

- L. Sheehan, Chair
- H. LeGris, Vice-Chair
- D. Wu
- T. Fogle
- S. Lynch
- B. Monarrez
- D. Gray
- P. Worley
- F. Brown
- D. Sevigny



AGENDA
Environmental Quality & Public Works Committee
July 11, 2023
1:00 P.M.

- | | | |
|------|---|---------|
| I. | Approval of the May 23, 2023 Committee Summary | (1-3) |
| II. | Annual Energy Improvement Fund Update [Sheehan/Bush] | (4-14) |
| III. | Annual Urban Forestry / Street Trees Update [LeGris/Carey] | (15-36) |
| IV. | Environmental Commission – Ordinance Updates [Sheehan/Hill] | (37-54) |
| V. | Items Referred to Committee | (55) |

"Environmental Quality and Public Works committee to which shall be referred matters relating to the department of Environmental Quality and Public Works and its divisions, including capital improvement projects and any related partner agencies."- Council Rules & Procedures, Section 2.102 (3). Effective January 1, 2023. Adopted by Urban County Council September 22, 2022.

2023 Meeting Schedule

February 7	September 12
April 18	October 24
May 23	December 5
July 11	



Environmental Quality & Public Works Committee

May 23, 2023

Summary and Motions

Chair Sheehan called the meeting to order at 1:01 p.m. Committee Members LeGris, Wu, Fogle, Lynch, Gray, F. Brown, and Sevigny were present. Committee Members Monarrez and Worley were absent. Council Member Reynolds was present as a non-voting member.

I. Approval of April 18, 2023 Committee Summary

Motion by Gray to approve the April 18, 2023 Environmental Quality & Public Works Committee Summary. Seconded by Wu. Motion passed without dissent.

II. Home Compost Program Update

Angela Poe, Public Information and Engagement Manager for Environmental Services, presented an update on the home composting program which provides an organic material disposal option for households in the Urban Services Tax District and encourages at-home food composting. Three workshops were held at McConnell Springs in February and March and were facilitated by Seedleaf. There is a maximum of 100 households that can participate which breaks down to 30-35 per workshop. She noted those who participate receive a \$60 credit toward a composter. There were a total of 95 households that participated and 32% of those who signed up were already composting at home. She reviewed successes and said Seedleaf and McConnell were easy to work with. There is significant demand for this program indicated by workshops that filled up before the promotion cycle was complete. 95 households are better equipped to compost at home for a total cost of around \$12,000. Some of the challenges to doing this were that workshops filled up quickly and local partnerships for composters didn't work as expected. Poe mentioned the process was very time consuming and logistics were complicated. Moving forward, she said they are exploring other options with nurseries and there is interest in community for expanding the program. They aim for 100 households to participate again and they will continue to partner with McConnell Springs and Seedleaf. They have draft signage for installation at McConnell Springs and they will explore partnerships who will sell direct to participants using our vouchers.

Committee discussion centered on community outreach and expanding the program. Addressing the challenge of workshops filling up and how they will fix this, Poe said they will continue to operate as usual. She has a list from a zip code standpoint and there was wide distribution of this program. When asked how they communicate to those who don't know about the program, Poe referenced the outreach efforts and asked for contact information so material can be provided to anyone interested. They are looking to hire a community outreach specialist to focus on areas where people are not engaged. Poe added information is sent to council members to distribute as well. Speaking about businesses interested in the compost program, Poe said it would vary based on the type of business. There are requirements such as tax districts who receive city services, but they can work on this more. When asked if we have looked at doing this on a larger scale to speed up the compost process, Poe mentioned the city is looking at other compost options such as curbside composting, but she noted contamination can impact this. Albright added they are looking at the feasibility for having a system modeled after Sevierville (using waste digesters). No action was taken on this item.

III. Explore Lexington's Sustainability Options

Jada Griggs, Sustainability Section Manager, spoke about Lexington's sustainability options and mentioned the plan for a resilient community. The focus is on energy efficiency in 5 areas: Residential, Commercial, Land Use, Transportation, and Waste. The plan was flexible and voluntary with a goal to reduce energy use by at least 1% per year. There were 3 years of efforts with over 50 members and the plan aligns with Leadership in Energy and Environmental Design (LEED) for cities. She reviewed the 6 sectors of the plan which include natural systems and ecology; transportation and land use; water efficiency; energy and greenhouse gas emissions; materials & resources; and quality of life. She spoke about reactivating greenhouse gas (GHG) emissions inventory and tracking community-wide and LFUCG GHG emissions. Moving forward, we need to set GHG emissions reduction targets and recalculate GHG emissions every two years. The program provides peer-to-peer networking opportunities, technical assistance, and access to educational resources; and covers fees for United States Green Building Council (USGBC) membership registration and certification review. She reviewed the *Solarize Lexington* program which kicked off March 13. Since the program launch, there have been 400 interest forms submitted with 51 that are grant-eligible. Council approved \$1M from FY22 fund balance to offer grants to low-moderate income homeowners. They have about 30 grant-approved contracts so far with 9 installations complete.

When asked what can be done prior to solar if there is an energy audit, Griggs said energy efficiency is important. They reached out to Community Action Council (CAC) and they sent 50 interest cards to them. She said there is a grant and part of the funding would be for energy audits, but currently there is no program for that. To address home owners versus renters, Griggs explained the solarize program is for home owners. Speaking about *Solarize Lexington* and addressing whether the basic cost for technology is expected to decrease, Griggs said it has decreased some and they expect that pattern to continue. She added there is a 40% tax incentive to offset the cost and it pays for itself over time. Addressing *Solarize Lexington* contracts for residents, Griggs explained the city has no liability since the contract is between the solar company and the resident. She said the residents have to qualify for the grant and they are taken to an online form which is paid 100% from the grant. When asked about accountability and follow-up, Griggs said there is nothing in the contract about that. The person only has to qualify. Speaking about funding, Griggs said it is not budgeted but they intend to ask for additional funding since there will be homeowners waiting to sign up. When asked about solarizing government properties and if that goes through *Solarize Lexington*, Griggs said that would be under Energy Improvement Fund. No action was taken on this item.

IV. Kentucky Utilities: Process and Considerations for Burying Electrical Lines

Chris Mayes, Lexington Operations Manager for Kentucky Utilities (KU), presented a follow-up to the March 2023 wind storm. As a comparison, he reviewed the 2009 ice storm which was the highest outage and said that restoration took 9 days. The March 2023 wind storm was wide spread with 75mph winds (hurricane level), but power was restored in 5 days pointing out they had 1,000 extra line workers to assist. By putting the lines underground, power outages can be mitigated some. There will still be outages and maintenance/repairs can be challenging. He spoke about how disruptive the process can be and some equipment will still be above ground. He said undergrounding doesn't typically last as long and he displayed photos to illustrate what this looks like. If facilities are buried, there would still be above ground transmission boxes. He mentioned that the cost for burying lines would be approximately \$10-15M per mile and that cost does not include cable, internet, or phone lines. If someone is interested, they could reach out to KU customer service for estimates and he noted that payment is expected up front. He mentioned the vast majority of new development goes underground with 1/3 currently underground. He

spoke about pros and cons for undergrounding and he mentioned that undergrounding is rarely the best tool of all options available.

