



## Environmental Quality & Public Works Committee

March 12, 2024

### Summary and Motions

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Chair Sheehan called the meeting to order at 1:00 p.m. Committee Members Vice Mayor Wu, Council Member Fogle, Lynch, LeGris, Monarrez, Gray, Worley, F. Brown, and Sevigny were present.

#### I. Approval of February 6, 2024 Committee Summary

Motion by Worley to approve the February 6, 2024 Environmental Quality & Public Works Committee Summary. Seconded by LeGris. Motion passed without dissent.

#### II. Lex Grow Trees Update

Heather Wilson, Urban Forestry Section Manager in Division of Environmental Services (DES), began the Lex Grow Trees Update with a background on Urban Forestry. An *Urban Forest* is composed of all the trees within our urban lands and includes individual trees, trees found along streets, in gardens and parks, along greenways, in nature preserves, and along corridors. *Urban Forestry* is the careful and purposeful management of our Urban Forest. She explained the environmental, health, social, and economic benefits that trees provide to Lexington. She gave a quick recap of the tree canopy assessment to show areas that need to be worked on. In 2022, we reached out to residents to weigh in on how we should use the ARPA funds. \$1.5 million was allocated through Budget Stabilization Funds and was used for tree canopy growth and support and this was placed into the Environmental Services' budget. A Tree Canopy Ad Hoc Committee (comprised of councilmembers, council staff, community members, and LFUCG staff) was created to help determine how to spend the funds. They had a strategic planning session to create the guiding principles and there were 5 target areas: communication, education and awareness, community engagement, tree planting, and tree maintenance and support.

There were 3 pilot projects: Trees Lexington, Geomancer Permaculture, and Seedleaf. Now it is time to launch the Lex Grow Trees Grant Program. There will be two rounds of grants in the spring and fall with \$500,000 available in each round and up to \$100,000 per applicant per round. The first grant application window is March 15 - April 26. The applications are scored via rubric based on project impact, project engagement, tree mobilization, project success, and cost efficiency. She reviewed the organizations that can apply which include non-profits, for profit companies, neighborhood associations, and homeowner associations (HOAs). She added that collaborations and partnerships are strongly encouraged. Included in the packet are the program guidelines which Jennifer Carey, Director of Environmental Services, briefly spoke about. Carey also mentioned the selection process for grant recipients and awarding of funds from this program. DES is asking the committee to review and consider approving the resolution establishing the Lex Grow Trees Grant Program as well as approving the grant program guidelines.

When asked how the scoring process should be marketed to neighborhood associations, Carey explained that outside the equity piece, there are opportunities and needs for planting trees on private property. Wilson added that the map shows districts in highest need, but you can also look at the map in a way that shows areas within districts that are higher in need than other areas in the same district. Speaking about relaying a more positive message to show how we can benefit from adding more trees, Wilson offered to come to neighborhood meetings and there will be education materials on the Lex Grow Trees web site. She mentioned the importance of understanding properties and knowing where it is appropriate to plant

trees because there are a lot of locations where it is not appropriate. Carey pointed out using a mailer is a great way to promote the “Right Tree, Right Place” initiative. When asked if the maps are publicly available, Wilson said they are available on the city’s website under *Tree Canopy*. Speaking about the approval timeline and when checks would be cut, Carey said applications would be approved this spring and approved by Council before summer recess so grant recipients have time to order plants and trees for planting this fall. Carey addressed accountability to ensure organizations who have received the money are doing what they are expected to do. She said as they request reimbursement or funds from the grant, they will be required to provide a status update to show what has been completed and what is next to be completed. For final disbursement of funds, they are required to submit a final report that includes pictures, details, and other project information. She pointed out the short deadline was necessary so grant recipients could get everything they need to do fall plantings. There will be another opportunity to apply in the fall for spring planting. She said 6 weeks seemed like a good amount of time to have the grant applications open. She mentioned staff are available to help walk applicants through the process.

There was some discussion about the Lex Grow Trees Grant Program which will have 2 rounds of grants with \$500,000 available each round and up to \$100,000 per applicant per round. Carey used *Trees Lexington* as an example of an applicant that might use \$100,000 to plant trees. When questioned, she confirmed this would be a lead applicant and the applicant would ensure the proposed project(s) gets implemented as described on the application.

Motion by LeGris to Approve a resolution establishing a grant program to be known as the Lex Grow Trees Grant Program and providing for its purpose and objectives; approving and adopting guidelines for the Lex Grow Trees Grant Program; and providing for the authority of the Tree Canopy Ad Hoc Committee over the Lex Grow Trees Grant Program, at a total cost not to exceed \$1,000,000.00, so moved. Seconded by Lynch. Motion passed without dissent.

Motion by LeGris to suspend the rules and have the resolution establishing a grant program to be known as the Lex Grow Trees Grant Program reported out at Work Session today, March 12, 2024. Seconded by Lynch. Motion passed without dissent.

### **III. Status Update: Energy Initiatives**

James Bush, Energy Initiatives Section Manager in the Division of Environmental Services (DES), provided the Status Update on Energy Initiatives. He began with a review of utility expenses which amount to \$21 million for FY23. He highlighted a few of the FY24 solar projects around Lexington which show energy consumed and estimated energy savings at each of these locations. For FY24, he noted the RFP for fire station #22, the KU solar share program, working with finance to pursue federal rebates, and lighting projects under \$10,000. He reviewed the Energy Improvement Fund (EIF) balance as of 2/27/24 and said the General Fund is fully allocated and part of the annual appropriation request. The Urban Services and Sanitary Sewer funding requests have been paused and will proceed on a project basis from year to year. When asked for clarification on the Police East Sector designed to be “solar ready”, Bush confirmed it is more cost effective if we want solar at the time it is being built rather than after the fact as a build-on.

### **IV. Chapters 16 and 17B Ordinance Update Preview**

Jennifer Carey, Director of the Division of Environmental Services (DES), provided a preview of Chapter 16 and 17B related to street tree compliance. She reviewed the primary reason for the update which is to provide more consistency in how enforcement referrals are handled when they escalate to the Natural

Resource Protection Section in DES. One change for Chapter 16 related to civil fines is removing the offered 1/3 reduction in fine amount for not appealing. Attempts to collect the additional 1/3 of the assessed civil penalty are time consuming and often unsuccessful (and the site is still out of compliance). In Chapter 17B, changes include cleaning up language throughout and updating definitions. Changes would also align street tree distance requirements with Traffic Engineering and Land Subdivision regulations. Proposed changes would align enforcement of 17B with other Environmental Quality & Public Works divisions and would address gaps in enforcement. She reviewed the next steps which would be to finalize the ordinance updates and present those updates to the Tree Board at their next meeting on April 10. The ordinance updates would also be included in the Urban Forestry and Street Trees Update Presentation scheduled for the April 30, 2024 Environmental Quality & Public Works Committee meeting.

Speaking about the minimum distance requirement of 50 feet and how to address healthy trees that exist within 50 feet, Carey said the best thing to do is to look at this on a case-by-case basis and see what issues there are. Addressing street trees that impact the sidewalk, Carey spoke about the Sidewalk Replacement Grant Program and the Hazardous Street Tree Cost Share Program to assist homeowners when the tree is causing damage to the sidewalk.

#### **V. Items Referred to Committee**

No Action was taken on this item.

The meeting adjourned at 2:19 p.m.