

GRANT AGREEMENT

THIS AGREEMENT, made and entered into on the _____ day of _____, 2024 by and between the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an Urban County Government of the Commonwealth of Kentucky, created pursuant to KRS Chapter 67A (hereinafter "Government"), and **Andover Forest Homeowners Association** (Hereinafter "Organization"), with the mailing address of c/o Allpoints Mgmt, 141 Prosperous Place, Suite 21, Lexington, Kentucky 40509.

WITNESSETH:

WHEREAS, the Urban County Council created the Lex Grow Trees Grant Program to provide local funding to certain eligible property owners and organizations as reimbursement for eligible activities, such as tree planting, tree maintenance, tree education, and the development of tree advocates and stewards.

WHEREAS, the Government finds that such a grant program would provide a benefit to the public through improvements to air and water quality, energy savings, and habitat and conservation in the urban county; and

WHEREAS, Organization has applied for a grant from the Lex Grow Trees Grant Program, and the Tree Canopy Ad Hoc Committee has approved the application.

NOW FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREIN EXPRESSED, GOVERNMENT AND ORGANIZATION AGREE AS FOLLOWS:

1. **Amount of Grant.** Government hereby grants Organization the sum not to exceed \$100,000.00 as reimbursement or prepayment (as provided in Section 2) for the activities described in the Organization's application, which is attached hereto and incorporated herein by reference as Exhibit A, and which is further clarified and authorized in the Application Review, Scoring, and Determination Form, which is attached hereto and incorporated by reference as Exhibit B.
2. **Payments.** Government shall pay the Organization for expenditures the Organization actually incurred, or for expenditures made within thirty days after payment by Government, up to the total amount provided above, only after receipt of an invoice. The funds are limited to the services provided herein and may not be spent by the Organization for any other purpose without the prior written consent of Government. Any invoice must include evidence satisfactory to Government to document entitlement to payment, as well as a progress report. If Organization receives funds under this Agreement for expenditures made after receipt of the grant funds, Organization shall also provide evidence satisfactory to Government that the expenditure was made. Failure to provide any evidence required by this section shall require the Organization to repay grant funds.
3. **Compliance with Program Regulations.** As a condition for receipt of funds provided by this grant, Organization agrees that it has complied with and will continue to comply with all requirements provided in the Lex Grow Trees Grant Program guidelines, attached hereto and incorporated herein by reference as Exhibit C, in any grant approval letter provided by the Division of Environmental Services, and in the Application Review, Scoring, and Determination Form (Exhibit

B). Failure to comply with these requirements may result in denial of funds or repayment.

4. **Final Report Required.** A final report must be submitted within 30 days of completion of the project. This report shall include:
 - a. A description of the project and the benefits derived from its implementation;
 - b. Locations of trees planted, including species;
 - c. Locations of trees pruned or maintained, including species;
 - d. Information about events hosted, including topic, location, numbers of attendees, and photographs taken during the events;
 - e. A maintenance plan, if appropriate, or documentation of having maintenance discussions with individual property owners;
 - f. A summary table comparing the project budget to actual expenditures, along with supporting documentation; and
 - g. Sample outreach and/or educational materials used.
5. **Conflict.** To the extent that there is any conflict between or among this Agreement and any of its Exhibits, the terms and provisions of this Agreement shall prevail, followed by terms and provisions of Exhibit "C", then "B", then "A" in that order.
6. **Amendments.** By mutual agreement, the parties to this Agreement may, from time to time, make written changes to any provision hereof. Organization acknowledges that Government may make such changes only upon approval of its legislative authority, the Lexington-Fayette Urban County Council, and the signature of its Mayor.
7. **Entire Agreement.** This Agreement shall constitute the entire agreement between the parties and no representations, inducements, promises or agreements, oral or otherwise, which are not embodied herein shall be effective for any purpose. This Agreement shall replace any previous agreement between the parties on the same subject matter.