Speaking about how the fee structure is determined, Mayes said it is up to the HOA. He clarified that the HOA would pay using one check. Not considering weather, Mayes said the best option is overhead utilities because over time, moisture can impact underground utilities and overhead installation is more resilient. When asked what it would cost to replace rather than install new underground, Mayes said normally there is no charge to install in a new development. To replace, there would be an added cost to KU which is passed on to customer. Mayes noted there are more distribution lines than transmission lines. Addressing the idea of adopting an underground-only approach and exploring incentives or government funding, Mayes said most developers are already doing this because it is unlikely a developer wants overhead lines. Mayes mentioned how costly it is to replace overhead with underground. David Barberie, Attorney in the Law Department, confirmed we could have an ordinance that directs new lines to be underground

V. Items Referred to Committee

Motion by Wu to remove *Kentucky Utilities Process for Burying Electrical Lines* from the list of committee referral items. Seconded by LeGris. Motion passed without dissent.

Motion by Wu to adjourn at 2:11 p.m. Seconded by Sevigny. Motion passed without dissent.

STATUS UPDATE: ENERGY INITIATIVES

Environmental Quality & Public Works Committee

James Bush, Energy Initiatives Section Manager

July 11, 2023



LEXINGTON

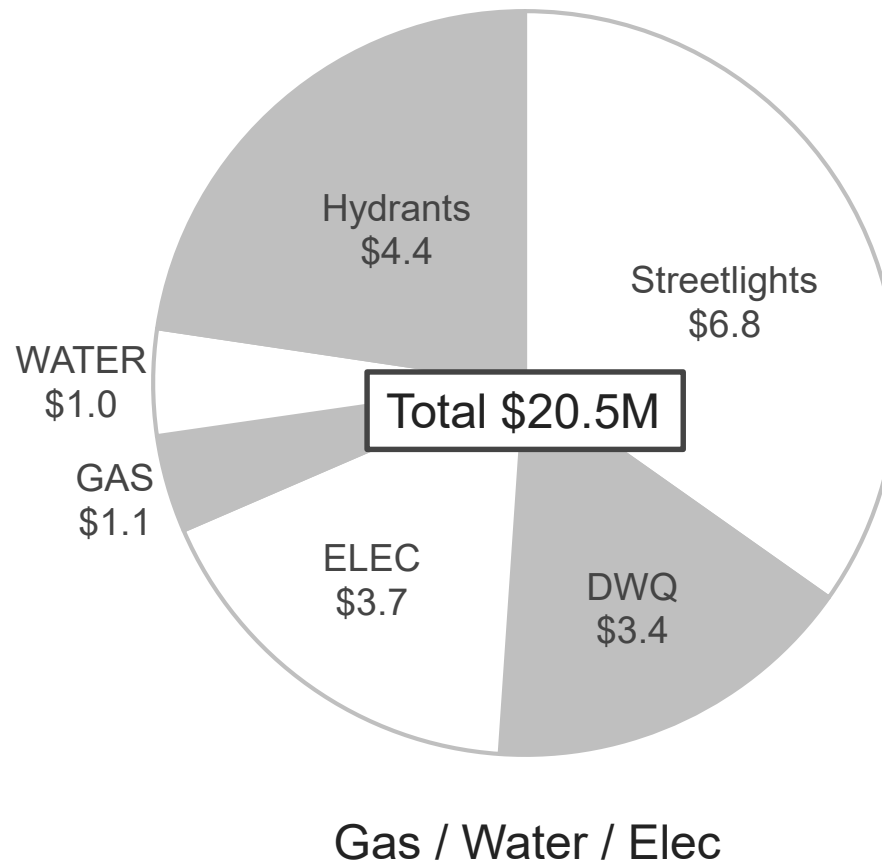


Presentation Outline

- Utility Snapshot
- EIF Projects - FY2023
- EIF Fund Balance
- Conclusions



FY2022 Utility Expenses (millions)



Prior Years

FY19	\$17.8M
FY20	\$19.7M
FY21	\$19.2M
FY22	\$20.5M
FY23*	\$21.1M

*trending estimate



FY2023 Lighting Projects

- Coroner Exterior Lighting
 - Coleman House
 - Tates Creek Proshop & Event Space
 - Coolavin Courts
 - Versailles Rd Parking Lot
-
- FY2023 rebates = \$10,771
 - LED mature technology; cost/benefit diminishing
 - Additional efficiency targeting advanced controls

EIF Investment:

\$23,216

Estimated Cost Avoidance:

\$4,491 /yr

Estimated Energy Avoidance:

36,297 kWh/yr



FY2023 Solar Projects

- Fire Station#9
- Police West Gym
- Versailles Rd Bldg#2
KU Solar Share
- Added capacity +47 kWdc
- Total capacity 100 kWdc
(5 installations; 2 virtual systems)
- FY2024 projects, approved and in process:
Tates Creek Community Center
South Base Facility

EIF Investment:

\$124,403

Year 1 Estimated Cost Avoidance:

\$6,259 /yr

Estimated Energy Avoidance:

53,077 kWh/yr



Police West Gym Solar

Location: 1799 Old Frankfort Pike

Solar Array: 30 kWdc

Est Output: 33,540 kWh

Est Savings: \$3,807





Project Comparison

- Lighting
 - Simple payback = 5.2 years (self-installed)
 - EIF target < 10 years
 - Timeframe aligned to product life
- Solar PV
 - Life cycle analysis more appropriate
 - Longer equipment life (warranties up to 30 years)
 - Utility rate increases (modeling 2% per yr)
 - Typical payback around Year 16
 - Requires compatible building on non-demand rate
 - Cost recovery during warranty period ~70%



Energy Improvement Fund Balance (as of 6/26/2023)

General Services (1101, 1105)	\$10,518
Urban Services (1115, 1116)	\$30,824
Sanitary Sewer (4002, 4003)	\$263,502

- EIF-1101 to receive \$100,000 in FY24 with emphasis on solar projects. Supplemental funding likely in CY2024 from federal EECBG grant.
- EIF-1115 and EIF-4002. Funding requests have been paused. Will proceed on project basis (year to year).



Conclusions & Comments

- Energy initiatives have a localized impact
 - Electricity reductions ~25% typical
 - Do not offset energy growth in absolute terms
 - Annual investment <1% of utility costs
- Comprehensive approach would be needed to flatten or reduce trend
 - Policies for design / procurement,
 - Performance-based contracts,
 - Purchase power agreements, and/or
 - Goals / targets for LFUCG



Conclusions & Comments

- EIF projects are progressively more difficult as older equipment is replaced
- Projects having equal energy/emission benefits, but lower ROI, are not being pursued
 - Savings depend on rate structure and use profile
- Options for purchasing greener power and/or carbon offsets are expanding
 - LFUCG has unique resources for partnerships (electrical load, public land, wastewater biogas)
- EIF would need to be aligned with broader sustainability and energy goals to include decarbonization efforts
 - Governing resolution emphasizes “cost reductions & savings”

Questions?



