

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Tuesday, April 30, 2024

1:00 PM

Council Chamber

Environmental Quality and Public Works Committee

Committee Agenda

- 0463-24** Summary: Environmental Quality and Public Works Committee, March 12, 2024
Attachments: [eqpw 2024-03-12](#)
- 0464-24** Review of Urban Services Fund
Attachments: [Urban Services Fund with Updates 04-23-2024](#)
- 0501-21** Urban Forestry / Street Tree Update
Attachments: [17B ordinance amendment 04.24.24](#)
[Chapter 16 ordinance changes 04.24.24](#)
[URBAN FORESTRY AND STREET TREES UPDATE 20240430 final](#)
- 0440-22** FY23 Pavement Management Plan
Attachments: [FY25 Pavement Management Plan Final](#)
- 0466-24** Items Referred to Committee
Attachments: [eqpw referral list 04.30.24](#)

Adjournment



Lexington-Fayette Urban County Government

Master

200 E. Main St
Lexington, KY 40507

File Number: 0463-24

File ID: 0463-24

Type: Summary

Status: Received and Filed

Version: 1

Contract #:

In Control: Urban County Council

File Created: 04/24/2024

File Name: Summary: Environmental Quality and Public Works Committee, March 12, 2024

Final Action: 04/30/2024

Title: Approval of March 12, 2024 Committee Summary

Notes:

Sponsors:

Enactment Date:

Attachments: eqpw_2024-03-12

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1	Urban County Council Work Session	04/30/2024	Received and Filed				

Text of Legislative File 0463-24

Title

Approval of March 12, 2024 Committee Summary



Environmental Quality & Public Works Committee

March 12, 2024

Summary and Motions

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.



Lexington-Fayette Urban County Government

Master

200 E. Main St
Lexington, KY 40507

File Number: 0464-24

File ID: 0464-24

Type: Committee Item

Status: Agenda Ready

Version: 1

Contract #:

In Control: Environmental
Quality and Public
Works Committee

File Created: 04/24/2024

File Name: Review of Urban Services Fund

Final Action:

Title: Review of Urban Services Fund

Notes:

Sponsors:

Enactment Date:

Attachments: Urban Services Fund with Updates 04-23-2024

Enactment Number:

Deed #:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 0464-24

Title

Review of Urban Services Fund

ENTERPRISE FUNDS

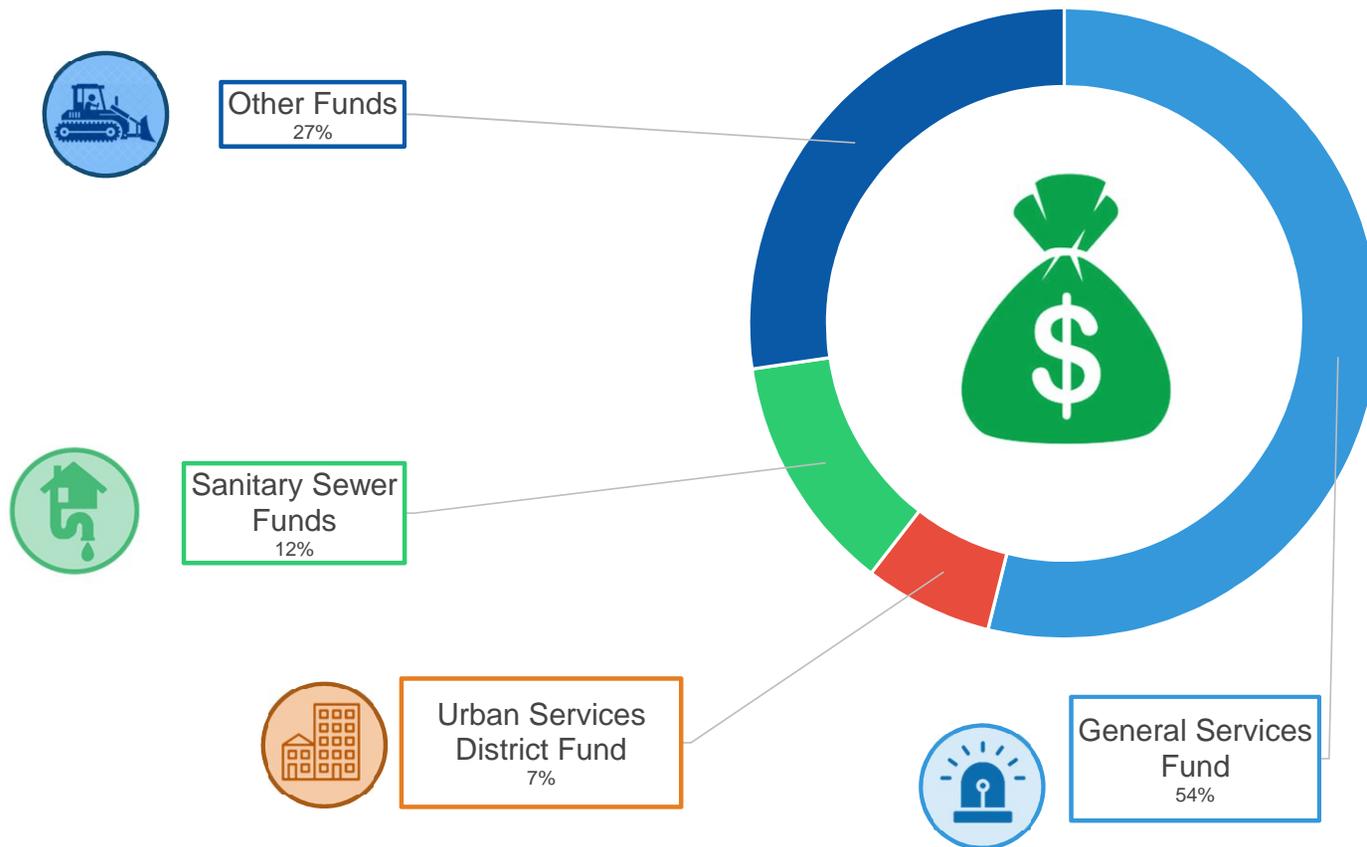
1115 - URBAN SERVICES FUND

Environmental Quality & Public Works Committee
Erin Hensley, Commissioner, Department of Finance
April 30, 2024



LEXINGTON

LFUCG Fund Overview



1115 Urban Services Fund



Urban Services Fund - \$58,731,979 or 7% of the FY24 Adopted Budget

- This fund was established to account for street lights, refuse collection, and street cleaning services with the philosophy of citizens paying for only the services they use. As such, the fund is restricted for these purposes.
- There are special service districts within this fund; they are based on a combination of services provided in that district.
- The fund revenue is primarily derived from an *ad valorem tax* established for each district estimated at \$47.8M for FY 2024.

TAX SERVICE DISTRICTS

Tax District 1: Full service – Trash, recycling, and yard waste collection, street lights, and street cleaning.

Tax District 2: General Service – No additional services beyond standard, general services.

Tax District 3: Partial Service – Waste collection (trash, recycling, and yard).

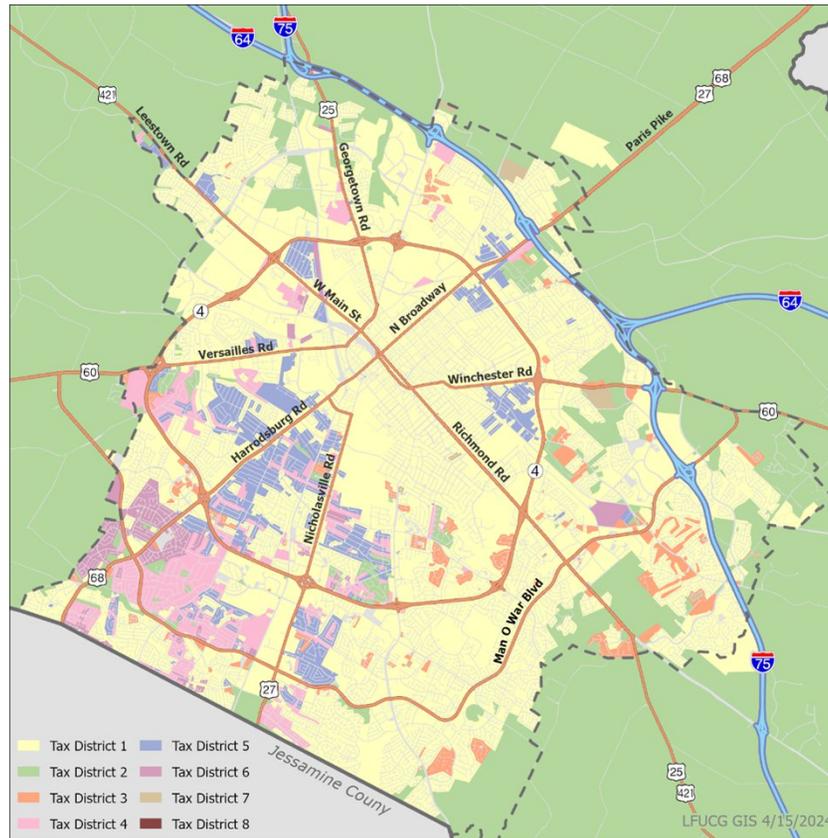
Tax District 4: Partial Service – Street lights.

Tax District 5: Partial Service – Waste collection (trash, recycling, and yard) and street lights.

Tax District 6: Partial Service – Street lights and street cleaning.

Tax District 7: Partial Service – Waste collection (trash, recycling, and yard) and street cleaning.

TAX SERVICE DISTRICTS



STREET LIGHTS

Revenue Driver:

\$0.027 On Real Property for each One Hundred Dollars (\$100.00) of the Assessed Valuation of all Property for the Fiscal Year beginning July 1, 2023 through June 30, 2024.

