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LOUISVILLE, KENTUCKY

OFFICE OF METRO COUNCIL CLERK  
RECEIVED  
DATE Oct 24/2019 TIME 3:46pm

GREG FISCHER  
MAYOR

October 24, 2019

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

RE: O-321-19

Dear Mr. Ott:

I am returning Ordinance O-321-19 unsigned pursuant to KRS 83.500.

Contracting and procurement is a specific duty of the Mayor pursuant to KRS 67C.105. While we appreciate the Metro Council's passion for this issue, the passage of this ordinance during the pendency of an active Request for Proposals ("RFP") conflicts with my duty as the Executive to administer and execute the functions of government.

As such, instead of vetoing this Ordinance, I am returning it to the Metro Council unsigned as a veto would further delay the RFP process.

Sincerely,

Greg Fischer  
Mayor

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ORDINANCE NO. 154, SERIES 2019

AN ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES TO ENHANCE THE LONG-TERM ECONOMIC VIABILITY OF LOUISVILLE METRO GOLF COURSES (AMENDMENT BY SUBSTITUTION)(AS AMENDED).

SPONSORED BY: COUNCIL MEMBERS FOWLER, DORSEY, SEXTON SMITH, MCCRANEY, KRAMER, BLACKWELL, FOX, TRIPLETT, REED, PARKER, PIAGENTINI, BENSON, ENGEL, PEDEN, FLOOD, YATES, AND COUNCIL PRESIDENT JAMES

**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 Government recognizes the vital role local and small businesses play in the economy and thus seeks to maintain the practice of providing preferences to local businesses as set forth in LMCO Chapter 37;

**WHEREAS**, Metro Council values and supports a continued small business relationship with PGA professionals for their many contributions to our community;

**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**, Metro Council values our Metro Golf and Park employees, intending to preserve and maintain as many positions as possible while streamlining golf operations;

**WHEREAS**, making Municipal Golf in Louisville available for future generations by implementing cost saving measures, such as eliminating undesirable bunkers, increased fee structures, and negotiation tools to bring sustainable and financial security to the system; and

**WHEREAS**, Metro Council hereby amends Chapter 42 to implement cost-saving measures and update fees to better accord with the costs associated with providing golfing opportunities to the general public.

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

**SECTION I:** LMCO Chapter 42 is hereby amended to include a new definition in Section 42.40 and Sections 42.41 and 42.43 are amended as follows:

#### **42.40 DEFINITIONS**

*DYNAMIC PRICING. In order to maximize revenue and/or golf course usage, actual green fees may fluctuate from the base fees set forth in LMCO 42.41(D)(2) due to current market situations such as, but not limited to, weather or usage. When in place, this pricing will cause the green fees to be higher or lower than the base fees.*

#### **42.41 BOOKING AND GREEN FEES**

(A) An online booking fee of \$5.00 shall be paid by golfers seeking to reserve a tee time. The \$5.00 fee will be refunded to those golfers who are present to golf at their reserved tee time.

(AB) All golfers must pay the established green fee, start in the order designated by the duly-appointed starter at the clubhouse, and have the green fee receipt in his or her possession at all times while playing on the course. The golf pro or his or her designee

shall have the authority to restrict usage of all golf practice facilities to those having paid for a green fee for that day, if overcrowding occurs.

(BC) Green fees shall be established at the rates set forth herein, effective ~~March 1, 2018~~January 1, 2020. Thereafter, upon review every ~~two~~ years, the fees may be increased by a greater of: (i) ~~\$0.25~~\$1.00 or (ii) an amount based on the most recently-published Consumer Price Index (CPI), provided such CPI-based amount is in increments of ~~\$0.25~~\$1.00. If costs require rate increases above this level, the Director of Parks may request a higher increase upon approval by the Metro Council. The golf pro or his or her designee shall have the authority to establish green fee rates based upon dynamic pricing. Any dynamic pricing adjustments shall be commensurate with golf cart fees applied to cart fees by an equivalent percentage and for the purpose of increasing golf course usage or revenue. Golf cart fees that are adjusted pursuant to dynamic pricing shall be rounded to the nearest whole dollar.