LEXINGTON

URBAN FORESTRY AND STREET TREES UPDATE

Environmental Quality & Public Works Committee

Jennifer Carey

July 11, 2023



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 FORESTRY PROGRAM

Heather Wilson

NRP PROGRAM

Demetria Mehlhorn

Streets and Roads

PUBLIC TREES

CITY ARBORIST

Nathan Skinner

ARBORISTS

Zachary Prewitt
Scott Tyree

ARBORIST TECHNICIAN

Conner Steele

TREE NURSERY MANAGER

Kent Slusher

FORESTRY & HORTICULTURE CREWS

PRIVATE TREES COMPLIANCE

URBAN FORESTER

Tim Queary

ARBORIST TECHNICIAN

Rob Ballard

PRIVATE TREES ENFORCEMENT

ENVIRONMENTAL ENFORCEMENT SPECIALIST

Ben Cornett

EMERGENCIES & RURAL ROADS

OPS SUPERVISOR

Kevin Dennis

TREE CREW (PS) SUPERVISOR

Greg Taulbee

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



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 property owners
- 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



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
TOTAL:	9	46	61	39	223	242	73	31	182	139	73	194	1312

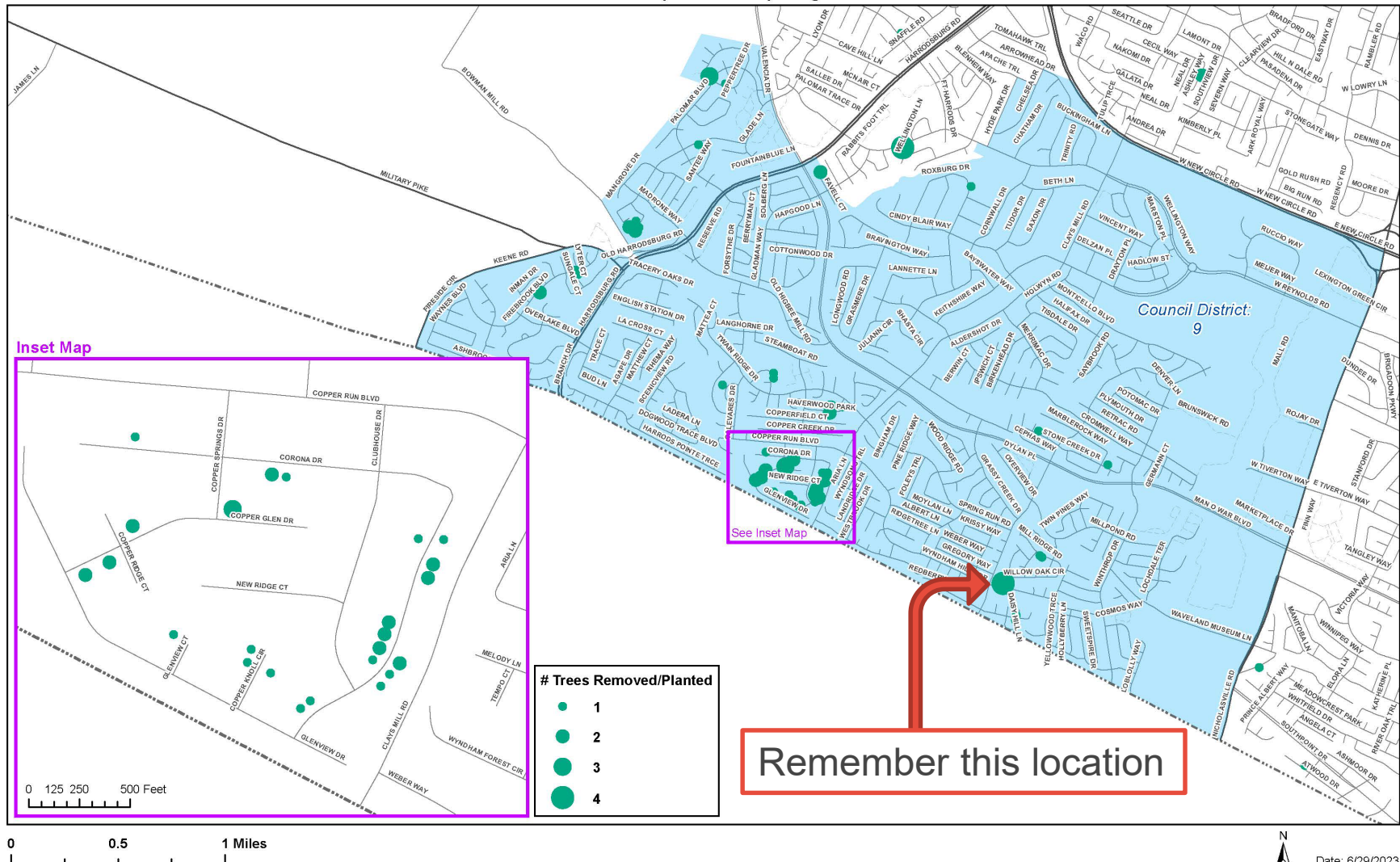
FY23 Program Participants by Council District

FY23	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
# participants	0	4	7	5	33	16	5	3	49	11	6	10	149
# 100% grants	0	0	0	0	0	1	0	0	0	1	1	0	3



Hazard Street Tree (Cost-Share) Program

Hazard Street Tree (Cost-Share) Program - FY23





Hazard Street Tree (Cost-Share) Program

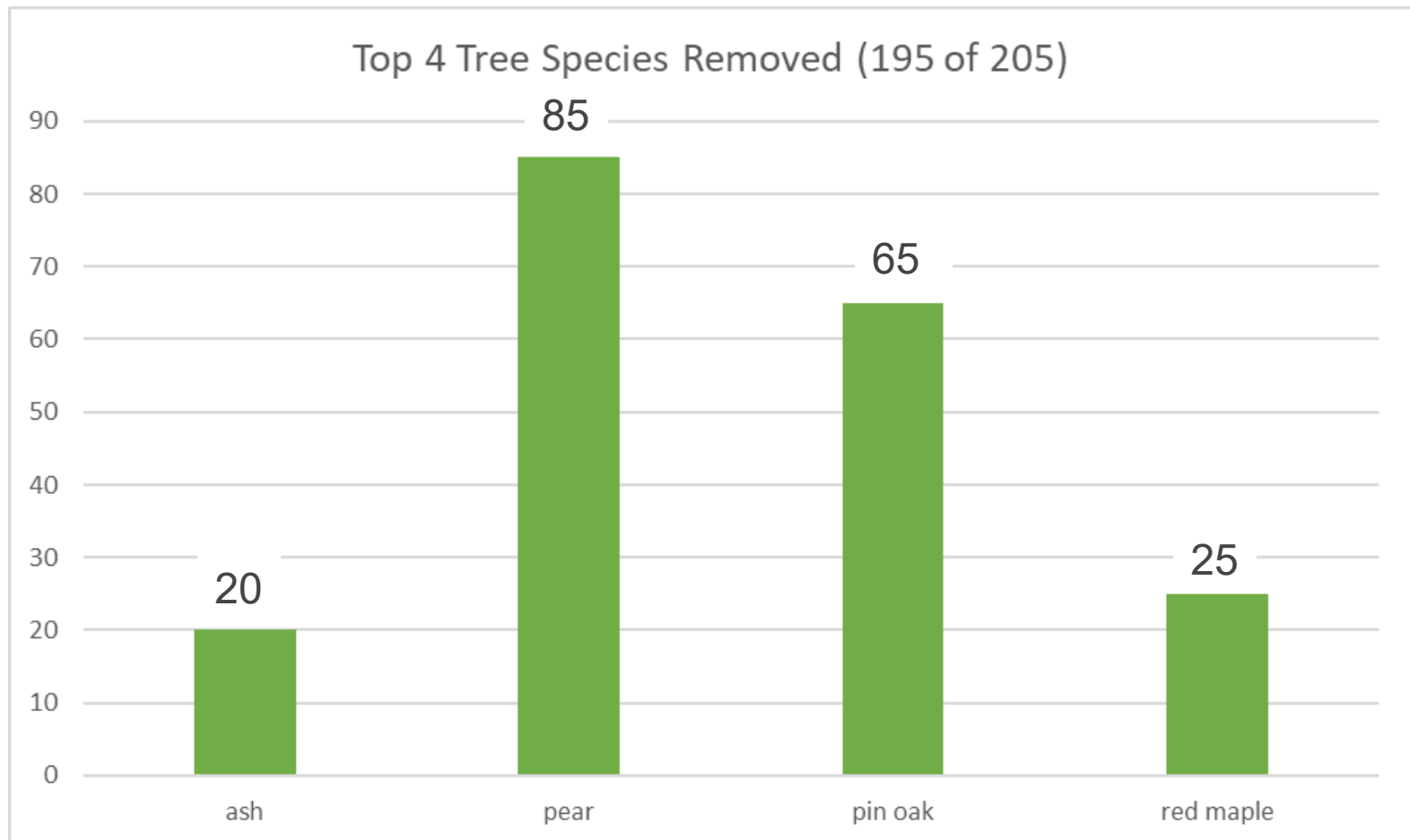
LFUCG's 50% Share of Expenses FY15 – FY23