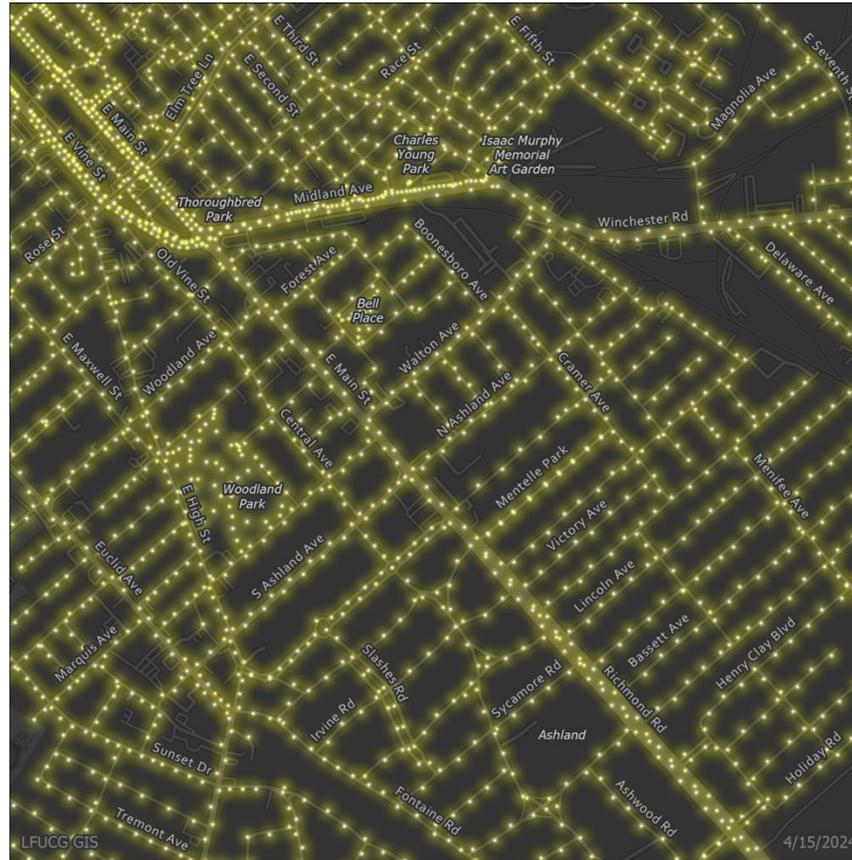
Expense Drivers:

- Utility Expenses (Electric Costs)

STREET LIGHT CENSUS



STREET LIGHT CENSUS



STREET LIGHT FINANCIALS



LEXINGTON

		FY 22 Actuals	FY 23 Actuals	FY 24 Thru March	FY 24 Estimate	FY 25 Mayor's
	Beginning Fund Balance	\$(1,563,773)	\$(883,071)*		\$270,340	\$666,248
Revenues	Property Tax	\$5,466,325	\$5,554,591	\$7,944,349	\$8,063,820	\$8,393,283
	Other Revenues	376,477	535,305	577,447	691,167	518,501
	Total Revenue	\$5,842,802	\$6,089,896	\$8,521,796	\$8,754,987	\$8,911,784
Direct Cost	Street Lights/Traffic Eng	\$6,757,039	\$6,856,922	\$5,229,051	\$7,180,640	\$7,621,749
Allocated Cost	Indirect Cost/Contingency	453,854	564,298	419,540	601,748	657,453
	EQPW/Env Services	182,126	163,166	176,161	172,297	333,642
	LexCall	70,346	63,700	58,877	67,732	86,437
	Property Valuation	28,431	29,226	23,068	30,599	40,668
	Computer Services	197,341	156,755	142,785	135,109	230,601
	Facilities & Fleet Management	184,153	174,661	239,510	141,335	200,806
	Law/HR/Finance	26,039	27,757	23,422	29,521	31,074
		\$7,899,329	\$8,036,485	\$6,312,415	\$8,358,981	\$9,202,430
	Transfer from General Fund	\$2,725,000	\$3,100,000			
	Net Income/(Loss)	668,473	1,153,411		\$396,006	\$(290,646)
	Fund Balance - Calculated	\$(895,300)	\$270,340		\$666,346	\$375,602

*Restated fund balance as included in ACFR

STREET CLEANING

Revenue Driver:

\$0.009 On Real Property for each One Hundred Dollars (\$100.00) of the Assessed Valuation of all Property for the Fiscal Year beginning July 1, 2023 through June 30, 2024.

Expense Drivers:

- Vehicle Fuel and Repairs
- Vehicle Replacements
- Personnel

STREET CLEANING FINANCIALS



		FY 22 Actuals	FY 23 Actuals	FY 24 Thru March	FY 24 Estimate	FY 25 Mayor's
	Beginning Fund Balance	\$3,729,454	\$3,377,519*		\$1,464,620	\$555,451
Revenues	Property Tax	\$2,222,129	\$2,248,460	\$2,386,639	\$2,422,530	\$2,521,507
	Other Revenues	153,042	216,688	173,476	207,640	155,768
	Total Revenue	\$2,375,171	\$2,465,148	\$2,560,115	\$2,630,170	\$2,677,275
Direct Cost	Street Cleaning/Streets & Roads	\$2,292,265	\$3,735,456	\$2,277,646	\$3,040,409	\$3,367,699
Allocated Cost	Indirect Cost/Contingency	153,966	307,413	182,741	254,791	290,499
	EQPW/Env Services	61,785	88,888	76,731	72,953	147,421
	LexCall	23,864	34,702	25,646	28,679	38,192
	Property Valuation	9,645	15,921	10,048	12,956	17,969
	Computer Services	66,946	85,395	62,194	57,207	101,892
	Facilities & Fleet Management	62,472	95,151	104,325	59,844	88,727
	Law/HR/Finance	8,834	15,121	10,202	12,500	13,730
	Total Expenses	\$2,679,777	\$4,378,047	\$2,749,533	\$3,539,339	\$4,066,129
	Net Income/(Loss)	\$(304,606)	\$(1,912,899)		\$(909,169)	\$(1,388,854)
	Fund Balance - Calculated	\$3,424,848	\$1,464,620		\$555,451	\$(833,403)

*Restated fund balance as included in ACFR

REFUSE COLLECTION

Revenue Driver:

\$0.139 On Real Property for each One Hundred Dollars (\$100.00) of the Assessed Valuation of all Property for the Fiscal Year beginning July 1, 2023 through June 30, 2024.

Expense Drivers:

- Vehicle Fuel and Repairs
- Vehicle Replacements
- Facility Expenses and Capital Improvements/Repairs
- Personnel

REFUSE COLLECTION FINANCIALS



		FY 22 Actuals	FY 23 Actuals	FY 24 Thru March	FY 24 Estimate	FY 25 Mayor's
	Beginning Fund Balance	\$24,611,369	\$26,107,785*		\$24,472,878	\$20,888,647
Revenues	Property Tax	\$35,850,120	\$37,863,608	\$40,254,289	\$40,859,650	\$42,529,050
	Other Revenues	7,198,681	6,801,724	4,597,832	6,654,910	5,719,664
	Total Revenue	\$43,048,801	\$44,665,332	\$44,852,121	\$47,514,560	\$48,248,714
Direct Cost	Refuse Collection/Waste Mgmt	\$35,236,318	\$39,504,476	\$28,794,140	\$43,895,542	\$42,094,640
Allocated Cost	Indirect Cost/Contingency	2,366,736	3,251,063	2,310,225	3,678,512	3,631,091
	EQPW/Env Services	949,741	940,040	970,041	1,053,261	1,842,692
	LexCall	366,837	366,989	324,213	414,049	477,386
	Property Valuation	148,259	168,378	127,027	187,052	224,607
	Computer Services	1,029,087	903,104	786,258	825,926	1,273,602
	Facilities & Fleet Management	960,313	1,006,268	1,318,881	863,984	1,109,044
	Law/HR/Finance	135,784	159,921	128,974	180,465	171,620
	Total Expenses	\$41,193,075	\$46,300,239	\$34,759,760	\$51,098,791	\$50,824,682
	Net Income/(Loss)	\$1,855,726	\$(1,634,907)		\$(3,584,231)	\$(2,575,968)
	Fund Balance - Calculated	\$26,467,095	\$24,472,878		\$20,888,647	\$18,312,679

*Restated fund balance as included in ACFR



Lexington-Fayette Urban County Government

Master

200 E. Main St
Lexington, KY 40507

File Number: 0501-21

File ID: 0501-21

Type: Committee Item

Status: Agenda Ready

Version: 1

Contract #:

In Control: Environmental
Quality and Public
Works Committee

File Created: 05/13/2021

File Name: Urban Forestry / Street Tree Update

Final Action:

Title: Urban Forestry / Street Tree Update

Notes:

Sponsors:

Enactment Date:

Attachments: 17B ordinance amendment 04.24.24, Chapter 16 ordinance changes 04.24.24, URBAN_FORESTRY AND STREET TREES UPDATE 20240430 final

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Text of Legislative File 0501-21