IN WITNESS WHEREOF, the parties have executed this Agreement at Lexington, Kentucky, the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: _____
LINDA GORTON, MAYOR

ATTEST:

Clerk of the Urban County Council

Andover Forest HOA
Organization Name (Printed)

BY: Susan J. Hoffmann
Signature

President,
Title
Andover Forest HOA Board of Directors

dml CLK
WITNESS SIGNATURE

JARED GIBSON
WITNESS PRINTED NAME

6/4/2024
DATE
4881-3166-5349, v. 1

EXHIBIT A

ORGANIZATION'S APPLICATION

Form Name:	Lex Grow Trees Grant Application
Submission Time:	April 23, 2024 11:37 am
Browser:	Chrome 124.0.0.0 / Windows
IP Address:	3.129.60.36
Unique ID:	1218069819
Location:	39.9625, -83.0061

Lex Grow Trees Grant Application

Organization information

Name of organization	Andover Forest Homeowners Association
Street address and zip code	c/o Allpoints Mgmt 141 Prosperous Place, Suite 21 40509
Email	jared@allpointsky.com
Phone	(859) 489-1267

Contact information

Contact person name	Mitzi Bender
Contact person title	Andover Forest HOA Board Member & Greenspace Chair
Contact person phone number	(859) 619-9288
Contact person email address	mitzi.bender@gmail.com

Project information

Upload a PDF packet with the project narrative, scope of work and community objectives.	https://drive.google.com/uc?id=1PFwsXOwc2FitVmgZeWuZ5KJT-_0Jlqfy&export=download&display=/1218069819AndoverForestHomeownersAssociation_156059812_AndoverForestHOALexGrowTreesGrantApp4.23.2024.pdf
Project start date	Sep 01, 2024
List milestone dates	Order trees - Sept, Begin tree education & installations Oct - Jan 2025
Expected completion date	Jan 30, 2025
Upload a document with the project budget and explanation	https://drive.google.com/uc?id=1Me703CfGwVOKv2BIJq-Orv2Kh1yZBZ&export=download&display=/1218069819AndoverForestHomeownersAssociation_156060575_AndoverForestHOABudgetLexGrowTrees4.22.2024.pdf
Are you willing to accept partial funding?	Yes

List the address/addresses and Council District where the project is located.	District 6
Find the Council District at lexingtonky.gov.	<p>Andover Forest HOA & Greenspace</p> <p>See aerial map of Andover Forest Greenspace (formerly Andover Golf Course Holes 1-9)</p> <p>The Greenspace are 9 former grass fairways and unfortunately do not have physical mailing addresses.</p> <p>The Greenspace is located between Man O War Blvd, Todds Rd and Pleasant Ridge Dr (near Interstate 75)</p>

Supplemental material

Combine and upload a minimum of three color photographs of the project area.	https://drive.google.com/uc?id=1I7NhNDcPsQF3Ibc7ThsHF5ed6mKUJ20Q&export=download&display=/1218069819AndoverForestHomeownersAssociation_156060675_Hole4runoff.jpg
Upload a map of the proposed project location (this can be a screenshot of a map but the project site must be identified).	https://drive.google.com/uc?id=1PH_NxipFTWDzHwbY8VvPWBkK6v6cNL8p&export=download&display=/1218069819AndoverForestHomeownersAssociation_156060679_AndoverForestHOAGreenspaceAerial.pdf
Combine and upload any other supporting documents or letters of support.	https://drive.google.com/uc?id=1ZZG4u7Ye32xVi2RtYtCUHsa9akrEXYtd&export=download&display=/1218069819AndoverForestHomeownersAssociation_156060885_AndoverForestHOASupportAdvisorsLexGrowTreesGrant.pdf



BLUEGRASS
GREENSOURCE



Andover Forest HOA & Support Advisors

Why Fund: Andover Forest HOA & Greenspace?



