management & Planning	\$ 64,500.00	\$ 65,388.37
69000 Miscellaneous Expense	-	-
Total Expenses	\$ 490,200.00	\$ 459,472.16
Net Income	\$ (200.00)	\$ 17,532.98

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") dated the 30th day of June, 2021, made and entered into by and between **DOWNTOWN LEXINGTON MANAGEMENT DISTRICT** ("DLMD") and **DOWNTOWN LEXINGTON PARTNERSHIP** ("DLP").

WHEREAS, DLMD issued a request for proposal ("RFP") for an organization to provide day to day management and oversight of the DLMD. The RFP also stated that the term of the contract will be for a one-year period of time commencing July 1, 2021 and ending, if not extended, on June 30, 2022. Also, that the DLMD may choose to extend the contract for an additional one-year period of time upon the approval of the DLMD full board.

WHEREAS, the parties have met and negotiated a scope of services as well as remuneration for same as reflected herein below.

1. **Term.** The initial term of this MOU shall be for one year beginning July 1, 2021 and ending June 30, 2022. A one-year extension may be granted by the DLMD at the end of that term subject to the DLMD full board approval.
2. **Management Fee.** DLP shall receive a district management fee in the total sum of Fifty Thousand Dollars (\$50,000.00) for the fiscal year 2021-2022. Said fee shall be paid monthly beginning July 1, 2021 at the rate of \$4,166.67 per month.
3. **State of Downtown.** In addition to the Management Fee, DLMD agrees to pay to the DLP the sum of Four Thousand Dollars (\$4,000.00), representing their share of the costs for the production and event known as the State of Downtown. This sum shall be due and payable to DLP two weeks prior to the scheduled event.
4. **General Metrics for Performance.**

General Administration:

- Managing board meetings: developing agenda, communicating meeting details, taking and posting minutes.
- Supporting budget development, bill payment and invoicing.
- Managing Committees (budget, marketing, grants).

Managing Programs and Services:

- Safety and Clean Ambassadors
- Property Improvement, Lighting, Arts grants
- Assist identifying and vetting sponsorship opportunities.

Integrating DLMD to State of Downtown program

Communications, Marketing and Promotion

- Maintaining website
- Managing and growing DLMD property owner email list for general communications and quarterly newsletter. Add city council members to email list
- Convening bi-monthly lunch and learns or meet and greet for DLMD property owners.
- Highlight programs through press releases and social media utilizing DLMD and DLP platforms.
- Speakers Bureau- Create a presentation that can be used with various civic and leadership groups on educating them on the DLMD.

5. Relationship of Parties. Nothing contained in this Memorandum of Understanding shall be construed as creating an agency, partnership, joint venture or other form of joint enterprise, employment or fiduciary relationship between the parties, and neither party shall have authority to contract for or bind the other party in any manner whatsoever.

6. **Miscellaneous Amendments.** No supplement, modification or waiver of this MOU shall be binding unless in writing and executed by each party thereto.

7. **Assignment.** Neither this MOU nor any of its rights, interests or obligations hereunder shall be assigned by either of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other party. Subject to the preceding sentence, this MOU shall be binding upon, inured to the benefit of, and be enforceable by the parties and their respective successors and permitted assigns.

8. **Governing Law.** This MOU shall be governed by and construed according to the laws of the Commonwealth of Kentucky without regard to or application of its conflict of laws rules.

9. **Entire Agreement.** This MOU constitutes the entire agreement among the parties hereto and supersedes all oral agreements and understandings, oral or written, among the parties hereto with respect to the subject matter hereof and thereof. There are no warranties, representations or other agreements between the parties in connection with the subject matter hereof except as set forth specifically herein, or contemplated hereby.

IN WITNESS WHEREOF, this Memorandum of Understanding has been duly executed, delivered by the duly authorized representatives of DLMD and DLP on the first date above written.

**DOWNTOWN LEXINGTON
MANAGEMENT DISTRICT**

By: 

JAMES H. FRAZIER, III, Chairman

**DOWNTOWN LEXINGTON
PARTNERSHIP**

By: 

TERRY SWEENEY, President and Chief
Executive Officer

DOWNTOWN LEXINGTON JULY 2021 BOARD REPORT



**DOWNTOWN
LEXINGTON
MANAGEMENT
DISTRICT**

Statistics

January 2021 through June 2021

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Bags of Leaves	'21	--	--	--	2	--	2	--	--	--	--	--	--	4
Billy Goat (hours)	'21	--	1	--	--	--	--	--	--	--	--	--	--	1
Business Contact	'21	5	8	9	10	8	14	--	--	--	--	--	--	54
Feces Clean Up	'21	2	13	--	--	2	2	--	--	--	--	--	--	19
Graffiti/Stickers Removed	'21	81	7	37	84	23	79	--	--	--	--	--	--	311
Hospitality Assistance	'21	78	84	126	85	106	151	--	--	--	--	--	--	630
Loitering - Observed	'21	7	--	--	1	1	1	--	--	--	--	--	--	10
Motorist Assist	'21	--	2	31	10	8	41	--	--	--	--	--	--	92
Panhandling - Aggressive	'21	1	2	3	10	5	8	--	--	--	--	--	--	29
Panhandling - Passive	'21	16	16	9	9	10	11	--	--	--	--	--	--	71
Park Count - End of Shift	'21	--	1	10	4	3	5	--	--	--	--	--	--	23
Park Count - Start of Shift	'21	3	5	--	--	--	6	--	--	--	--	--	--	14
Power Washing (hours)	'21	--	2	16	21	24	35	--	--	--	--	--	--	98
Request for Police/Fire/EMS	'21	6	1	3	1	3	5	--	--	--	--	--	--	19
Sanitized Block Faces	'21	1443	1001	1944	1703	1422	1060	--	--	--	--	--	--	8573
Sidewalk Drains Cleared	'21	51	50	86	26	21	50	--	--	--	--	--	--	284
Snow Removal - Block Faces	'21	--	88	52	--	7	27	--	--	--	--	--	--	174
Trash (lbs)	'21	1319	1193	2312	2309	1502	1347	--	--	--	--	--	--	9982
Weed Abatement (block faces)	'21	8	7	46	106	89	334	--	--	--	--	--	--	590

Highlights