Title

Urban Forestry / Street Tree Update

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 17B-1 OF THE LEXINGTON-FAYETTE URBAN COUNTY CODE OF ORDINANCES TO DEFINE “ROOT ZONE”; AMENDING SECTION 17B-2 OF THE CODE TO REMOVE THE RECOMMENDED SPACING BETWEEN STREET TREES AND OTHER TREES AND REDUCING THE REQUIRED DISTANCE BETWEEN STREET TREES AND STOP OR YIELD SIGNS; AMENDING SECTION 17B-3 OF THE CODE TO REMOVE GENDERED LANGUAGE AND INCLUDE REFERENCE TO THE STREET TREE’S STUMP IN THE REQUIREMENTS OF THE SECTION; AMENDING SECTION 17B-4 OF THE CODE TO INCLUDE PROHIBITIONS ON PARKING A VEHICLE OR OTHERWISE STORING MATERIALS ON THE ROOT ZONE OF A STREET TREE IN SUCH A WAY AS TO COMPACT THE SOIL; AMENDING SECTION 17B-6 OF THE CODE TO CLARIFY THAT APPEALS OF CIVIL CITATIONS ISSUED PURSUANT TO SECTION 17B-12 OF THE CODE ARE NOT HEARD BY THE TREE BOARD; REPEALING SECTION 17B-11 OF THE CODE; AND AMENDING SECTION 17B-12 OF THE CODE TO INCREASE THE ADMINISTRATIVE FEE AND PENALTY FOR VIOLATIONS OF CHAPTER 17B OF THE CODE TO ONE HUNDRED AND FIFTY DOLLARS (\$150.00) AND AN AMOUNT NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) PER VIOLATION, RESPECTIVELY, AND TO PROVIDE FACTORS FROM WHICH THE PENALTY DETERMINATION IS MADE; ALL EFFECTIVE UPON PASSAGE OF COUNCIL.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 17B-1 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-1. - Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section:

- (1) Street tree shall mean any tree within the urban county government right-of-way or designated tree planting easement, excepting those trees regulated pursuant to article 18 of the Zoning Ordinance or the Downtown Street Tree Ordinance.
- (2) Large tree shall mean any tree species which normally attains a height in excess of fifty (50) feet at maturity.
- (3) Medium tree shall mean any tree species which normally attains a height between fifteen (15) feet and fifty (50) feet at maturity.

(4) Small tree shall mean any tree species which normally attains a height between ten (10) feet and fifteen (15) feet at maturity.

(5) Person shall mean any person, corporation, partnership, company, contracting firm or other entity, including those employed under a contract with the urban county government.

(6) Tree planting easement shall mean a planting area with a minimum width of ten (10) feet located immediately adjacent and parallel to the ~~street right-of-way~~ curb or edge of pavement or ~~directly adjacent to the sidewalk~~ in a designated easement per an approved development plan.

(7) Hazardous tree shall mean any street tree that is dead, diseased, or insect infested such that it poses a health threat to neighboring trees or creates a threat to the public safety or to property.

(8) Root zone shall mean the circular area on the ground around the trunk of the tree extending to or just outside the dripline or the edge of the canopy that contains the majority of the tree's roots.

Section 2 – That Section 17B-2 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-2. - Tree planting.

(a) Any person may plant a tree within the urban county government right-of-way immediately adjacent to their property upon obtaining a permit from the division of environmental services.

(b) The permit shall be granted providing the following conditions are met:

(1) The tree to be planted is not an unacceptable tree species, as provided in section 17B-10 of this chapter.

~~(2) The recommended spacing between this and other trees is forty-five (45) feet (large tree), thirty-five (35) feet (medium tree), and twenty-five (25) feet (small tree).~~

~~(3)~~ (23) The minimum size of the planting area complies with the requirements of Article 6-10 of the Land Subdivision Regulations.

~~(34)~~ (34) If installed between the sidewalk and the street, the tree location is to be at least ~~seventy-five (75)~~ fifty (50) feet in advance of stop or yield signs, twenty-five (25) feet in advance of any other standard regulatory or warning signs, and ten (10) feet from fire hydrants or utility poles.

(45) Only small trees shall be permitted for planting in areas where overhead utility wires are located or where utility easements for overhead utility wires have been dedicated.

(56) The property owner shall call Kentucky 811 to locate utilities and check proposed planting sites for compliance with requirements relating to utilities, obstructions and potential interference with future construction, including, but not limited to, compliance with KRS 367.4901 et seq.

(67) The property owner shall maintain the tree after the tree is planted. Maintenance shall include watering, pruning, removal of dead or diseased limbs and insect control, as necessary. The property owner also shall be responsible for any damage to existing utilities caused by the tree installation.

(c) The division of environmental services may waive any of the conditions in granting a permit where such action would promote the preservation of the health, integrity or appearance of an area's tree population. Further, where such action would promote the public welfare, the urban forester or his designee may condition the granting of a permit upon the applicant's agreement to plant only a certain species of tree.

(d) The division of environmental services may deny a permit although all conditions have been met, but only for just cause based on circumstances unique to the property affected which would create a threat to public welfare and/or safety if the proposed planting were permitted.

(e) The decision of the division of environmental services shall be made within fourteen (14) days after an application is filed. Failure to issue such decision within said time period shall have the same effect as approval of the application.

Section 3 – That Section 17B-3 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-3. - Tree removal.

(a) No person ~~may~~ shall remove a tree larger than three (3) inches in diameter, measured at a point four and one-half (4½) feet above the ground within the urban county government right-of-way without obtaining a permit from the division of environmental services.

(b) The permit shall be granted provided the tree to be removed is dead or dying.

(c) The division of environmental services may issue permits for the removal of live trees only in special circumstances. Instances where a permit for the removal of a live tree may be issued include, but are not limited to, the following:

- (1) The tree is a threat to the public safety;
- (2) The tree is a threat to the health of other trees in the community; or
- (3) The tree is to be replaced by a more desirable tree.

(d) If the division of environmental services determines that a street tree is a hazardous tree, ~~he~~ the division can order the property owner to remove the hazardous tree, including the associated stump, in a timely manner, as determined by the division of environmental services at the property owner's expense.

(e) The division of environmental services can order the property owner to remove any street tree, including the associated stump, planted without a permit, or in violation of permit conditions.

(f) Nothing contained in this chapter is intended to infringe on the authority of the urban county engineer, pursuant to KRS 179.070, to remove trees from the right-of-way of any publicly dedicated road when the trees become a hazard to traffic. If a tree is removed from the right-of-way under the authority of the urban county engineer as provided in KRS 179.070, the adjacent property owner shall bear the cost and responsibility of removing any associated stump.

(g) Except as provided in subsection (e) above, any person who removes a tree within the urban county government right-of-way shall replace the removed tree in accordance with the requirements set forth in section 17B-2(b). This requirement may be waived by the division of environmental services where replacement would be inappropriate under the standards set forth in section 17B-2(b).

Section 4 – That Section 17B-4 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-4. - Abuse or damage of street trees.

No person shall:

(a) intentionally damage, cut, poison, carve, transplant or remove any tree without a permit as required by section 17B-3 of this chapter;

(b) park any motor vehicle or otherwise store materials of any kind, that may compact the soil in the root zone;

~~(c) nor shall any person~~ attach any rope, wire, nails, advertising posters or other contrivance to any street tree;

(d) allow any gaseous liquid, herbicide or solid substance which is harmful to trees to come in contact with them; or

(e) set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree.

Section 5 – That Section 17B-6 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-6. - Tree board.

(a) A tree board, appointed by the mayor, shall be established. The tree board shall consist of fifteen (15) members including the following:

- (1) Eight (8) concerned and interested residents of Lexington, Fayette County, two (2) of whom shall be professionals in arboriculture;
- (2) The commissioner of environmental quality and public works, or their representative;
- (3) The director of parks and recreation, or their representative;
- (4) The director of engineering, or their representative;
- (5) A member of the urban county council, or their representative;
- (6) The director of planning or their representative;
- (7) The urban forester; and
- (8) The director of streets and roads or their representative.

(b) The membership of the commissioner of environmental quality and public works, the director of parks and recreation, the director of engineering, the director of planning, the urban forester, and the director of streets and roads, or their respective representatives shall serve ex officio. The urban county council member or their representative shall serve for the duration of their term in office. All other tree board members shall serve terms of four (4) years. All tree board members may only serve two (2) consecutive full terms. Members who have served two (2) consecutive full terms shall not be eligible for re-appointment to the tree board until the lapse of twelve (12) months from the end of their second consecutive full term.

(c) In the event a vacancy shall occur during the term of any appointed member, a successor shall be appointed for the unexpired portion of the term. All members of the tree board shall serve without pay.

(d) The tree board shall establish the board's rules, regulations and procedures and arrange for the holding of meetings on a regular basis, with not less than ten (10) meetings per calendar year.

(e) The duties of the tree board shall be as follows:

- (1) To promote urban forestry and advise appropriate municipal agencies on arboricultural matters.

(2) To hear all appeals from any decision of the division of environmental services in the application or interpretation of any of the provisions of this chapter as authorized herein, notwithstanding appeals from civil citations issued pursuant to Section 17B-12 of the Code of Ordinances, and to adopt rules for the conduct of such hearings, which rules shall uniformly apply to all such appeals and shall provide that both the appellant and the appellee shall have the right to:

- (i) Offer and examine witnesses and present evidence in support of their cases;
- (ii) Cross-examine witnesses and offer evidence to refute evidence offered in opposition; and
- (iii) Following the hearing of such appeals, receive the board's decision reduced to writing, such decision to contain the findings of fact based upon evidence produced at the hearing.

Section 6 – Section 17B-11 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is repealed but reserved.

Section 7 – That Section 17B-12 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 17B-12. - Violation.

Any violation of this chapter may be enforced through the issuance of a civil citation. Such civil citations shall be construed to provide an additional or supplemental means of obtaining compliance with this chapter. All citations issued pursuant to this chapter shall be issued by the citation officers authorized to issue such citations by section 14-10 of the Code of Ordinances and shall be referred to the infrastructure hearing board with the citations and the civil process to conform to Chapter 2B of the Code of Ordinances.