	# of 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
TOTAL:	1308	\$833,005	



Hazard Street Tree (Cost-Share) Program

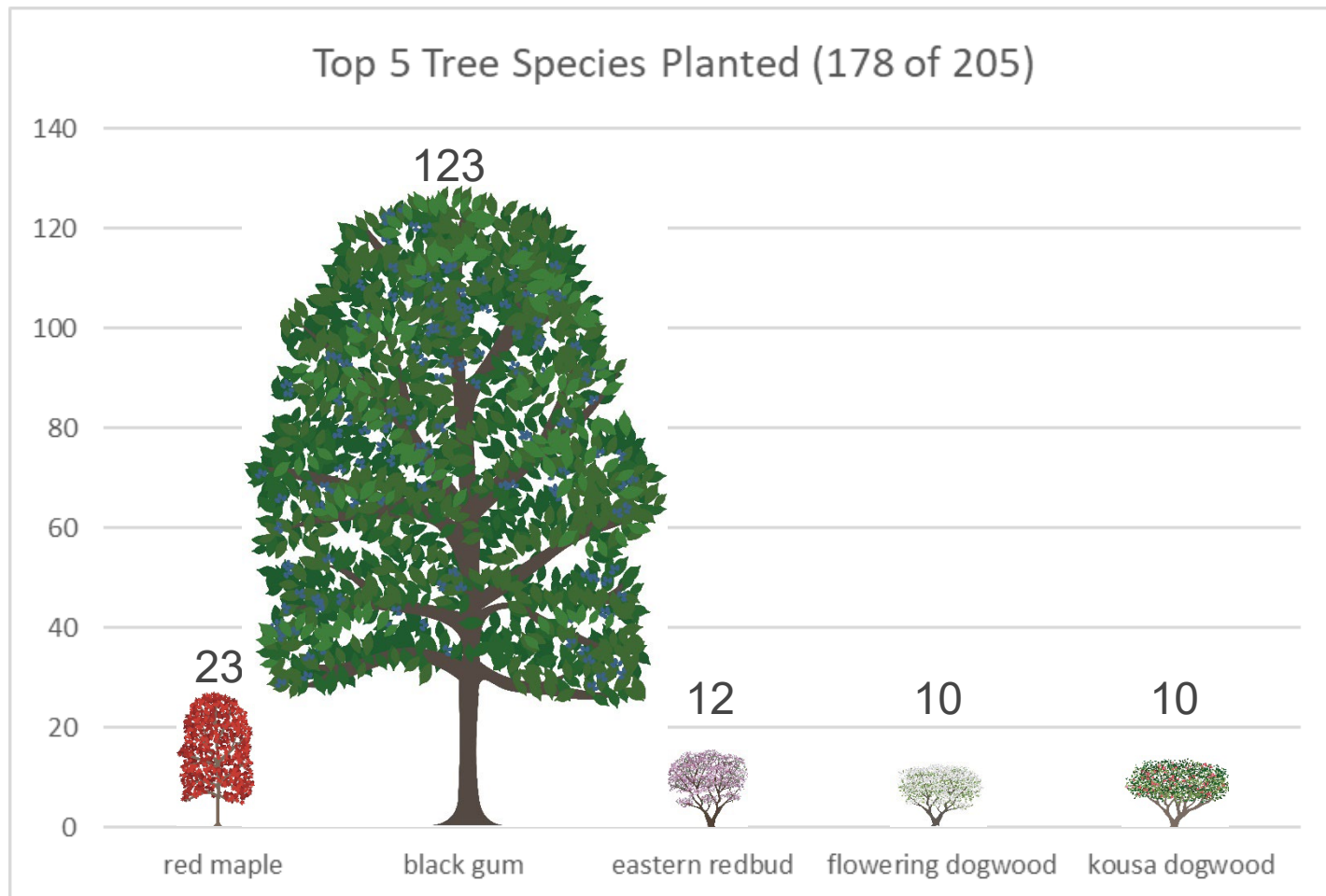
FY23 Tree Species Removed





Hazard Street Tree (Cost-Share) Program

FY23 Tree Species Replanted





Hazard Street Tree (Cost-Share) Program

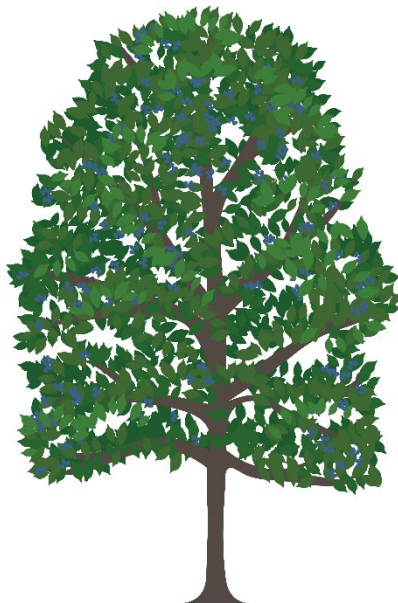
Importance of Tree Species Diversity

Best Example from FY23:

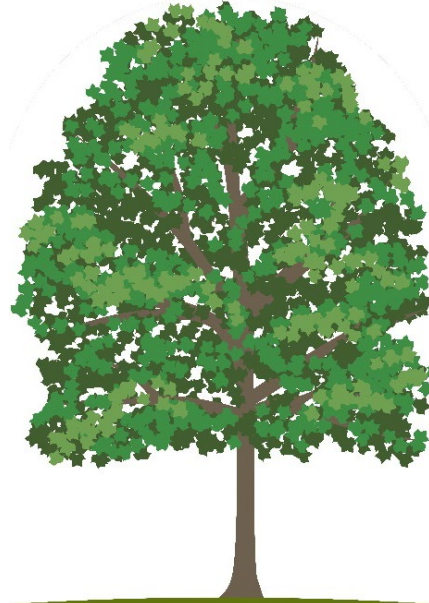
Remember the location highlighted on the map of CD 9?

This homeowner removed 4 pin oaks, and replanted with 4 different tree species:

Black gum



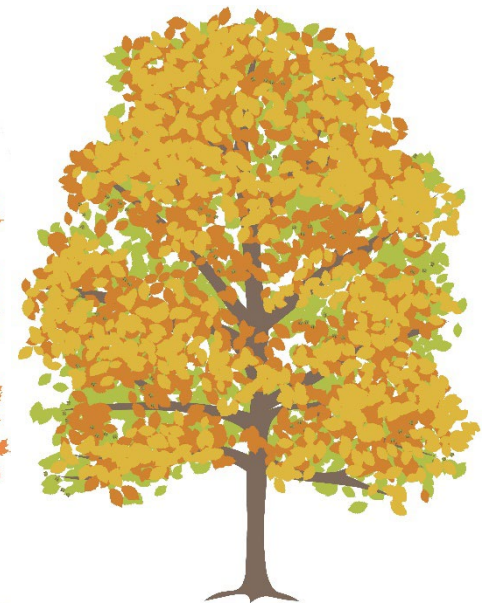
Sugar maple



Yellow-poplar



Yellowwood





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

- Increase participation in CDs 1, 2, 3, 4, 7, 8, and 11
- Encourage vendors to promote and offer a variety of trees



Street Tree Clearance Pruning Program

A photograph of a tree with yellow autumn leaves. White outlines trace the main trunk and major branches. Two large white 'I' shaped markers indicate clearance heights: one at the sidewalk level and another further up the trunk.

