

10. R-033-19

**A RESOLUTION DETERMINING CERTAIN PROPERTY AS SURPLUS AND NOT
NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.**

Sponsors: Primary Barbara Sexton Smith (D-4)

Attachments: [PROPOSED CAM 081319 R-033-19 Surplus Resolution Vine Street
Urban Govt Center 7-28-19 - revised.pdf](#)
[R-033-19 V.1 022119 Surplus Property 814 Vine Street.pdf](#)
[R-033-19 ATTACH - Surplus Property 814 Vine Street.pdf](#)

A motion was made by Committee Member Dorsey, seconded by Committee Member George, that this Resolution be recommended for approval.

Council Member Sexton Smith, spoke to the item and presented an Amendment.

A motion was made by Committee Member Dorsey, seconded by Committee Member Engel, that this Resolution be amended by inserting the following four WHEREAS statements:

WHEREAS, pursuant to a parking lease dated February 27, 2017 (the "Lease dated February 17, 2017 (the "Lease"), Metro Government leased the property to Paristown Preservation Trust, LLC ("PPT") to support the parking needs of the Kentucky Center for the Arts, subject to a termination right set forth at Section 8.b. of the Lease; and

WHEREAS, by letter dated February 25, 2019 Metro Government gave notice of the termination of the Lease; and

WHEREAS, a dispute arose regarding the efficacy of the Notice, which was resolved by (i) a Settlement Agreement dated July 9, 2019 by and among PPT, Kentucky Center for the Arts Corporation and Metro Government, and (ii) a Settlement Agreement dated July 9, 2019, by and between Developer and Metro Government (collectively, the "Settlement Agreements: and

WHEREAS, pursuant to the Settlement Agreements, PPT has agreed to pay \$500,00 for the option to purchase the Property for \$1;

And Section III should be amended by striking the bracketed language, "This Resolution shall take effect upon [the later to occur of (i)] its passage and approval[, or (ii) notice of termination of the Parking Lease dated February 27, 2017]. and read as "This Resolution shall take effect upon its passage and approval".

A motion was made by Vice Chair Piagentini, seconded by Committee Member Engel to add the following additional language to the fourth WHEREAS statement of the proffered Amendment, "and Louisville Metro Government agrees to pay \$150,000 towards the settlement; and Louisville Metro Government agrees to pay \$150,000 from the "carry forward" dollars of Louisville Forward.

A motion was made by Committee Member Ackerson, seconded by Committee

Member Engel, that his Resolution be Tabled. A voice vote was taken, but was not definitive. Therefore, Vice Chair Piagentini called for a roll call vote. The motion to Table carried by the following vote:

Yes: 3 - Piagentini, Engel, and Ackerson

No: 2 - Dorsey, and George

Absent: 2 - Yates, and Winkler

Adjournment

Without objection Chair Person Piagentini adjourned the meeting at 4:05 p.m.

*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on August 8, 2019.