- (a) Prior to the issuance of the first civil citation for a violation of a section of this chapter, the urban county government shall issue a notice of violation, which shall specify a time period of at least twenty-four (24) hours for the correction of the violation. The time period specified shall not impose unrealistic requirements under prevailing weather and site conditions. If the violation is not corrected as specified in the written notice, the urban county government may issue a civil citation. A notice of violation shall precede the issuance of the first civil citation for such offense unless the violation is deemed to be a serious threat to the public health, safety and welfare; or, if in the absence of immediate action, the effects of the continuation of the violation would be irreparable or irreversible. No notice of violation shall be

required prior to the issuance of a citation for any offense which occurs after the first citation is issued to a person or entity.

(b) Appeal of the civil citation may be made to the infrastructure hearing board, as provided in sections 17B-5 and 16-76 of the Code of Ordinances.

~~(c) For violations of this chapter, the civil fines associated with the issuance of a civil citation are as follows: The maximum civil fine that may be imposed for a violation of this chapter is two thousand five hundred dollars (\$2,500.00), and each day on which any such violation shall continue shall be deemed a separate offense. The amount of the maximum civil fine for each violation shall be specified in a civil citation issued pursuant to this section.~~

~~(1) Upon issuance of the first citation within any 12-month period the civil fine shall be a maximum of two hundred dollars (\$200.00).~~

~~(2) The civil fine imposed upon the issuance of the second citation for violation of the same section of this chapter within any 12-month period shall be a maximum of three hundred dollars (\$300.00).~~

~~(3) The civil fine imposed upon issuance of the third citation for violation of the same section of this chapter within any 12-month period shall be a maximum of four hundred fifty dollars (\$450.00).~~

~~(4) The civil fine imposed upon issuance of the fourth or more citation for violation of the same section of this chapter within any 12-month period shall be a maximum fine of five hundred dollars (\$500.00).~~

(d) The compliance history of the violator, the degree of environmental harm caused by the violation, and whether the violation demonstrates a willful and knowing disregard for the environment or the requirements of chapter 17B shall be considered when determining the amount of the civil fine. The division of environmental policy may consider a reduction in the assessed civil penalty amount considering the violator's good faith efforts to correct the violation as stipulated in the citation.

~~(de) When there is reason to believe that the violation poses a serious threat to the public health, safety or welfare; or in situations where continuation of the violation would be irreparable or irreversible, the government may, without further notice, proceed to abate the conditions. In such cases, the government may, in addition to any fine imposed herein, charge the responsible person, persons or entities with the cost of the abatement, including equipment expense, disposal fee, if any, and an administrative fee of seventy five dollars (\$75.00) of one hundred fifty dollars (\$150.00). Citations, if issued, shall not preclude the government~~

from abating the conditions and billing the responsible person, persons or entities for the cost of abatement.

(f) The urban county government may file a lien for civil fines, administrative fees, and abatements, in accordance with section 2B-9 of the Code of Ordinances and KRS 65.8835.

(eg) Nothing contained herein shall prohibit the urban county government from enforcement of this chapter by any means authorized by law.

Section 8 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 16-203 OF THE LEXINGTON-FAYETTE URBAN COUNTY CODE OF ORDINANCES TO UPDATE DIVISION TITLES AND REMOVE THE PENALTY REDUCTION FOR FAILING TO CONTEST CITATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 16-203 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 16-203. - Civil fines.

(a) Any person who violates any provisions of article II, V, or X of chapter 16, or who fails to perform any duties imposed by these articles, or who violates any determination, permit, administrative regulation, or order of the division of environmental ~~policy~~ services issued pursuant thereto shall be liable for a civil fine for the civil offense and in addition, may be concurrently enjoined from any violations as provided in sections 16-209.

(b) ~~In determining the amount of civil fine~~ The compliance history of the violator, the degree of environmental harm caused by the violation, and whether the violation demonstrates a willful and knowing disregard for the environment or the requirements of chapter 16 shall be considered in determining the amount of the civil fine. The division of environmental ~~policy~~ services may consider a reduction in the assessed civil penalty amount considering the violator's good faith efforts to correct the violation as stipulated in the citation.

(c) The maximum civil fine that may be imposed for a violation of chapter 16 is fifteen thousand dollars (\$15,000.00) and each day on which any such violation shall continue shall be deemed a separate offense.

(d) The amount of the maximum civil fine for each violation, not to exceed fifteen thousand dollars (\$15,000.00), shall be specified in a civil citation issued pursuant to section 16-202(b). ~~A fine in the amount of two-thirds (2/3) of the maximum fine specified in the citation will be imposed if the person who has committed the offense does not contest the citation and has complied with any administrative order or remedial measures issued therewith or in a related notice of violation.~~

Section 3 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

4895-3285-2385, v. 1

URBAN FORESTRY AND STREET TREES UPDATE

Environmental Quality & Public Works Committee

Heather Wilson, Urban Forestry Section Manager, Environmental Services

April 30, 2024



LEXINGTON



Topics

- **Urban Forestry Organizational Chart**
- **Background on Street Trees in Lexington**
- **Hazard Street Tree (Cost-Share) Program**
- **Street Tree Clearance Pruning Program**
- **Path Forward / Future Initiatives**
- **Questions**



Urban Forestry Organizational Chart

Environmental Services

URBAN & COMMUNITY FORESTRY

Heather Wilson

NATURAL RESOURCE PROTECTION

Demetria Mehlhorn

Streets & Roads

PUBLIC TREES

CITY ARBORIST

Nathan Skinner

ARBORISTS

Zachary Prewitt
Scott Tyree

ARBORIST TECHNICIAN

Conner Steele

TREE NURSERY

MANAGER
Kent Slusher

PRIVATE TREES COMPLIANCE

URBAN FORESTER

Eric Sutherland

ARBORIST TECHNICIAN

Rob Ballard

PRIVATE TREES ENFORCEMENT

ENVIRONMENTAL ENFORCEMENT SPECIALIST

Michael LeMaster

EMERGENCIES & RURAL ROADS

OPS

SUPERVISOR
Greg Taulbee

TREE CREW SUPERVISOR
Melissa Jackson

APPEALS BOARDS

TREE BOARD: Decisions of the Urban Forester

INFRASTRUCTURE HEARING BOARD: Enforcement Actions

Background on Street Trees in Lexington

- **LFUCG-Maintained Street Trees (~10%)**
- **Privately-Maintained Street Trees (~90%)**
 - Adjacent property owners are responsible
 - City programs provide assistance
 - Hazard Street Tree (Cost-Share) Program
 - Courtesy Street Tree Pruning Program
- **Do we really know the numbers?**
 - How healthy is our urban tree canopy?
 - What is the monetary benefit of our urban tree canopy?
 - How much does it cost to maintain our urban forest?

Hazard Street Tree (Cost-Share) Program

- Participation requirements:
 - removal and replacement with acceptable tree species
 - owner-occupied residential properties in the USA or Urban Areas
- Provides 50% cost-share for hazardous street tree removal and replacement
- Provides 100% grants for qualified homeowners
- Process:
 - Property owner obtains quotes from two of the City's pre-qualified certified arborist vendors and completes / submits application form
 - Urban Forester confirms ownership, conducts an initial inspection, and provides applicant with an approval letter and a Street Tree Removal and Planting Permit
 - Selected vendor completes tree removal and replacement
 - Property owner submits copy of paid invoice to Urban Forester
 - Urban Forestry conducts follow-up inspection and issues reimbursement

Hazard Street Tree (Cost-Share) Program

- FY 2020: Original budget was \$150,000
Program suspended due to pandemic in March 2020
- FY 2021: Original budget request not funded
\$50,000 allocated - \$32,729 paid out
(with 5 applications for \$8,300 deferred to FY22)
- FY 2022: \$50,000 budgeted - \$51,388 paid out as of mid-June
- Spring 2022: Tree Canopy Ad Hoc Committee allocated \$150K
to clear backlog with an additional \$50K allocation
following update to program guidelines
- FY 2023: \$50,000 budgeted - \$202,122 paid out in FY23
- FY 2024: \$150,000 budgeted - \$129,113 paid out to-date; all
funds encumbered by approved applications