7 feet
Minimum 7 feet of clearance from sidewalk surface.

12 feet
Minimum 12 feet of clearance from street surface.

 **LEXINGTON**
Urban Forestry

STREET TREE PRUNING COMING SOON

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



Street Tree Clearance Pruning Program

- Certified Arborists on Arboricultural Services Contract perform the work
- Work occurs mostly in the winter / early spring
- 31,591 street trees pruned for clearance from FY16 – FY23
- \$410,914 spent in FY16 – FY23
- Average cost per tree:

	\$12.57/tree (FY16-FY22)
\$18.36/tree (FY23)	\$13.01/tree (FY16-FY23)

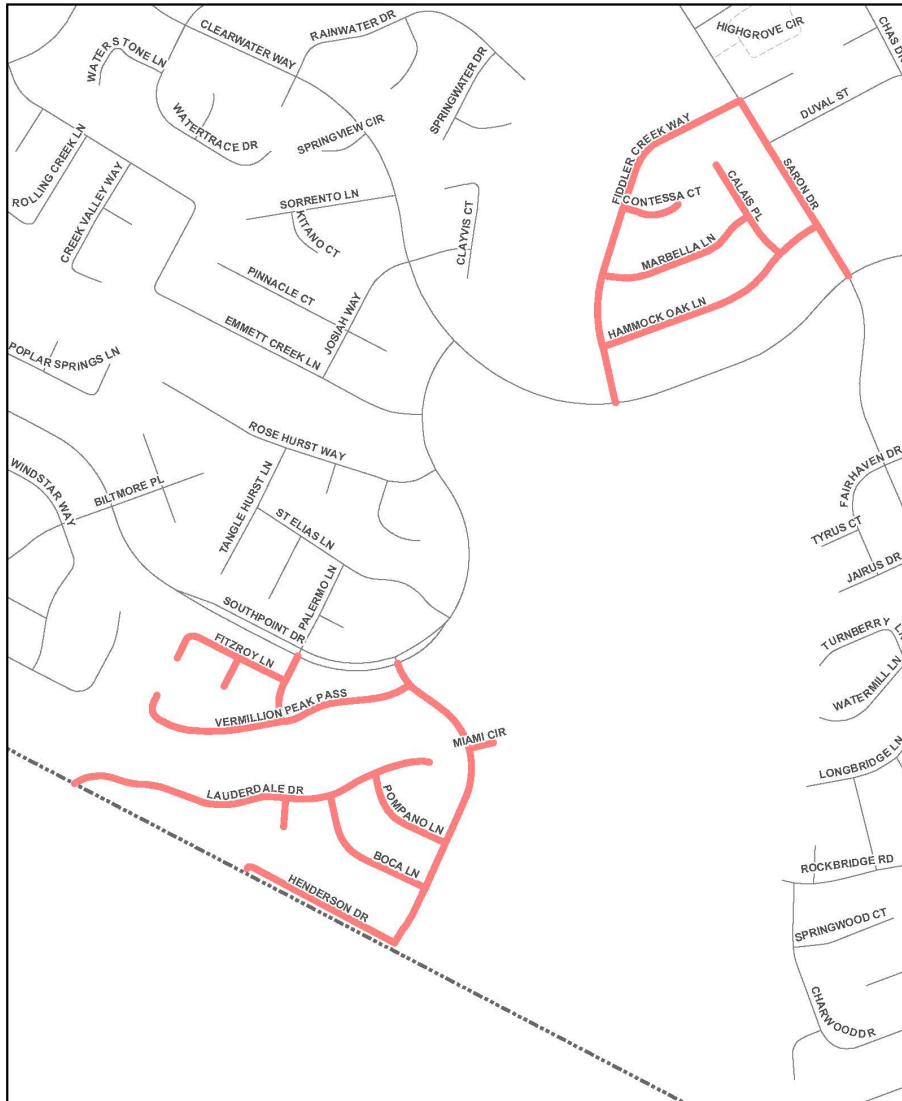
FY16 – FY23 Statistics by Council District

	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
TOTAL:	438	8,039	0	3,917	303	5,715	5,469	694	2,450	2,391	765	1,410	31,591



Urban Forestry and Street Trees Update

LFUCG Environmental Services - 2023 Street Tree Pruning



0 0.1 0.2 Miles

Veterans Park
Total Street Trees: 618



Date: 2/7/2022

FY23 Subdivisions:

- Pinnacle (CD4 & CD12)
- Cumberland Hill (CD12)
- Myers Property (CD2)
- Bradford Colony & Glasford (CD4)
- Liberty Corners (CD7)
- Squire Oak & Hunting Hills (CD8)

FY23 Pruning by UF Staff:

- Clays Mill Rd (34)
- Pebble Creek Median (15)
- Tates Creek Medians (44)
- Old Mt. Tabor ROW & Tates Creek ROW (82)



