



OFFICE OF THE MAYOR  
LOUISVILLE, KENTUCKY

GREG FISCHER  
MAYOR

December 12, 2019

Stephen Ott  
Metro Council Clerk  
City Hall, 1<sup>st</sup> Floor  
Louisville, KY 40202

RE: O-400-19(180)

Dear Mr. Ott:

I am returning Ordinance O-400-19(180) unsigned pursuant to KRS 83.500.

The Mayor of the consolidated local government possesses the duty and authority to “execute written contracts, subscriptions, agreements, or obligations of the consolidated local government.” This ordinance, in my judgment, infringes on that duty and authority of the Executive.

Sincerely,

Greg Fischer  
Mayor

ORDINANCE NO. 180, SERIES 2019

**AN EMERGENCY ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE METRO CODE OF ORDINANCES TO REQUIRE METRO COUNCIL APPROVAL OF CONTRACTS FOR THE MANAGEMENT OF METRO-OWNED GOLF COURSES.**

**SPONSORED BY: COUNCIL MEMBER FOWLER**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Government”) believes that Metro-owned golf courses are important assets that contribute to the health and wellness of the citizens of Louisville Metro;

**WHEREAS**, Metro Council appreciates and holds dear the historical significance and the integrity of the game enjoyed by multitudes over the 100 year history of Louisville Municipal Golf;

**WHEREAS**, pursuant to KRS 67C.105(5)(j) the Metro Council may require written contracts to come before the Council for its approval or disapproval;

**WHEREAS**, Metro Council hereby amends Chapter 42 to require Metro Council approval of contracts for the management of Metro-owned golf courses; and

**WHEREAS**, this ordinance requires emergency consideration because the contracts for management of the Metro-owned golf courses are under consideration and should be reviewed and approved by the Louisville Metro Government’s legislative body.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) AS FOLLOWS:**

**SECTION I:** LMCO Chapter 42.43 is hereby as follows:

**42.43 MANAGEMENT OF METRO-OWNED GOLF COURSES**

Every four years, Metro Parks shall compile a benchmarking report of Louisville Metro-owned golf courses for the purpose of equipping Louisville Metro to make informed decisions regarding golf operations. The report should review or evaluate eight (8) to twelve (12) other municipal golf operations and semi-public/private courses within municipalities that are comparable to the Metropolitan Statistical Area (MSA) of Metro Louisville.

Metro Parks shall contract with a private entity or person for the management of any Metro-owned golf courses by December 31, 2019. The following restrictions must be contained in any future request for proposal and subsequent contract executed for the management of the property:

(A) The person or entity must be or employ a Class A PGA Member (“Pro”) to manage each Metro-owned public golf course. PGA Professionals shall be provided the opportunity to submit proposals on individual Metro-owned public golf courses;

(B) The person or entity may only manage one Metro-owned golf course at a time - unless there is a death or separation of employment and another Pro fills in on an interim basis during the transition period to keep the Metro-owned golf course open while Metro seeks to fill the vacant position;

(C) The person or entity may not manage another competing course, whether private or semi-private, while maintaining a contract to manage a Metro-owned public golf course;

(D) The person or entity shall employ staff to manage the clubhouse, concession stand, and golf carts as well as hold all applicable licenses and certifications (Liquor license, insurance, Health Department, Revenue Commission, etc.).

(E) The person or entity may close the course during the months of December, January, and February with the exception of Seneca, Vettiner, Iroquois and Quail Chase all of which are to remain open during the Winter Season. The person or entity at Seneca, Vettiner, Iroquois, and Quail Chase may close on any given day due to inclement weather.

(F) The person or entity shall provide quarterly reports for each golf course to the Parks and Sustainability Committee of the Metro Council, or its successor. Reports shall, at a minimum, include the following:

- (1) Hours of operation;
  - (2) Rounds of golf played;
  - (3) Revenue from all sources;
  - (4) Number of reservations;
  - (5) Number of passes used;
  - (6) Number of scrambles benefiting non-profits played at each course; and
  - (7) All costs associated with maintaining greens and grounds.
- (8) An itemized breakdown of all revenue, expenses, and profits associated with the operation of the clubhouse and pro shop, including, without limitation, concession stands, golf carts, merchandise, scrambles, and lessons.
- (9) Any person or entity managing a Metro-owned Golf Course during the 2019 season who bids on an RFP for the management of a course for the 2020 season must provide an itemized breakdown in accordance with 42.43(F)(8) for January 1 through September 30 for the year 2019.

(G) If applicable, the preferences for local businesses as set forth in LMCO §§ 37.01-04 shall be observed in the consideration of bids on the management of Metro-owned golf courses.

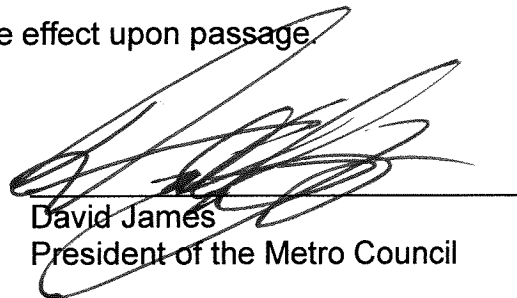
(H) Effective 2019, a new RFP shall be required every five (5) years for each golf course. An exception shall be provided if a person or entity is provided a two (2) year extension.

(I) All proposed contracts for the management of Metro-owned golf courses shall be submitted to the Council in the form of a resolution for approval.

(J) No Metro-owned golf course shall remain closed, temporarily or otherwise, due to a lack of a contract with a private entity or person. If, for any period of time, a golf course lacks private management then Metro Parks shall manage and maintain the course until a suitable management contract is in place.

**SECTION II:** This Ordinance shall take effect upon passage.

  
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H. Stephen Ott  
Metro Council Clerk

  
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David James  
President of the Metro Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By:   
\_\_\_\_\_  
O-400-19 MC Approval of Golf Course Contracts sd 112119.docx

**LOUISVILLE METRO COUNCIL  
READ AND PASSED  
November 21, 2019**