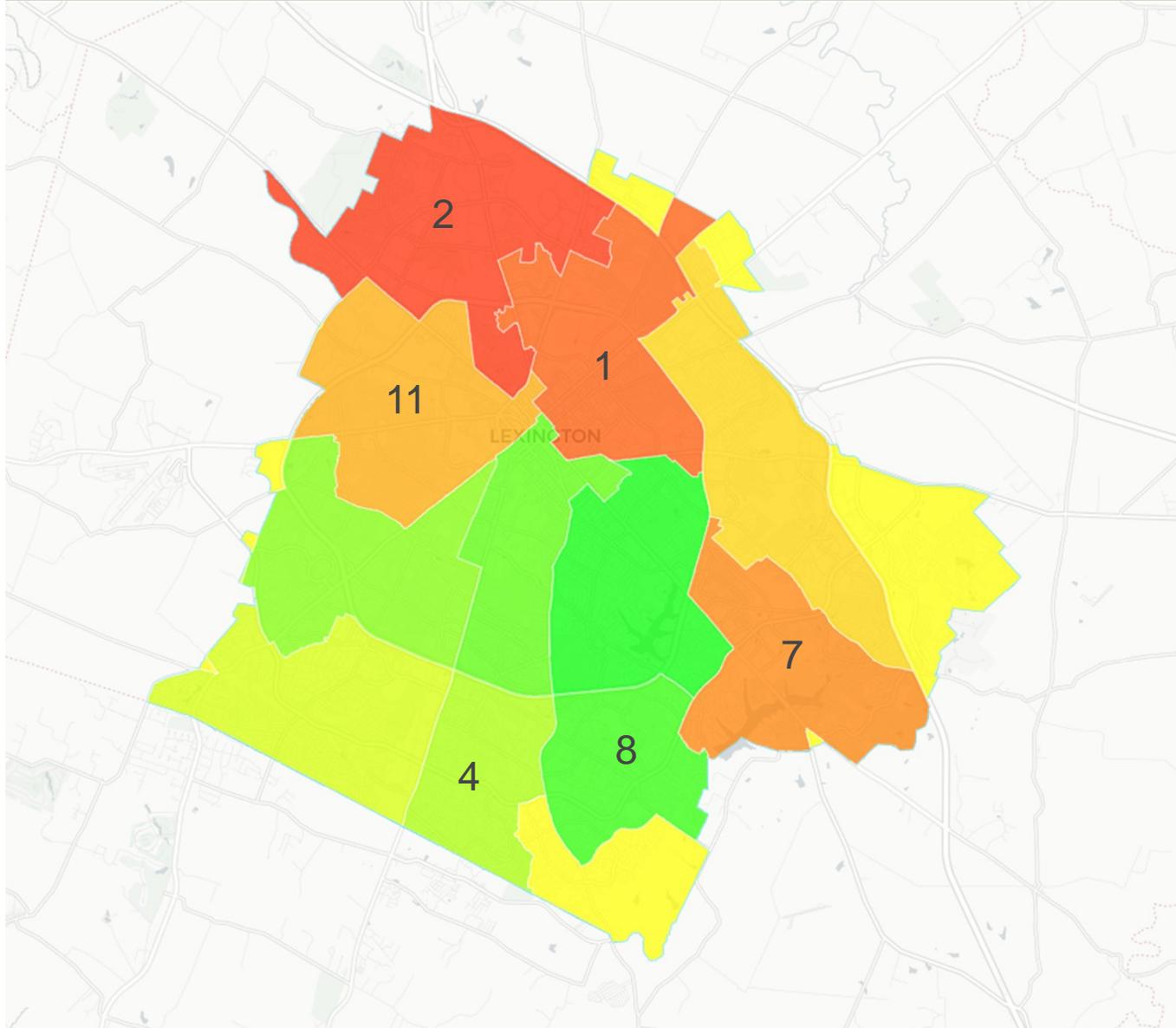
Hazard Street Tree (Cost-Share) Program

LFUCG-Assisted Hazardous Tree Removals/Replacements by Council District

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
FY15	2	8	4	1	40	22	1	0	21	20	15	39	173
FY16	0	10	4	8	19	50	15	5	4	9	13	20	157
FY17	2	7	5	10	21	40	18	0	34	7	16	24	184
FY18	2	1	4	5	33	45	7	3	20	13	7	23	163
FY19	3	6	16	0	39	29	12	4	9	16	7	36	177
FY20	0	3	14	2	19	26	8	10	15	40	4	24	165
FY21	0	5	1	3	2	5	1	2	2	12	2	11	46
FY22	0	2	5	4	13	2	3	3	4	4	0	2	42
FY23	0	4	8	6	37	23	8	4	73	18	9	15	205
FY24	0	2	7	2	14	9	2	2	13	10	4	19	84
TOTAL:	9	48	68	41	237	251	75	33	195	149	77	213	1396

FY24 Program Participants by Council District

FY24	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
# participants	0	2	7	2	14	7	1	0	13	8	4	19	77
# 100% grants	0	0	0	0	0	2	1	2	0	2	0	0	7



FY24 Hazard Cost-Share Council Districts:

- CD1
- CD2
- CD4
- CD7
- CD8
- CD11

Hazard Street Tree (Cost-Share) Program

LFUCG's 50% Share of Expenses FY15 – FY24

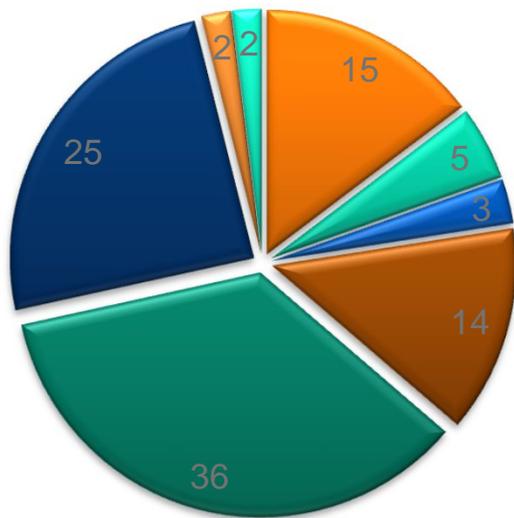


	# Trees Removed / Replaced	LFUCG \$ Expended	LFUCG \$/Tree Removed / Replaced
FY15	173	\$61,439	\$355
FY16	157	\$73,906	\$471
FY17	184	\$101,407	\$551
FY18	163	\$96,128	\$590
FY19	177	\$129,192	\$730
FY20	165	\$96,873	\$587
FY21	46	\$32,729	\$712
FY22	41	\$45,783	\$1,117
FY23	202	\$195,547	\$968
FY24	116	\$127,536	\$1,099
TOTAL:	1424	\$960,540	

Hazard Street Tree (Cost-Share) Program

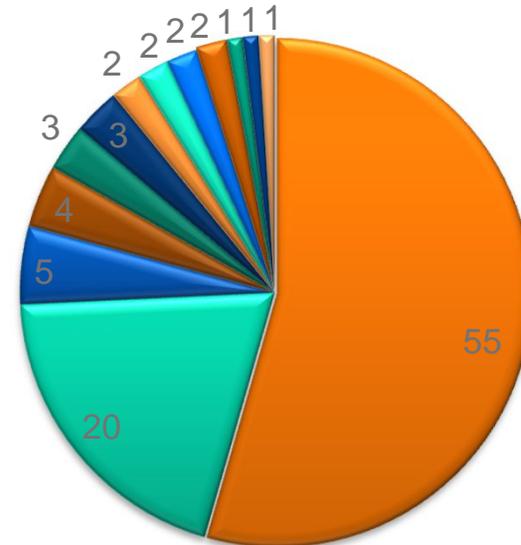
FY24 Program Trees

Removed: by Species



- Ash
- Honeylocust
- Maple spp
- Oak spp
- Pear
- Pin oak
- Red maple
- Sweetgum

Planted: by Species



- Blackgum
- Red maple
- Yellowwood
- Eastern redbud
- Ginkgo
- Hophornbeam
- Flowering dogwood
- Kousa dogwood
- Shumard oak
- Sugar maple
- American holly
- Northern red oak
- Willow oak

Hazard Street Tree (Cost-Share) Program ***A Compliance Success Story***

- Reductions in:
 - ✓ LexCalls related to dead and dying trees
 - ✓ Time from identification of hazard to removal of hazard
 - ✓ Staff time and costs related to enforcement and abatement
- Many positive comments from citizens

Hazard Street Tree (Cost-Share) Program *Opportunities for Improvement*

- Continue to increase participation in CDs: 1, 2, 4, 7, 8, and 11
- Continue to encourage vendors to promote and offer a variety of trees

Street Tree Clearance Pruning Program



STREET TREE PRUNING COMING SOON

Information about how to properly prune can be found at LexingtonKY.gov/TreeCare.

7 feet
Minimum 7 feet of clearance from sidewalk surface.

12 feet
Minimum 12 feet of clearance from street surface.

Street Tree Clearance Pruning Program

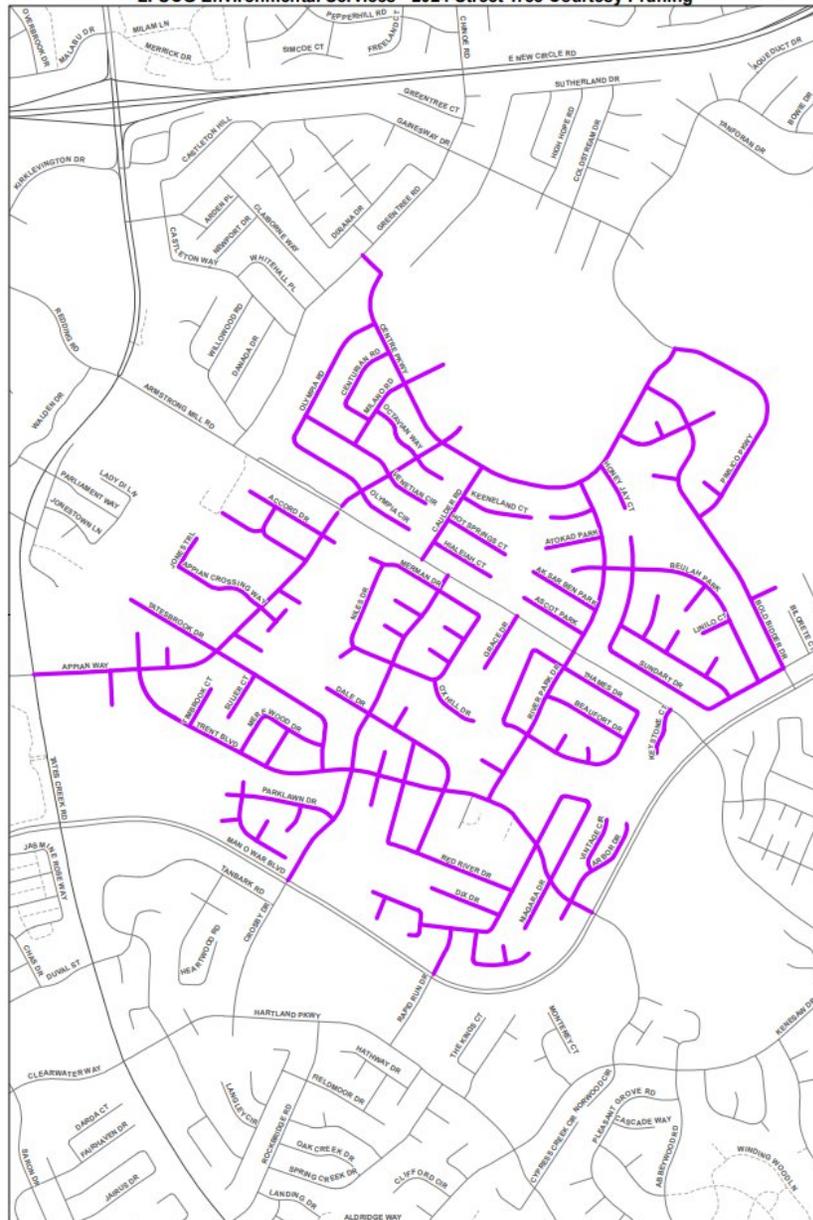
- Certified Arborists on Arboricultural Services Contract perform the work
- Work occurs mostly in the winter / early spring
- 35,988 street trees pruned for clearance from FY16 – FY24 (to date)
- \$491,603 spent in FY16 – FY24
- Average cost per tree:

\$12.79/tree (FY16-FY23)
\$18.35/tree (FY24) \$13.66/tree (FY16-FY24)

FY16 – FY24 Statistics by Council District

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
FY16							94						94
FY17	1				207	104	151						463
FY18	318	2832		367	96	1133	275	284	245	220	347		6,117
FY19		1138				1468	3061		787	116	418		6,988
FY20							1732	23	1418	2055			5,228
FY21		3935				2418							6,353
FY22	119			2600		592						663	3,974
FY23		134		950			156	387				747	2,374
FY24	82				624			1079	2222	158	24	208	4,397
TOTAL:	520	8,039	0	3,917	927	5,715	5,469	1,773	4,672	2,549	789	1,618	35,988

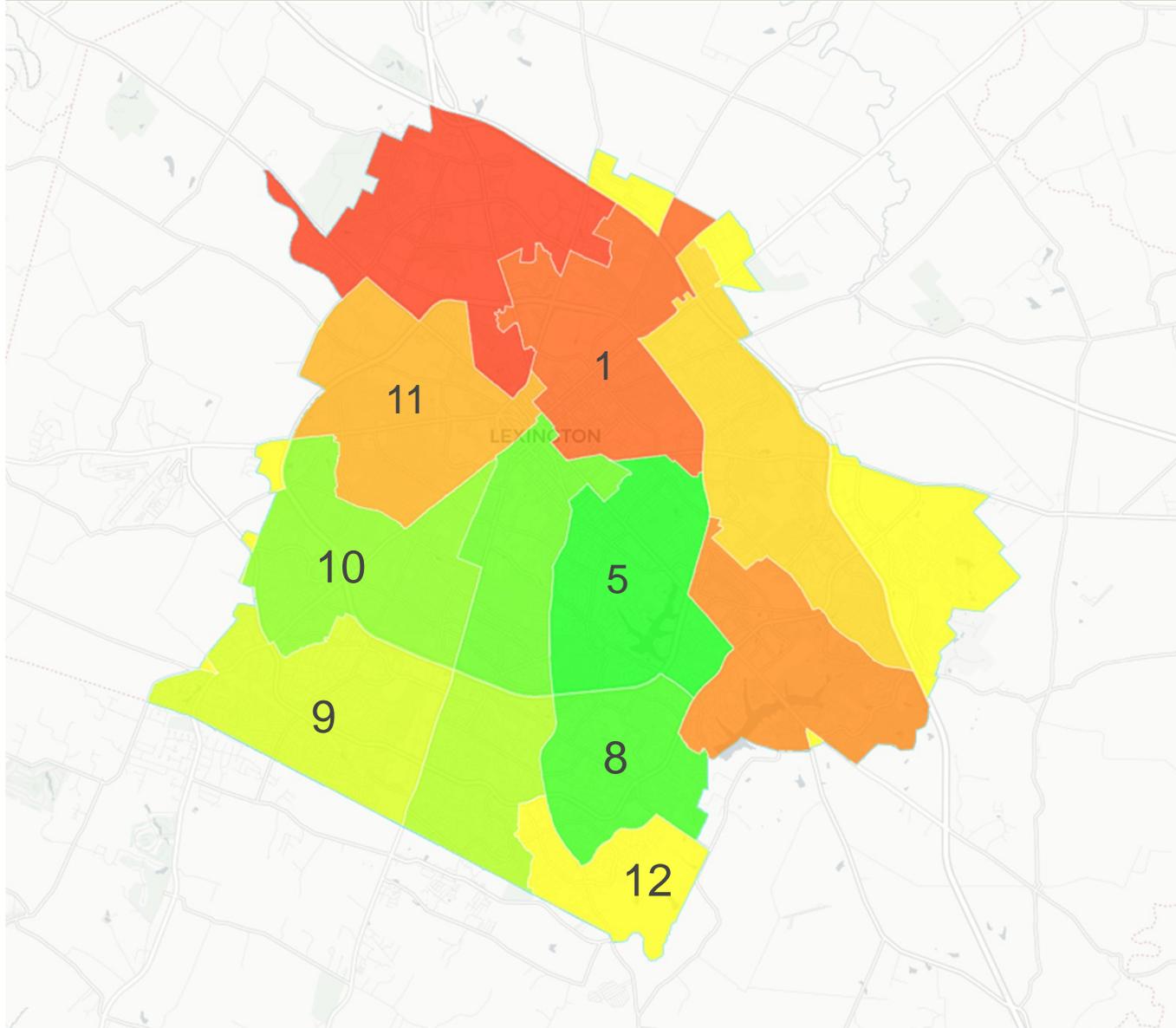
LFUCG Environmental Services - 2024 Street Tree Courtesy Pruning



SE Hills/Melody Village/River Park/Tatesbrook
Total Street Trees: 333
Date: 12/11/2023

FY24 Subdivisions:

- 7th St/Bruce Addington & Winburn Estates (CD1)
- Henry Clay/Lex Manor & Mt Tabor Heights/Groves Point (CD5)
- Carriage Ln Estates & SE Hills/Melody Village/River Park/Tates Brook (CD8)
- Meadow Creek/Canterfield/Lancaster Woods (CD8 & CD12)
- Clemens Heights/Waits Property/Zanwyn Station, Palomar Hills/The Woods/The Green, Plantation, & Wyndham Hills (CD9)
- Perra Place/Clays Meadow (CD10)
- Pine St/7th St (CD 11)



FY24 Pruning Council Districts:

- CD1
- CD5
- CD8
- CD9
- CD10
- CD11
- CD12

Street Tree Clearance Pruning Program ***Another Compliance Success Story***

- Reductions in:
 - ✓ Ice and wind storm damage
 - ✓ Hanging and falling limbs
 - ✓ Storm damage response and overtime expenditures in neighborhoods where pruning has occurred
 - ✓ LexCalls related to trees blocking roads and sidewalks
 - ✓ Incidents related to vehicular-pruning
 - ✓ Damages to waste trucks, emergency vehicles, snow plows, school and Lextran buses, & postal and package delivery trucks
 - ✓ Staff time and costs related to street tree compliance assistance
- Many positive comments from citizens