- ▶ **Low Tree Canopy - District 6** - Located off Man O War near Interstate 75 and the Hamburg shopping area.
 - ▶ The HOA serves 481 homes and over 1,000 citizens in the East Hickman Creek Watershed.
 - ▶ Area is impacted by high growth, traffic noise and heat generated from large paved shopping areas.
 - ▶ Stormwater runoff issues/FEMA floodplain, 6 ponds which lead into the Reservoir near Jacobsen Park.
- ▶ **Greenspace with 70 acres of space ready for LexGrowTrees!** In 2018 AFHOA purchased the Andover Golf Course Holes 1-9. Open grassy fairways are ready for planting large quantities of native trees.
- ▶ **Educational Collaboration & Outreach:** Andover Forest HOA invites educational opportunities on its Greenspace. In 2019, the UK Department of Landscape Architecture held Design Week: 80 students and 14 professors studied the transformation of golf courses to naturalized areas. UK students conducted site-visits and created design ideas for transforming the golf areas to a community Greenspace with trees & landscaping.
 - ▶ Currently, Dr. Caleb Wilson (UK Dept. of Entomology) is utilizing our area for a Masters research project studying the effect of using pollinators to reduce damaging scale pests on honey locust trees.
 - ▶ The HOA is collaborating with Dr. Eric Carroll of the University of Kentucky (Dept GIS/Infrastructure) for educational studies with GIS tree mapping tools that would be shared with the city for updating the Tree Canopy Report data.
- ▶ **Master Tree Plan** - In 2020, Sr. Landscape Architect Bill Henkel was hired to create Master Tree Plan for planting new native trees and evergreens on the former Holes 1-9 fairways. See Master Plan - <https://andoverforest.org/wp-content/uploads/2020/10/AF-Master-Plan-Revised-10.8.2020.pdf>
- ▶ **HOA Strategic Focus on Trees:** AFHOA began installing Phase 1 of its Master Tree Plan in 2021. Approximately 441 new native trees, 574 evergreen trees & shrubs, and 162 flowering shrubs have been planted through funds from the HOA annual dues & private donations (approx. \$177,000). Even with this effort, the Greenspace is still mostly grass fields and the existing older tree canopy is suffering from diseased Ash and Honey Locust trees.

The area is prime for planting vast quantities of native trees; however, the HOA does not have additional funding available currently without grant assistance.

Why Fund: Andover Forest HOA & Greenspace?

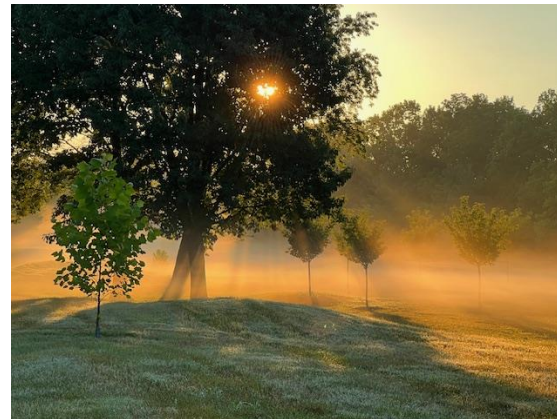


- ▶ **Stormwater Runoff Issues & FEMA Floodplain** - Large volumes of rushing stormwater from neighborhood streets is creating pond embankment erosion and sedimentation in the HOA's 6 ponds. If awarded, new trees will be planted to slow stormwater, improve water quality, and reduce the pond erosion issues.
 - ▶ HOA engaged Bluegrass Greensource for community workshops on Riparian Buffer Zones and benefits of planting trees around pond areas in 2021 for its LFUCG Stormwater Class A grant award.
 - ▶ HOA has worked in collaboration with Dr. Amanda Gumbert of UK Extension Water Quality Specialist to provide educational workshops and a demonstration area of riparian buffers.
- ▶ **Tree Stewards - Active Group of Resident Volunteers** - Community volunteers have provided tree routine maintenance since 2020. Activities include pruning, tree staking, beetle spraying, installing tree protectors at tree bases, mulching (with wood chips stored on property from ground limbs), hauling away fallen limbs/storm damage and removal of invasive winter creeper and honeysuckle.
- ▶ Arborist Pete Barber provided onsite training this March for 6 resident volunteers to act as Tree Stewards. These Tree Stewards learned proper pruning and have pruned the newly planted trees. Future initiatives to include training for GIS tree mapping.
- ▶ **Actively Network for Guidance & Best Practices** - The HOA has reached out to the following groups for collaboration:

LFUCG Urban Forestry, Environmental Quality, Trees Lexington, Hickman Creek Conservancy, Bluegrass Greensource, Fayette County Conservation District (Sarah Ward), Natural Resources Conservation Group (Heath Miner), Kentucky Division of Urban Forestry (Chris Wiedemann), University of Kentucky Dept. of Landscape Architecture (Dr. Ned Crankshaw & Carolina Segura Bell) and Dept of Entomology (Dr. Caleb Wilson), UK Extension Water Quality (Dr. Amanda Gumbert), Dept of GIS/Infrastructure (Dr. Eric Carroll)



Andover Forest HOA - Working to Make a Difference



Project Scope & Community Objectives

- ▶ Andover Forest HOA Project Scope Request: LexGrowTrees Grant Award of \$100,000 for planting 350 new trees to increase the District 6 tree canopy.
- ▶ Our vision is to increase shaded community gathering areas along open grass fairways (as depicted in the artist rendering shown).
- ▶ Reduce stormwater runoff and erosion through trees near ponds & sloped neighborhood runoff areas.
- ▶ Engage residents and tree stewards in community educational outreach initiatives to care & maintain newly planted trees.
- ▶ Develop & Share GIS tree data with LFUCG on new trees planted since Andover Forest HOA purchased the Greenspace in 2018.



Regenerative Landscape: Conserve, Manage, Preserve, Generate
Andover Green Space | Lexington, KY

Project Area 1: Hole 3

Pond bank erosion / Stormwater Runoff
FEMA Flood Area
Lack of tree canopy / poor soil



Project Area 2: Hole 7

Open field needing Tree Canopy
Intense Stormwater Runoff by homes
Boggy soil/Pond bank erosion



Project Area 3: Holes 1 & 9

Increase Pond Shade /Erosion Control
Aging Bradford Pears by pond
Sinking Soil (shown in red below) from runoff



Project Area 4: Hole 4

Open field needing Tree Canopy by walking paths
Steep Runoff Creating Resident flooding issues



Andover Forest HOA - LexGrowTrees Grant							
Proposed Budget							
4.22.2024							
Explanation of Proposed Expenditures							
		<u>Estimated</u>	<u>Estimated</u>		<u>Estimated</u>		
<u>Trees</u>	<u>Tree Size</u>	<u>Price</u>	<u>Installation</u>	<u>Quantity</u>	<u>Total</u>		
Tree Purchase - 1.75" caliper trees	1.75"	\$400	included	225	\$90,000		
Tree Purchase - Trees Lexington	3 Gallon size	\$32	\$30	125	\$7,750	*augering planting holes included	
Total Trees Planted	Tree Purchase			350	\$97,750		
<u>Education & Maintenance</u>							
Trees Lexington- Community Planting Day	3 gallon trees	\$1,000	n/a	1	\$1,000	*Tree Delivery , Assist with Species & Site Selection, Community Planting Event	
Trees Lexington Workshop	Education	\$120	n/a	1	\$120	Tree care & Maintenance	
Bluegrass Greensource- Workshop	Education	\$75	n/a	2	\$150	Trees as Pond Buffers	
Arborist - Tree Steward Education Maintenance	Maintenance	\$100	n/a	10	\$1,000	*Tree Pruning, Tree Pest Control,	
						Invasives removed	
		Total Education & Maintenance			\$2,270		
		Total Budget			\$100,020		





Andover Forest HOA & Greenspace

Andover Forest HOA - Greenspace Support Advisors	
Arborists Advisors	Pete Barber
Bluegrass Greensource	Amy Sohner
District 6 Councilwoman	Denise Gray
Ecogro	Jim Hannssen
FCCD - Fayette County Conservation District	Sarah Ward
Friends of Wolf Run	Ken Cooke
Hickman Creek Conservancy	Kelly Taylor
Kentucky Association for Environmental Education	Chris Wiedamann
Landscape Architect	Bill Henkel
LFUCG - Sr Program Manager (Class A Stormwater Grants)	Frank Mabson
NRCS - Natural Resources Conservation Service	Heath Miner
Trees Lexington	Michael Potapov
University of Kentucky - Dept. of Entomology	Dr. Caleb Wilson
University of Kentucky - GIS & Infrastructure	Dr. Eric Carroll
University of Kentucky - Dept. of Landscape Architecture	Dr. Ned Crankshaw
University of Kentucky - Turf Grass Extension Specialist	Dr. Gregg Munshaw
University of Kentucky - Water Quality Specialist	Dr. Amanda Gumbert