(CD) Fee schedule.

(1) Annual passes shall be issued on a calendar year basis, and are not prorated. Additionally, an annual pass fee shall be assessed each time the pass is used, as set forth herein.

(a) 7-day pass:           ~~\$375~~\$500

(b) Weekday pass:

Adult:           ~~\$270~~\$350

Junior:           ~~\$90~~\$75

Youth Team:

(team season only) \$ 60

(2) Daily fees. The fees set forth herein are base prices. Prices may fluctuate above or below the base price due to dynamic pricing per LMCO 42.41(C).

(a) Seneca and Charlie Vettiner Courses.

<b><i>Summer Season Rates</i></b>	
Weekday	<del>\$15.50</del> <u>\$20.50</u>
Weekend	<del>\$19.00</del> <u>\$24.00</u>
Matinee/Active Duty Military	<del>\$13.00</del> <u>\$18.00</u>
Junior, Senior, Twilight	<del>\$10.00</del> <u>\$15.00</u>
<b><i>Winter Season Rates</i></b>	
Weekday	<del>\$12.50</del> <u>\$17.50</u>
Weekend	<del>\$14.00</del> <u>\$19.00</u>
Junior, Senior, Twilight	<del>\$9.00</del> <u>\$14.00</u>
<b><i>Annual Pass Fee</i></b>	
Adult	<del>\$5.50</del> <u>\$7.50</u>
Junior	<del>\$2.00</del> <u>\$4.00</u>

(b) Iroquois, Long Run, Shawnee, Sun Valley Courses.

<b><i>Summer Season Rates</i></b>	
Weekday	<del>\$14.00</del> <u>\$19.00</u>
Weekend	<del>\$17.00</del> <u>\$22.00</u>
Matinee/Active Duty Military	<del>\$12.00</del> <u>\$17.00</u>
Junior, Senior, Twilight	<del>\$8.50</del> <u>\$13.50</u>
<b><i>Winter Season Rates</i></b>	
Weekday	<del>\$11.00</del> <u>\$16.00</u>
Weekend	<del>\$12.50</del> <u>\$17.50</u>
Junior, Senior, Twilight	<del>\$7.50</del> <u>\$12.50</u>
<b><i>Annual Pass Fee</i></b>	
Adult	<del>\$5.00</del> <u>\$7.00</u>

Junior	<del>\$2.00</del> <u>\$4.00</u>
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(c) Cherokee, Bobby Nichols Courses.

<b><i>Summer Season Rates</i></b>	
Weekday	<del>\$13.00</del> <u>\$18.00</u>
Weekend	<del>\$14.00</del> <u>\$19.00</u>
Matinee/Active Duty Military	<del>\$9.75</del> <u>\$14.75</u>
Junior, Senior, Twilight	<del>\$7.50</del> <u>\$12.50</u>
<b><i>Winter Season Rates</i></b>	
Weekday	<del>\$10.00</del> <u>\$15.00</u>
Weekend	<del>\$10.00</del> <u>\$15.00</u>
Junior, Senior, Twilight	<del>\$6.50</del> <u>\$11.50</u>
<b><i>Annual Pass Fee</i></b>	
Adult	<del>\$4.00</del> <u>\$6.00</u>
Junior	<del>\$2.00</del> <u>\$4.00</u>

(d) Crescent Hill Course.