Street Tree Clearance Pruning Program

Opportunities for Improvement

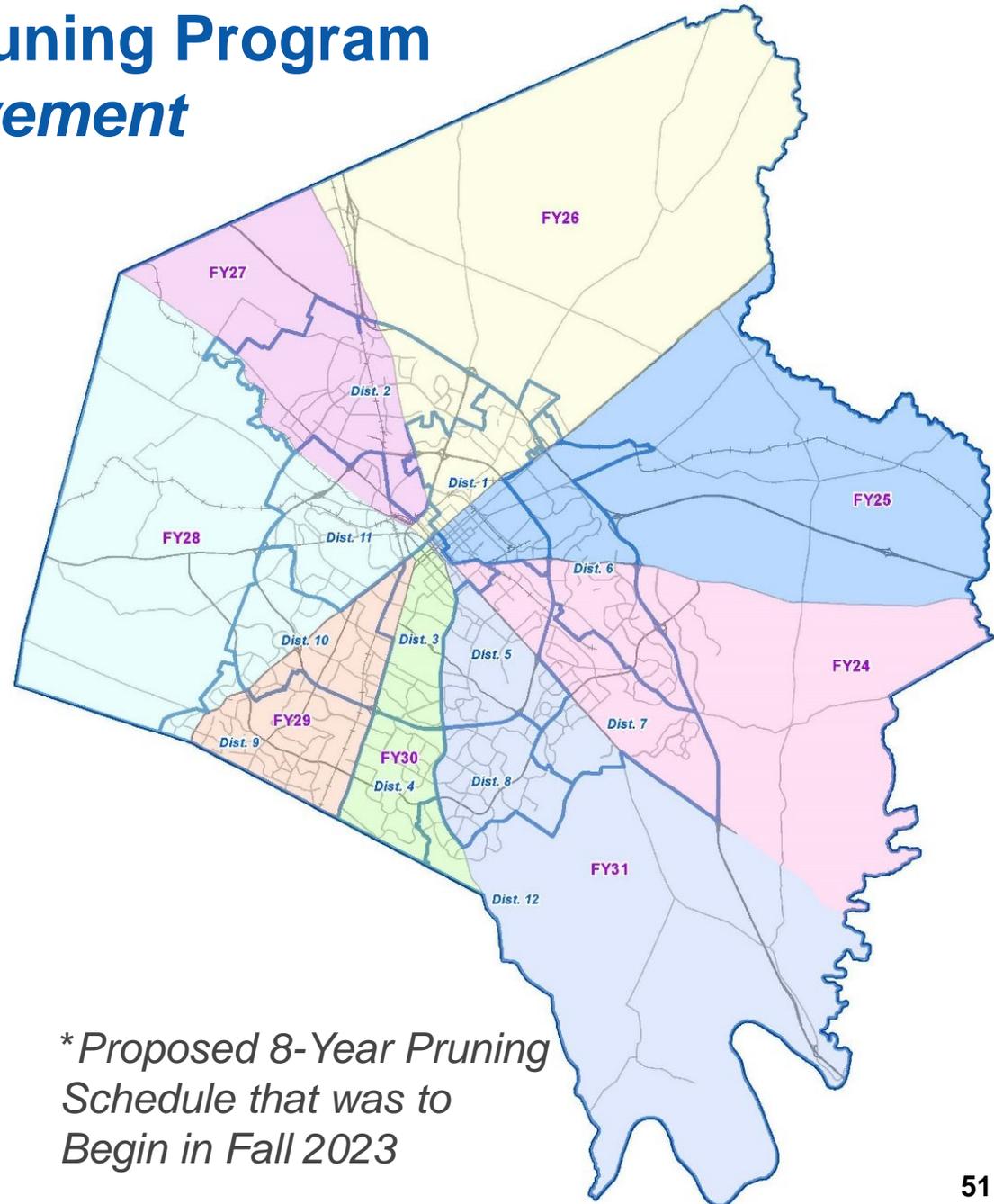
- Continue to strive for “proactive” pruning program vs. being “reactive” or “complaint-based”
- Expanded clearance pruning to include crown cleaning
 - Immediate benefits:
 - lessens risk of damage to or by the tree by removing dead, damaged, and diseased limbs
 - improves air flow through the tree’s canopy
 - reduces excessive weight on tree’s limbs
 - Long-term benefits:
 - enhances stability of the tree’s canopy
 - improves tree’s overall canopy health by removing dead, damaged, diseased, and crossing branches
 - reduces tree’s susceptibility to weather-related damage

Street Tree Clearance Pruning Program *Opportunities for Improvement*

Targeting areas of need
vs. a pie-shaped
process

Target of 4-Year
Pruning Cycle
Schedule

- More in line with best management practices of proper tree care and pruning



**Proposed 8-Year Pruning
Schedule that was to
Begin in Fall 2023*

Path Forward / Future Initiatives

- Continue Street Tree Clearance Pruning each winter (\$40K - FY25 Budget)
- Continue Hazard Street Tree (Cost-Share) Program (\$150K - FY25 Budget)
- Tree Canopy Ad Hoc Committee (\$1.5M)
 - \$1 Million available in grants for Community Tree Canopy Growth, Support, and Education
- Street Tree Inventory Software
- Urban & Community Forest Master Plan

Chapter 16 Updates

- Sec. 16-203. - Civil fines.
 - Removing the offered 1/3 reduction in fine amount for not appealing
- Based on 15 years of experience implementing this ordinance and lessons learned
 - The reduced fine was not the “carrot” we originally envisioned back in 2009.
- The reduction was only to apply if the violator brought their site into compliance AND did not appeal the citation and fine amount
- In practice, cited entities are submitting payments that they have reduced by 1/3, but they ARE NOT bringing their site into compliance
- Attempts to collect the additional 1/3 of the assessed civil penalty are time consuming and oftentimes unsuccessful (and the site is still out of compliance)

Chapter 17B Updates

- Clean up language throughout and update definitions
- Align street tree distance requirements with Traffic Engineering and Land Subdivision Regulations
- Proposed changes will align enforcement of 17B with other EQPW divisions
- Address gaps in enforcement (removal of street tree, but silent on grinding or removal of stump)
- ~~Reordering sections to follow the chronological process of enforcement~~

Chapter 17B Updates

- Sec. 17B-1. - Definitions.
 - Adding definition for Root Zone
 - ~~Adding definition for Tree Removal~~
 - ~~To clarify that the removal of a tree also includes the removal or grinding of the stump~~

- Sec. 17B-2. - Tree planting.
 - Removing recommended spacing requirements between street trees
 - Too prescriptive and too difficult to follow when complying with other distance requirements
 - Changing minimum distance between street trees and stop signs / intersections from 75 feet to 50 feet
 - To align with the Land Subdivision Regulations and Traffic Engineering's requirements

- Sec. 17B-3. - Tree removal.
 - Correcting gender language
 - Correcting “may” to “shall”
 - Adding language including the “associated stump” in regards to tree removals

Chapter 17B Updates

- Sec. 17B-4. - Abuse or damage of street trees.
 - Adding language that includes damage to a street tree's root zone as a prohibited act
 - Addresses damages from parking / driving / storing materials on and within the root zone which leads to compacted soils and increases the likelihood of the tree becoming hazardous

- ~~■ Sec. 17B-9. - Tree protection.~~
 - ~~• Adding language about protecting entirety of trees including root zone~~
 - ~~○ See above~~

- Sec. 17B-11. - Penalty.
 - Repealed, but reserved.
 - Fine amounts included in Sec. 17B-12.

- Sec. 17B-12. - Violation.
 - Removing language linking the number of previous citations to a maximum civil fine and replacing it with language that mirrors Chapter 16
 - Aligns this chapter with the enforcement article in Chapter 16

Questions?





Lexington-Fayette Urban County Government

Master

200 E. Main St
Lexington, KY 40507

File Number: 0440-22

File ID: 0440-22

Type: Committee Item

Status: Agenda Ready

Version: 1

Contract #:

In Control: Environmental
Quality and Public
Works Committee

File Created: 04/28/2022

File Name: FY23 Pavement Management Plan

Final Action:

Title: FY23 Pavement Management Plan

Notes:

Sponsors:

Enactment Date:

Attachments: FY25 Pavement_Management_Plan_Final

Enactment Number:

Deed #:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 0440-22

Title

FY23 Pavement Management Plan

PAVEMENT MANAGEMENT PLAN FY25

Environmental Quality & Public Works Committee

Nancy Albright, Commissioner, Environmental Quality & Public Works

April 30, 2024



LEXINGTON

Agenda

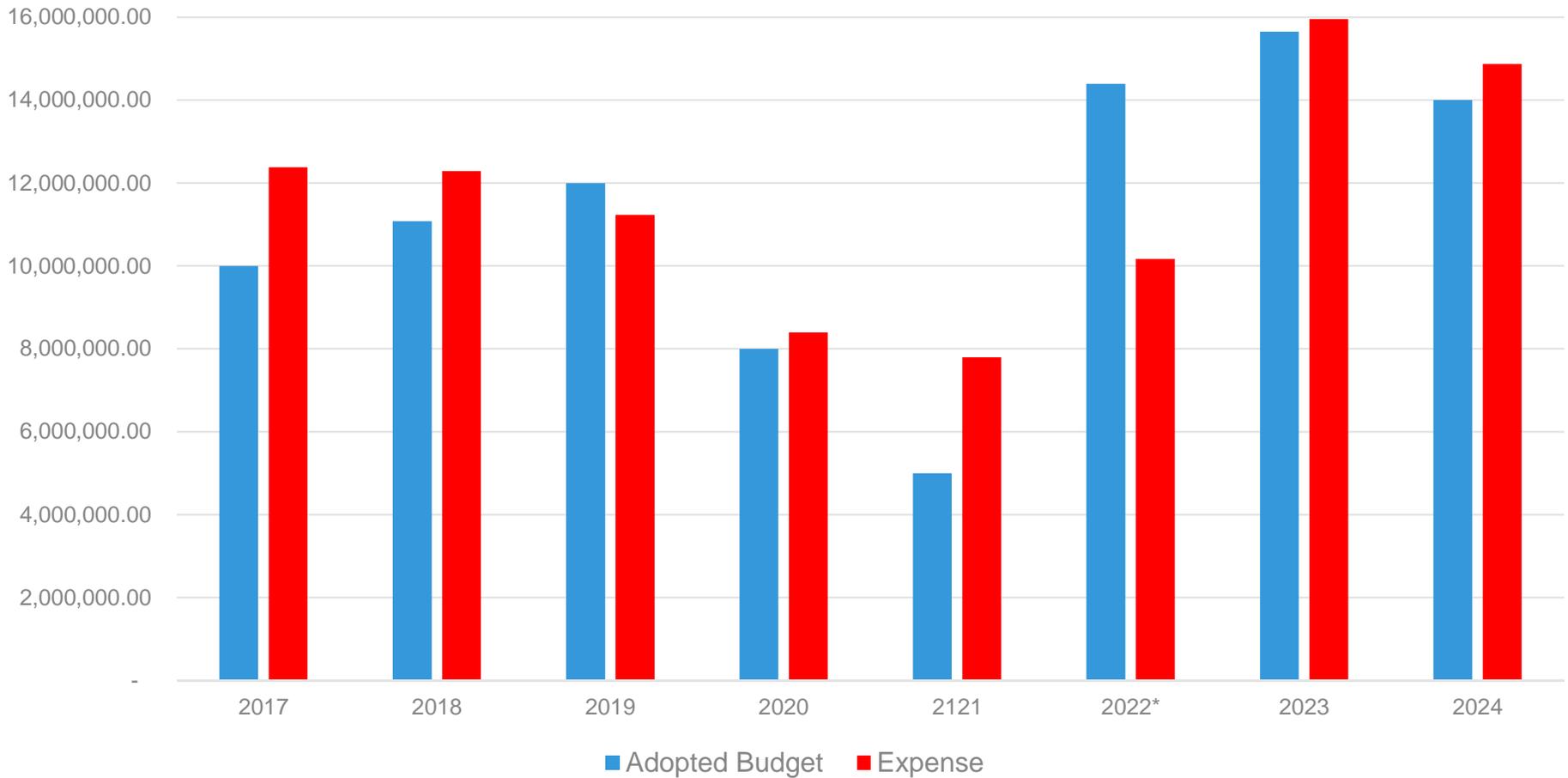
- History
- Summary of Budgets vs Expenditures
- Pavement Management Plan Overview
- Project Prioritization Responsibility
- Road Class Allocations
- FY25 Requested Paving Budget
- Paving Calendar
- Paving Sharing Program Overview
- Looking Forward