David Leonard
Russ Turpin
David Leonard
Carolina Segura Bell
Dr. Travis Shaddox

EXHIBIT B

APPLICATION REVIEW, SCORING, AND DETERMINATION FORM

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
TREE CANOPY AD HOC COMMITTEE
LEX GROW TREES GRANT PROGRAM
APPLICATION REVIEW, SCORING, AND DETERMINATION**

Applicant Name: Andover Forest Homeowners Association

Requested Grant Amount: \$100,000.00

Project Elements:

1. Planting 350 Trees
2. Community Planting Day
3. Trees Lexington Workshop
4. Bluegrass Greensource Workshop
5. Tree Steward Education Maintenance

RECOMMENDATION OF THE SCORING COMMITTEE

- Applicant and proposed project meet program eligibility requirements. Project Score: **93.5**.
- Approve the Grant Application for the **Full** amount of **\$100,000.00**.
- Approve the Grant Application with the following stipulations:
 1. Applicant shall retain trees through maturity. Should the property be developed in the future, applicant shall provide commensurate canopy coverage within the HOA to compensate for all canopy lost during and through the development process.

TREE CANOPY AD HOC COMMITTEE DETERMINATION

After considering the recommendation of the Scoring Committee, the application and supporting information, and having heard evidence, the Committee finds:

_____ The application does not meet the eligibility requirements of the grant program as set forth in the Grant Program Guidelines and the grant application is denied.


--- OR ---

✓ _____ The application meets the eligibility requirements of the grant program as set forth in the Grant Program Guidelines.

✓ _____ The application has been scored and is deemed worthy of funding this granting cycle.

✓ _____ The grant application is approved in the amount of: \$ 100,000.00

_____The application has been scored. Insufficient funds are available to cover the project for this Fiscal Year.


Chairperson

Date _____

EXHIBIT C

LEX GROW TREES GRANT PROGRAM GUIDELINES

Lex Grow Trees Grant Program Guidelines

Objectives

1. Increase the scale and health of our tree canopy.
2. Increase community buy-in and resident engagement in assuring the creation and maintenance of our tree canopy.
3. Guide a cultural shift in the understanding of the benefits of trees for individuals, our economy, our community's social structure, and our collective community's health.
4. Address the equity challenges of access to the benefits of a healthy tree canopy.

Background

As a result of several opportunities and issues facing the residents of Lexington over the past several years, there has been an unprecedented level of concern for our City's tree canopy. Upon hearing these concerns and during discussions on how the City would allocate its share of Federal ARPA funds, the Urban County Council and the administration desired to allocate funds to growing Lexington's tree canopy. In February 2022, the Council authorized \$1.5 Million from budget stabilization funds for improving Lexington's tree canopy. The funds were placed with the Division of Environmental Services to oversee their expenditure. The Tree Canopy Ad Hoc Committee was formed to provide input to the division as to how the funds should be allocated. The committee created the Lex Grow Trees campaign which is dedicated to addressing tree canopy inequalities in Lexington. Four areas of focus that Lex Grow Trees determined are:

1. Mobilization of community and neighborhood tree advocates and stewards
2. Tree planting
3. Tree maintenance
4. Tree education

In the FY22 budget, \$75,000 was allocated to update Lexington's Urban Tree Canopy Study, which had been completed in 2012. The change analysis, completed in the fall of 2022, looked at the most recent data from 2020 as compared to the 2012 data. It provides information on the tree canopy by council district, watershed, census tract, and types of property ownership. The assessment also includes planting plans to achieve various canopy goals. We encourage potential applicants to review this study to help spark potential project ideas.