<b><i>Summer Season Rates</i></b>	
Weekday	<del>\$14.00</del> <u>\$19.00</u>
Weekend	<del>\$16.00</del> <u>\$21.00</u>
Matinee/Active Duty Military	<del>\$12.00</del> <u>\$17.00</u>
Junior, Senior, Twilight	<del>\$8.50</del> <u>\$13.50</u>
<b><i>Winter Season Rates</i></b>	
Weekday	<del>\$11.00</del> <u>\$16.00</u>
Weekend	<del>\$12.50</del> <u>\$17.50</u>
Junior, Senior, Twilight	<del>\$7.50</del> <u>\$12.50</u>
<b><i>Annual Pass Fee</i></b>	
Adult	<del>\$5.00</del> <u>\$7.00</u>
Junior	<del>\$2.00</del> <u>\$4.00</u>

(e) Quail Chase Course.

<b><i>18-Hole Course Rates</i></b>	
Weekday	<del>\$24.00</del> <u>\$29.00</u>
Weekend	<del>\$34.00</del> <u>\$39.00</u>
Weekday Senior	<del>\$14.00</del> <u>\$19.00</u>
Weekday Twilight	<del>\$11.00</del> <u>\$16.00</u>
Junior	<del>\$18.00</del> <u>\$23.00</u>
Derby	<del>\$35.00</del> <u>\$40.00</u>
Specials	<del>\$10.00 – \$32.00</del> <u>\$15.00 - \$37.00</u>
<b><i>9-Hole Course Rates</i></b>	
Weekday	<del>\$20.00</del> <u>\$25.00</u>
Junior	<del>\$9.00</del> <u>\$14.00</u>
<b><i>Leagues</i></b>	
League 1	<del>\$11.00</del> <u>\$16.00</u>
League 2	<del>\$9.00</del> <u>\$14.00</u>
League 3	<del>\$7.00</del> <u>\$12.00</u>
League (Early)	<del>\$5.00</del> <u>\$10.00</u>

(E) To the extent allowable by law, fees and other revenue generated through Metro-owned Golf Courses shall remain dedicated to addressing costs of the golf courses, to include but not limited to deferred maintenance needs. The approval of Metro Council shall be required before any revenue generated by Metro-owned Golf Courses is expended for any other purpose.

#### **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.

If 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. ~~In the event that a Request for Proposal (RFP) is solicited from Metro Louisville for the management of its courses,~~ 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. Metro Parks will require that a minimum of four Metro-owned courses shall remain open those three (3) months.~~

(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:

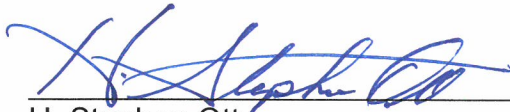
- (1) Hours of operation;
- (2) Rounds of golf played;
- (3) Revenue from all sources;
- (4) Number of reservations;
- (5) Number of passes used;
- (6) Number of scrambles benefiting non-profits played at each course; and
- (7) All costs associated with maintaining greens and grounds.
- (8) An itemized 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.

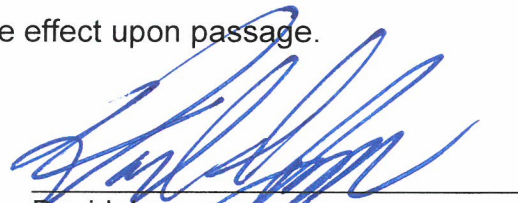
(G) If applicable, the preferences for local businesses as set forth in LMCO §§ 37.01-04 shall be observed in the consideration of bids on the management of Metro-owned golf courses.

(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) 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.

  
H. Stephen Ott  
Metro Council Clerk

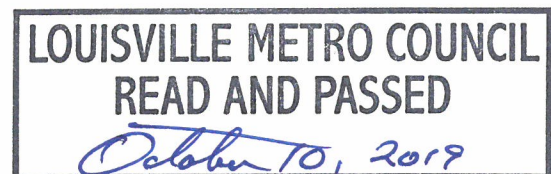
  
David James  
President of the Metro Council

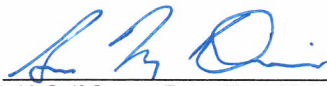
\_\_\_\_\_  
Greg Fischer  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney



By:   
O-321-19 Golf Course Fees Final 10-11-19.docx