History

- Prior to Plan, LFUCG staff conducted visual surveys supported by interns from Engineering
- Council forms Paving Subcommittee to investigate data-driven strategies and draft a plan informed by a contracted, full network condition survey and analysis
- Data-driven Pavement Management Plan authorized by Council in 2016 (Res. 470-2016 & 417-2016)
- In 2022, Paving Subcommittee reconvened to review Plan and recommend updates
- In 2023, Council approves recommended updates for FY24 (Res. 326-2023 & 327-2023)



Summary of Budgets (Adopted) vs Expenditures (FY17-24)



*FY22 adopted budget included \$1.5 million in bond funds that were not bonded and instead pre-funded in General Fund in FY21



Pavement Management Plan Overview

- Roads are scored using performance metric Overall Condition Index (OCI)
 - Range from 0 (worst) to 100 (best)
 - Roads with OCI < 60 considered candidates to repave
- Plan divides the total paving budget based on a set percentage of total funds allocated to specific types of roads or road classes
- District Council Offices are responsible for a funded road class called Local Roads, and the Local Roads fund is split between the 12 districts according to the relative proportion of Local Roads in their districts with scores of OCI < 60
- Subcommittee FY24 updates
 - Emphasized service / industrial roads as a category with funding flexibility in arterials budget
 - Council prioritizes requests totaling 200% of budget for more efficient coordination as priorities are vetted to avoid near-term conflicts that would damage new pavement
 - Make spreadsheet-based survey data geospatial for viewing on color-coded maps
 - Adjusted funding proportions per road class

Project Prioritization Responsibility

Project Prioritization Responsibility				
Road Class	Maintenance / Ownership			
	Local / LFUCG	County	State	Private
Local Road	District Councilmember	Fiscal Court	KYTC	Private Owner(s)
Service / Industrial	Administration with Council Input			
Collectors				
Major / Minor Arterial				

Road Class Allocations

The updated Pavement Management Plan recommends allocations be apportioned according to the following percentages:

Budget Category by Road Class	Updated Plan Budget Allocations
Maj./Min. Arterials, Service/Industrial Rds.	25%
Collectors	25%
Local Class	40%
Preventative Maintenance	10%
Total	100%

FY25 Requested Paving Budget

FY25 Requested Paving Budget	\$14,000,000
Maj./Min. Arterial, Service/Industrial Rds. (25%)	\$3,500,000
Collectors (25%)	\$3,500,000
Local Roads (40%)	\$5,600,000
Maintenance (10%)	<u>\$1,400,000</u>
	\$14,000,000

FY25 Local Roads Requested Budget

- Percentage of local road lane miles with OCI less than 60

Local road paving budget = (0.4) * \$14,000,000 = \$5,600,000

FY 2025 PAVING FUNDS ALLOCATION BY LOCAL LANE MILES BY COUNCIL DISTRICT		
ALLOCATION BY LOCAL LANE MILES OCI<60		
Council District	Local Lane Miles with OCI < 60	Allocated Funds by District - FY25
1	82.53	\$ 517,985.83
2	80.61	\$ 505,940.15
3	60.10	\$ 377,205.61
4	58.50	\$ 367,171.10
5	86.79	\$ 544,682.70
6	90.39	\$ 567,295.40
7	58.35	\$ 366,217.81
8	62.98	\$ 395,237.29
9	75.62	\$ 474,595.69
10	98.01	\$ 615,085.89
11	77.25	\$ 484,851.28
12	61.14	\$ 383,731.24
Total	892.28	\$ 5,600,000.00

Milling & Resurfacing = \$86,900.00/Local Lane Mile



Paving Calendar

- **April 1, 2024** – Pending weather, paving season begins
- **May 31, 2024** (*Optional early deadline*) – Council finalizes additions to current priorities for vetting and potential FY25 fall release
- **July 1, 2024** – New fiscal year begins with approved funding available
- **November 6, 2024** – Latest date EQPW staff will provide per district status updates to Council and begin assisting as needed with priority list updates
- **December 6, 2024** (*Annual early-December deadline*) – Council finalizes updates to paving priorities for conflict vetting
 - List should represent 200% of Council District budget
 - Priorities list totaling 300%+ welcomed to maximize efficient coordination opportunities
- **December 15, 2024** – Pending weather, paving season ends
- **March 1, 2025** – Latest date EQPW staff will provide per district status updates including outcome of conflict vetting and list release
- **April 1, 2025** – Pending weather, next paving season begins

Paving Sharing Program Overview

The Program seeks to strategically coordinate LFUCG paving priorities and combine efforts to provide the highest quality finished paving surface at the lowest total cost

- Council authorization in 2023 (Res. 491-2023 & 492-2023)
- Paving ***priorities must align*** with utility construction projects and timelines. Utilities ***must request*** to participate in paving sharing
- This program is ***voluntary & subject to LFUCG funding availability***
- To date \$380,288 has been reimbursed by utilities and reallocated to additional paving projects.
- Pending current projects include Woodland Ave and Greentree Rd. with ongoing utility conversations regarding other potential projects

Looking Forward

- Issue RFP for next pavement condition scan and scoring
 - Included in FY25 Mayor's Proposed Budget (\$500,000 - bond)
- Identify and utilize new technical capabilities such as geospatial mapping
- Develop coordination synergies with internal and external partners for cost savings and better roads
- Continue to explore opportunities for benchmarking, utilize performance metrics, and seek best practice models used by comparable municipalities

Questions?





Lexington-Fayette Urban County Government

Master

200 E. Main St
Lexington, KY 40507

File Number: 0466-24

File ID: 0466-24

Type: Committee Item

Status: Agenda Ready

Version: 1

Contract #:

In Control: Environmental
Quality and Public
Works Committee

File Created: 04/24/2024

File Name: Items Referred to Committee

Final Action:

Title: Items Referred to Committee

Notes:

Sponsors:

Enactment Date:

Attachments: eqpw referral list 04.30.24

Enactment Number:

Deed #:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 0466-24

Title

Items Referred to Committee

ITEMS REFERRED TO COMMITTEE

Environmental Quality & Public Works

Referral Item	Current Sponsor	Date Referred	Last Presentation	Status	Legistar File ID
1 Waste Digester Feasibility Study	L. Sheehan/D. Sevigny	March 29, 2022	October 24, 2023		0445-22
2 Explore Lexington's Sustainability Options	L. Sheehan	February 20, 2018	May 23, 2023		0499-21
3 Streets and Roads Fleet Depreciation and Replacement	H. LeGris	May 30, 2023			
4 Update to Chapter 8 in Code of Ordinances Related to Blasting	D. Gray	July 11, 2023			
5 Review of Urban Services Fund and Expenditures of Refuse, Street Lights, and Street Sweeping)	(Revenue) D. Sevigny	August 22, 2023		April 30, 2024	0464-24
6 Odor Control Plan at the Waste Water Treatment Plant	J. Reynolds	October 31, 2023	February 6, 2024		
7 Microtransit	C. Ellinger	November 14, 2023	February 6, 2024		
Annual / Periodic Updates					
8 Recycling General Practices <small>* Note: Several recycling items were combined into this one item on March 9, 2021</small>	P. Worley	March 9, 2021			0292-19
9 Backyard Composting - Home Compost Pilot Program	H. LeGris	February 2, 2021	May 23, 2023		0500-21
10 Urban Forestry and Street Trees Update <small>16 and 17 Ordinance Changes , Lex Grow Trees Program)</small>	(Chapter) H. LeGris	September 17, 2019	March 12, 2024	April 30, 2024	0501-21
11 Capacity Assurance Program (CAP) Audit Update	L. Sheehan	August 30, 2018	April 18, 2023		0964-20
12 Annual Energy Improvement Fund Update	L. Sheehan	January 10, 2017	March 12, 2024		0572-22
13 Annual Snow/Ice Removal Plan	L. Sheehan	February 15, 2014	October 24, 2023		1034-22
14 Annual Pavement Management Plan / Curbs Assessment	L. Sheehan	May 26, 2020	April 18, 2023	April 30, 2024	0440-22
15 Annual Stormwater Priority List Update	L. Sheehan	February 20, 2018	September 12, 2023		0922-22
16 Annual Municipal Separate Storm Sewer System (MS4) Program Update	L. Sheehan	February 20, 2018	October 24, 2023		1122-22
17 Annual Consent Decree and Remedial Measures Plan Update	L. Sheehan	January 22, 2019	December 5, 2023		0222-22
18 Annual Division and Program Review (Pilot Program)	L. Sheehan	November 30, 2021	November 1, 2022		0127-22
Subcommittees, Workgroups, Task Forces					
19 Waste Digester Task Force	D. Sevigny	November 14, 2023			

Updated 04.24.24, KJT