Eligible Organizations

1. Federally recognized non-profit organizations 501(c)(3)
2. Incorporated, active neighborhood or homeowners associations
3. For profit organizations

Eligible Activities

1. Tree planting
2. Tree maintenance
3. Tree education
4. Develop and support tree advocates and stewards

Application Requirements

Applications must include the following information:

1. Organization info
 - a. Name of organization
 - b. Street address and zip code
 - c. Phone number
 - d. Email address
2. Contact information
 - a. Contact person name
 - b. Contact person title
 - c. Contact person phone number
 - d. Contact person email address
3. Project narrative, scope of work, and community objectives (If applicable, include a list of project partners and tree experts who will be engaged in your project.)
4. Project dates and project schedule
 - a. Starting date
 - b. Milestone dates
 - c. Expected completion date
5. Project budget and explanation
6. List the address/addresses and Council District where the project is located. (Find the Council District here: <https://www.lexingtonky.gov/>)
7. Supplemental material
 - a. A minimum of three (3) color photographs of the project area.
 - b. A map of the proposed project location (This can be a screenshot of a map but the project site must be identified.)
 - c. Any other supporting documents or letters of support
8. Page limit: 10 pages with font size 12

Selection Criteria

Applications for each funding cycle will be evaluated by the Tree Canopy Ad Hoc Committee. Applications and the activities proposed will be evaluated and grant awards will be made based on consideration of the following factors (the scoring rubric is at the end of this document):

1. Location with a focus on equity (See the [2022 Urban Tree Canopy Study](#).)
2. Number of people reached via engagement or education
3. Ability of the applicant to maintain the project
4. Cost efficiency
5. Number of trees (newly planted)
6. Number of trees (maintenance or care of existing)

Additional Grant Program Guidelines and Requirements

1. All applicants must submit a completed application by the deadline.
2. A detailed project plan and budget for all expenses shall be prepared and included in the application. If selected for a grant, a more detailed project plan and budget may be required for the Grant Award.

3. If selected for a grant, the organization must have a taxpayer ID and be willing to provide a W-9 to LFUCG.
4. If selected for a grant, the organization must be willing to sign the Grant Agreement that will be processed for approval by the Urban County Council and the Mayor's signature. A copy of the Grant Agreement is attached.
5. To receive grant funds, grantees will submit Requests for Reimbursement for consideration. Each Request for Reimbursement shall include documentation to support the reimbursement request (*e.g.*, paid invoices, receipts, pay stubs) or quotes for items to be purchased within thirty (30) days of the funds disbursement.
6. Grantees will have up to 24 months from the time of the execution of the Grant Agreement to complete the projects.
7. Full responsibility for management of the project lies with the organization awarded funds. This includes the following:
 - a. Obtaining approvals.
 - b. Sign-offs from LFUCG offices regarding species selection, sight distance, encroachment/location issues, planting safety issues, and maintenance specifications.
8. All grant-funded projects must be completed in accordance with applicable local, state, and federal law. All required permits, agreements, permissions, approvals, etc. must be obtained by the grant recipient or their representatives prior to commencing work.
9. Any project that includes movement of soil and/or land disturbance shall call 811 for utility locating services per state regulations.
10. The project cannot include permanent changes within the street right-of-way without the prior express written approval from LFUCG or KYTC, as appropriate. Likewise, the project cannot include permanent changes on properties not owned and/or controlled by the grant recipient without the prior express written approval from the property owner.
11. Any project proposing tree planting shall follow LFUCG's Planting Manual under the advisement of LFUCG's Urban Forester (see: www.lexingtonky.gov/forestry). Grantees are encouraged to contact the Urban Forestry staff with questions about proper planting procedures and correct maintenance techniques.
12. All project materials and any associated marketing must be co-branded using the Lex Grow Trees branding.
13. A final report must be submitted within 30 days of completion of the project. This report shall include:
 - a. A description of the project and the benefits derived from its implementation;
 - b. Locations of trees planted, including species;
 - c. Locations of trees pruned or maintained, including species;
 - d. Information about events hosted, including topic, location, numbers of attendees, and photographs taken during the events;
 - e. A maintenance plan, if appropriate, or documentation of having maintenance discussions with individual property owners;
 - f. A summary table comparing the project budget to actual expenditures, along with supporting documentation;
 - g. Sample outreach and/or educational materials used.