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

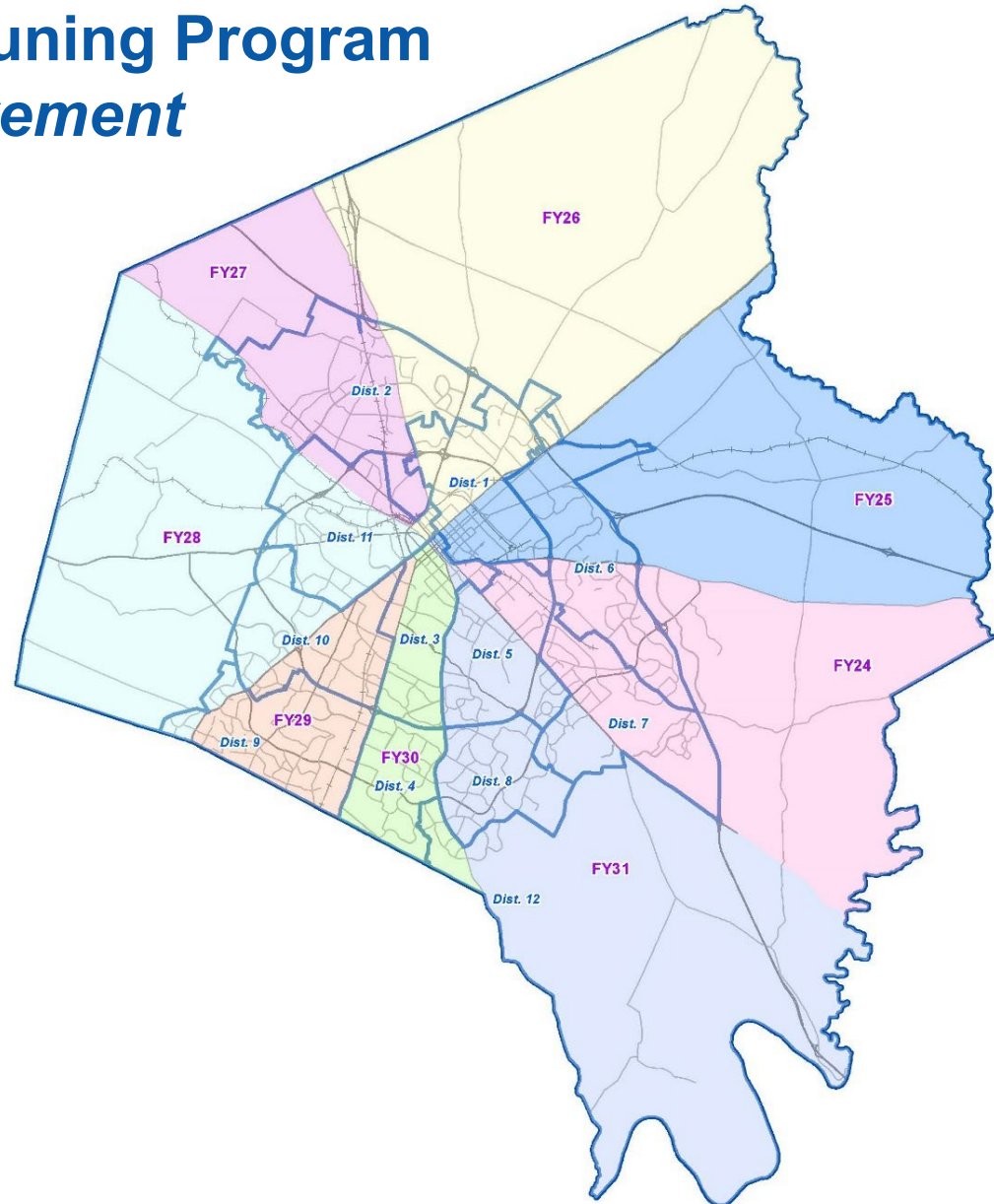
Opportunities for Improvement

- Change in program funding from 1115 to 1101 in FY24
- Change from “reactive” or “complaint-based” to “proactive” by creating a multi-year schedule
- Expand 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*

Proposed 8-Year
Pruning Schedule to
Begin Fall 2023





Path Forward / Future Initiatives

- Continue Street Tree Clearance Pruning each winter (\$85K in FY24 Budget)
- Continue Hazard Street Tree (Cost-Share) Program (\$150K in FY24 Budget)
- Tree Canopy Ad Hoc Committee (\$1.5M)
 - \$200K to augment the Cost-Share Program
 - \$144K to develop Communications and Marketing Plans
 - \$55K to support near-term projects by Trees Lexington! and Geomancer Permaculture

Questions?



A Much Needed Updating of Ordinances Related to the Environmental Commission

Environmental Commission
Grace Leppert Downey- Acting Chairperson

Agenda and Objective

On behalf of the Environmental Commission, I would like to propose an update to ordinances related to our commission and its memberships, officers and rules of procedures, and purposes.

Agenda

- Who we are
- What we do
- Rationale for changes in ordinances
- What we would like to change



Materials

➤ Link to current ordinances-

https://library.municode.com/ky/lexington-fayette_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTVMEENIMCO

- Chapter 2- Administration
 - Article V- Metropolitan Environmental Improvement Commission
 - Section 2-97
 - Section 2-99
 - Section 2-101 (2) and (3)

➤ Draft of proposed changes to bylaws (optional)

<https://docs.google.com/document/d/1BvSz13SbEBSwimf3c59L82xNxYMtRY8y/edit?usp=sharing&ouid=106225219106200158850&rtoref=true&sd=true>



1. Who we are

The Lexington-Fayette County

Environmental Commission currently consists of up to forty members of the community who volunteer their time and expertise who want to better the city's natural environment and its practices:

- ➔ There are representatives from each district on the Environmental Commission
- ➔ We meet 9-11 times a year, monthly (for the most part)
- ➔ We promote environmentally sustainable practices and celebrate individuals and groups who work toward a better natural environment for Lexington and Fayette County



2. What we do

The **Lexington-Fayette County Environmental Commission** serves to improve the natural environment in our city and county. Among other things, we:

- Work with stakeholders to address environmental policies and problems in our community
- Use the varied backgrounds of our Commissioners to represent the public interest in a better environment and educate on current ordinances/practices
- Promote sustainability and environmental resilience practices



Please take a moment to open the ordinances link and optionally, our draft of the revised bylaws.



The Environmental Commission would like to make changes to their by-laws and the current ordinances related to these by-law changes.



The by-laws of the Environmental Commission have not been revised 1989

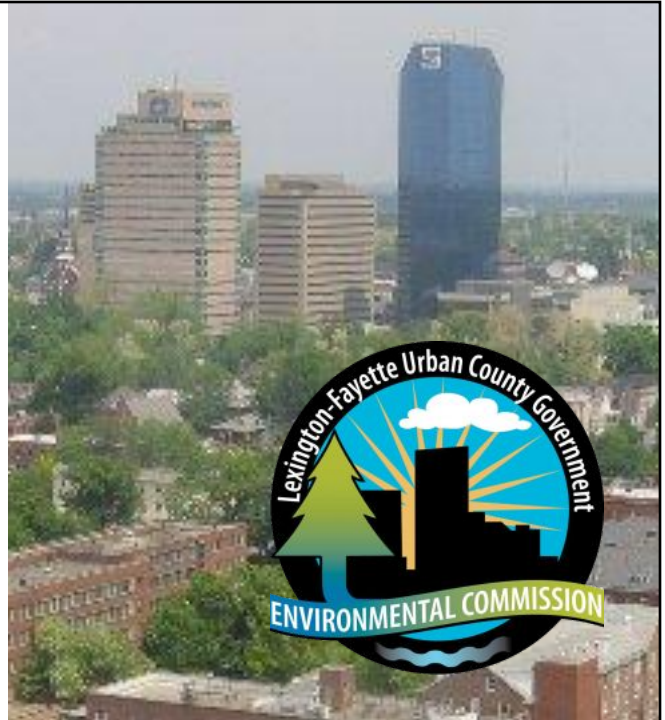
The Environmental Commission created an ad-hoc committee to review our current practices and if needed, revise our bylaws to better match our intentions and goals.



We want to update our bylaws in order to more effectively meet the needs of the public

Most of the bylaw revisions can be made with a $\frac{2}{3}$ vote of the Environmental Commission

A few of our bylaws come directly from city ordinances however, and need council's assistance in having them revised



Which ordinances need revision?

Sec. 2-97. - Membership.

The environmental commission shall consist of not more than forty (40) nor less than twenty (20) members appointed by the mayor subject to the confirmation by the council. The membership shall be representative of all residents of the urban county and shall include at least two (2) members from each of the twelve (12) urban county council districts.

Sec. 2-97. - Membership.

The environmental commission shall consist of not more than **twenty-five (25)** members appointed by the mayor subject to the confirmation by the council. The membership shall be representative of all residents of the urban county and shall include at least **one (1)** member from each of the twelve (12) urban county council districts.

Of the twenty-five members, at least one non-voting member shall be an LFUCG councilmember, appointed by the Mayor, subject to confirmation by the Urban County Council.

Which ordinances need revision?

Sec. 2-99. - Officers and rules of procedure.

The officers of the environmental commission shall consist of a chairman, a vice-chairman, a secretary, a treasurer, and three (3) directors, elected by the membership at the June meeting to serve a term from July 1 to June 30. The duties of the officers shall be implied by the respective titles and such as may be specified in the bylaws. The environmental commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.

Sec. 2-99. - Officers and rules of procedure.

The officers of the environmental commission shall consist of a chairman, a vice-chairman, a secretary, a treasurer, **an information officer**, and three (3) directors, elected by the membership at the June meeting to serve a term from July 1 to June 30. The duties of the officers shall be implied by the respective titles and such as may be specified in the bylaws. The environmental commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.

Which ordinances need revision?

Sec. 2-101. - Duties and functions of the environmental commission.

(2) Strive to improve the environment and quality of life of Fayette County by promoting and encouraging good environmental standards and practices in the development and growth of the community; research, draft, negotiate and support the passage of ordinances and statutes and laws on local, state and federal levels that concern the environment, land use planning and community development; encourage the enforcement of existing ordinances, statutes and laws.

Sec. 2-101. - Duties and functions of the environmental commission.

