

**Council on Postsecondary Education
July 24, 2009**

**Construct Children's Garden at the Arboretum
University of Kentucky**

ACTION: The staff recommends that the Council approve the request of the University of Kentucky to construct the Children's Garden at the Arboretum on the university's main campus. The phase I cost is \$500,000 of private funds. The total project scope is \$2,200,000 to be implemented over several years.

The University of Kentucky proposes to construct phase I of the Children's Garden at the Arboretum using \$500,000 of private funds. The arboretum is located on the UK main campus at 500 Alumni Drive, Lexington, Kentucky. The arboretum was created in 1991 as a joint effort between the University of Kentucky and the Lexington-Fayette Urban County Government. The total project cost is \$2,200,000. The University of Kentucky's Board of Trustees approved the project at its April 21, 2009, meeting.

The Council has the statutory responsibility to review and approve postsecondary education capital projects costing \$600,000 or more, regardless of fund source, that have been approved by an institution's governing board. Since the estimated cost of this project exceeds the \$600,000 threshold, the Council and the Capital Projects and Bond Oversight Committee must approve the project before it is initiated. During the interim, capital projects are evaluated under the requirements established by KRS 45.760(14) and KRS 45.763.

The arboretum began in 1991 and boasts 100 acres of year-round color and plants. In the heart of Lexington, the arboretum is easily accessible from any location in town. The program offers year-round activities for the entire family. This project will construct a 1.85 acre outdoor environment designed to help children two to ten years old learn about plants and the environment. There will be an integrated combination of various "child-scaled" theme gardens and garden-like elements for experiential play: gardens planted and maintained by children, a small amphitheater for presentations, interactive educational exhibits, inter-connecting paths and comfortable benches. Phase I will construct the geographical features including rock escarpments, the stream and pond, and walks and plantings. The phase I project is scheduled to be completed by November 2009. The project requires interim authorization because the private donors have all come forward after the 2008-10 budgetary process was completed. The project will result in an improvement to state owned property with ownership of the improvements to accrue to the university upon completion.

The University of Kentucky states that funding for the project will come from privately raised funds. The university further confirms that the private funds for phase I are available to implement the project. The cost of operations and maintenance for this project is provided by the university and does not represent a demand on the General Fund.

The project meets the requirement of KRS 45.760(14) that the source of funds be at least 50 percent federal or private. The university does not anticipate debt financing any portion of this project. The University of Kentucky's capital project management division will implement the project, and the university will pay the operations and maintenance.

Following Council approval, the staff will forward the Council's recommendation to the secretary of the Finance and Administration Cabinet and Capital Projects and Bond Oversight Committee.