(2) Strive to improve the environment and quality of life of Fayette County by promoting and encouraging good environmental standards and practices in the development and growth of the community, **including but not limited to environmental justice and the public health of the Lexington-Fayette Urban County community**; research, draft, negotiate and support the passage of ordinances and statutes and laws on local, state and federal levels that concern the environment, land use planning and community development; encourage the enforcement of existing ordinances, statutes and laws.

Which ordinances need revision?

Sec. 2-101. - Duties and functions of the environmental commission.

(3) Investigate and study pollution of the air, land and water in the community; formulate plans for the elimination and reduction of such pollution; promote and support cleanup campaigns and antilitter projects; develop civic pride in improving the aesthetics of the community; encourage individuals, organizations, businesses, schools and neighborhood associations to improve the appearance of their properties and surroundings; promote landscaping and general beautification of public rights-of-way, buildings, parks, open spaces and utility installations.

Sec. 2-101. - Duties and functions of the environmental commission.

(3) Investigate and study pollution of the air, land and water in the community; formulate plans for the elimination and reduction of such pollution; promote and support cleanup campaigns and antilitter projects; develop civic pride in improving the aesthetics of the community; encourage individuals, organizations, businesses, schools and neighborhood associations to improve the appearance of their properties and surroundings; promote landscaping and general beautification of public rights-of-way, buildings, parks, open spaces and utility installations; **promoting sustainability and resilience.**

Questions to answer

- 1.
- 2.
- 3.
- 4.

Action Items and Due Dates

- 1.
- 2.
- 3.
- 4.



Thank you for your time. Any questions following this meeting can be directed to Grace Leppert Downey at kgldowney@gmail.com or katherine.downey@scott.kyschools.us



Lexington-Fayette County, KY Code of Ordinances ~~REDLINED VERSION~~

ARTICLE V. - METROPOLITAN ENVIRONMENTAL IMPROVEMENT COMMISSION

Sec. 2-96. - Established.

A commission for environmental improvement is hereby created which shall be known as the "Metropolitan Environmental Improvement Commission of the Lexington-Fayette Urban County Government," hereinafter called the "environmental commission."

(Ord. No. 184-74, § 1, 9-26-74; Ord. No. 41-83, § 1, 3-24-83)

Sec. 2-97. - Membership.

The environmental commission shall consist of not more than ~~twenty-five (25) forty (40) nor less than twenty (20)~~ members appointed by the mayor subject to the confirmation by the council. The membership shall be representative of all residents of the urban county and shall include at least ~~two (2)~~one (1) members from each of the twelve (12) urban county council districts.

Of the twenty-five members, at least one non-voting member shall be an LFUCG councilmember, appointed by the Mayor, subject to confirmation by the Urban County Council.

(Ord. No. 184-74, § 2, 9-26-74; Ord. No. 41-83, § 1, 3-24-83)

Sec. 2-98. - Terms of members.

Terms of members shall be four (4) years beginning October 1 and ending September 30, of the respective year. Initial terms shall be staggered so that a proportionate number serve one (1), two (2), three (3) and (4) years respectively. Vacancies shall be filled in the same manner as the original appointment and the successor shall be appointed for the unexpired terms. Any member may be appointed for additional terms. The first members of the environmental commission shall assume their duties effective October 1, 1974.

(Ord. No. 184-74, § 3, 9-26-74; Ord. No. 41-83, § 1, 3-24-83)

Sec. 2-99. - Officers and rules of procedure.

The officers of the environmental commission shall consist of a chairman, a vice-chairman, a secretary, a treasurer, an information officer, and three (3) directors, elected by the membership at the June meeting to serve a term from July 1 to June 30. The duties of the officers shall be implied by the respective titles and such as may be specified in the bylaws. The environmental commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.

(Ord. No. 184-74, § 4, 9-26-74; Ord. No. 41-83, § 1, 3-24-83; Ord. No. 132-88, § 1, 6-16-88)

Editor's note—

The user should note that § 3 of Ord. No. 132-88 provides that the provisions set forth in §2-99 "shall become effective on June 1, 1989."

Sec. 2-100. - Meetings.

The environmental commission shall meet in regular public session at least nine (9) times a calendar year. These meetings shall be held on the first Monday of the month, unless otherwise designated by the officers. Special meetings may be called by the chairperson or by the written request of ten (10) members.

(Ord. No. 184-74, § 5, 9-26-74; Ord. No. 41-83, § 1, 3-24-83)

Sec. 2-101. - Duties and functions of the environmental commission.

The environmental commission shall:

- (1) Advise the mayor, the council, the planning commission, the board of adjustment, the building inspector, and all other appropriate bodies and officials concerning the environment and environmental policies of the community.
- (2) Strive to improve the environment and quality of life of Fayette County by promoting and encouraging good environmental standards and practices in the development and growth of the community; including but not limited to environmental justice and the public health of the Lexington-Fayette Urban County community; research, draft, negotiate and support the passage of ordinances and statutes and laws on local, state and federal levels that concern the environment, land use planning and community development; encourage the enforcement of existing ordinances, statutes and laws.
- (3) Investigate and study pollution of the air, land and water in the community; formulate plans for the elimination and reduction of such pollution; promote and support cleanup campaigns and antilitter projects; develop civic pride in improving the aesthetics of the community; encourage individuals, organizations, businesses, schools and neighborhood associations to improve the appearance of their properties and surroundings; promote landscaping and general beautification of public rights-of-way, buildings, parks, open spaces and utility installations; promoting sustainability and resilience.
- (4) Promote greater public consciousness of local environmental problems and needs; publicize local environmental activities; compile and provide a list of environmental speakers to all interested persons, schools and groups; promote the development of environmental curricula in local schools; encourage and organize workshops, seminars, films, slide shows and speaking programs on environmental concerns.
- (5) Maintain and preserve records of meetings and actions, and make these records available for public inspection.
- (6) Perform any other act necessary or appropriate to carry out the purpose of this article.

(Ord. No. 184-74, § 6, 9-26-74; Ord. No. 41-83, § 1, 3-24-83)

Sec. 2-102. - Intent.

The intent of this article is to establish the metropolitan environmental improvement commission to enhance every aspect of the environment for the betterment of the urban county.

(Ord. No. 184-74, § 7, 9-26-74)

Secs. 2-103—2-105. - Reserved.

REVISED BY-LAWS OF THE ENVIRONMENTAL COMMISSION (APRIL 3, 1989)

ARTICLE I

Name

The name of this organization shall be "The Environmental Commission of Lexington and Fayette County," hereinafter the "Commission."

ARTICLE II

Purpose

Section 1. The general purpose of the Commission shall be to improve the environment of Lexington and Fayette County. The Commission shall be concerned with the environmental policies and problems of this community, **including but not limited to environmental justice and the public health of the LFUCG community.**

Section 2. To achieve this purpose the Commission shall advise and work with the Lexington-Fayette Urban County Council, the Planning Commission, the Board of Adjustments, the Building Inspector, and all other appropriate bodies and officials.

Section 3. The Commission's activities may include, but are not limited to the following: formulating land-use policies; representing the public interest in a better environment to all appropriate bodies and officials; researching and drafting desirable environmental ordinances and regulations; developing public awareness of environmental policies, goals and problems; enlisting the active support of individuals, businesses, and organizations interested in environmental improvement; **promoting sustainability and resilience;** encouraging strict enforcement of environmental ordinances, regulations, and laws.

ARTICLE III

Membership

Section 1. Total Commission membership shall not exceed ~~twenty-five~~ **thirty (30)** members.

Section 2. Members shall be residents of Fayette County. Members shall be appointed by the Mayor, subject to confirmation by the Urban County Council.

Section 3. Terms of appointment shall be four (4) years. Vacancies shall be filled for unexpired terms in the manner prescribed for original appointment.

Section 4. ~~Of the twenty-five~~ **thirty** members, at least one non-voting member shall be an LFUCG councilmember, appointed by the Mayor, subject to confirmation by the Urban County Council.

ARTICLE IV

Organization

Section 1. The officers of this Commission shall be a Chairperson, a Vice Chairperson, a Secretary, ~~and a Treasurer,~~ and an Information Officer.

Section 2. The officers shall be elected at the Annual Membership meeting in June. Three Directors shall also be elected at the June meeting.

ARTICLE V

Executive Committee

Section 1. The Executive Committee shall consist of the ~~five~~ ~~four~~ officers, the three directors, and the immediate past Chairperson. Said past Chairperson shall serve on the Executive Committee for the fiscal year following retirement.

Section 2. The Executive Committee shall meet at the call of the Chairperson, or upon written request by four (4) Committee members.

Section 3. The Executive Committee shall have the authority and power to act for the full Commission between meetings of the Commission.

Section 4. The Executive Committee shall confirm the appointments of appointive staff and committee chairpersons.

Section 5. The Executive Committee shall report all action taken to the full membership of the Commission.

Section 6. A majority of the Executive Committee shall constitute a quorum.

Section 7. Issues shall be decided by a majority of those Executive Committee members present.

Section 8. The Executive Committee shall conduct the business of the Commission in conformity with Commission policies and objectives. The Executive Committee shall be subject to direction by a vote at full Commission meetings.

Section 9. The Executive Committee shall be authorized to make expenditures up to fifty dollars (\$50) without prior approval by the full Commission.

Section 10. The Executive Committee will actively recruit and retain new Commission members using the office of the Secretary to facilitate this function.

Section 11. Each officer term will last for two years, up to three consecutive terms.

ARTICLE VI

Nominations and Elections

Section 1. The officers and directors shall be elected by a majority of the members present at the Annual Membership Meeting held in June of each year.

Section 2. At least thirty (30) days prior to the Annual Membership Meeting in June, the Chairperson, with the approval of the Executive Committee, shall appoint a Nominating Committee composed of five (5) Commission members ~~that will be chaired by the immediate past chairperson.~~

~~People on the nominating committee cannot be considered for any office position.~~

Section 3. At least ten (10) days prior to the Annual Membership Meeting, the Nominating Committee shall present, to the membership, names of candidates qualified and willing to serve in each of the elected offices for the following calendar year. Additional nominations may be made from the floor, provided they are made with the consent of the nominee.

Section 4. All vacancies, except that of the Chairperson, which occur between June meetings shall be filled by the Executive Committee. An officer so appointed shall hold office for the unexpired term or until the vacancy is filled by election. In case of a vacancy in the office of the Chairperson, the Vice Chairperson shall serve automatically as Chairperson to complete the unexpired term.

~~**Section 5.** Terms of office shall begin July 1 following the June election and continue until June 30 of the following year.~~

~~**Section 5.** The length of terms for each role of the Executive Committee will last two years. Elections for Executive Committee members will stagger; elections for the Chairperson, Vice-chairperson, Information Officer, and Director Role 1 will occur on even years e.g. 2024, 2026, while elections for the Treasurer, Secretary, Director Role 2 and Director Role 3 will occur on odd years e.g. 2023, 2025. Terms of office shall begin July 1 following the June election.~~

Section 6. The Nominating Committee shall consider adequate representation of LFUCG districts.

ARTICLE VII

Duties of Officers

Section 1. The duties of officers shall be implied by the respective titles and as such may be specified in these Bylaws.

Section 2. The Chairperson shall have the duties of supervision and management as may pertain to the office of Chairperson, and such other powers and duties as may be prescribed in these Bylaws and designated from time to time by the Executive Committee.

Section 3. The Chairperson shall appoint all standing committee chairpersons and the chairperson of all special committees ~~and ad-hoc committees~~ necessary to carry on the work of the Commission, subject to the approval of the Executive Committee.

Section 4. The Chairperson shall be an ex-officio member, without the right to vote, of all standing and special committees with the exception of the Nominating Committee.

Section 5. The Vice Chairperson shall act as first assistant to the Chairperson and shall during the absence of the Chairperson or his/her inability to act, exercise in respective order all his/her powers and

duties, and shall also perform such other duties as may be assigned to him/her from time to time by the Executive Committee.

Section 6. The Secretary shall sign all official minutes of full Commission meetings and of Executive Committee meetings. The Secretary shall also conduct all membership procedures including maintaining a list of possible future members, nominating persons from this list for membership when vacancies occur, personally contacting such nominees to assure that they have the time and interest to be active members, seeking appointment of such nominees from the Mayor and Urban County Council, and seeking the removal of any member who misses four (4) consecutive Commission meetings or who otherwise fails to participate actively in Commission activities.

Section 7. The Treasurer shall pay all bills when signed by the Chairperson, or by the member incurring the bill and when authorized by the Executive Committee. The Treasurer shall keep an itemized account of all receipts and disbursements, and shall present a report at each regular Commission meeting of the transactions of the preceding month. **The treasurer will also chair the Finance Committee.**

Section 8. Upon retiring from office, all officers shall deliver to the Chairperson all records, papers, and other property belonging to the Commission.

Section 9. The Executive Committee will meet semi-annually to review any long-term agenda items, Commission goals, or other pertinent material.

Section 10. The Information Officer will report public relation events to the Commission and when needed, help execute the following: publicize local environmental activities through the available media; compile and provide a list of environmental speakers to all interested persons, schools and groups. ~~promote development of environmental curricula in local schools; publicize the Commission's role in improving the environment; encourage and organize workshops, seminars, films, slide shows and speaking programs on environmental concerns; promote greater public consciousness of local environmental problems and needs.~~

Section 11. ~~Directors' duties shall include chairing standing committees and if necessary, ad hoc committees.~~

ARTICLE VIII

Membership Meetings

Section 1. There shall be at least nine (9) regular meetings of the membership each calendar year. These meetings shall be held on the first Monday of the month, unless otherwise designated by the Executive Committee [which shall decide the change of date].

Section 2. There shall be an Annual Membership Meeting held in June of each year for the election of officers and directors.

Section 3. Special meetings may be called by the Chairperson or by the written request of ten (10) members.

Section 4. Twenty-five percent (25%) of the current membership of the Commission shall constitute a quorum for the conduct of the business of the Commission. Current membership, as used in this section, shall include all persons who have applied and been recommended for membership, whether or not said persons have been formally appointed by the Mayor and the Urban County Council.

Section 5. Issues shall be decided by a majority of those members present at a membership meeting.

Section 6. Any member shall be subject to removal by the Mayor after such member fails to attend four (4) consecutive meetings without sufficient cause, or otherwise fails to take an active part in Commission activities.

ARTICLE IX

Standing Committees

Section 1. There shall be four (4) standing committees:

A. ~~COMMUNITY~~ POLICY DEVELOPMENT COMMITTEE: Its activities shall include the following: investigate and provide information to the public on the existence, scope and enforcement procedures of ordinances and statutes pertaining to the environmental aspects of land use and transportation planning, environmental quality, climate change, and community development; research, draft and work with the full Commission on negotiating and supporting passage of such ordinances and statutes; with the agreement of the full Commission, provide information, advice and recommendations to the Lexington-Fayette Urban County Council, and to the Lexington-Fayette County Planning Commission and other appropriate agencies on environmental policies and goals.

B. POLLUTION ABATEMENT COMMITTEE: Its activities shall include the following: investigate and study noise, air, water, land and visual pollution in the community and overall waste; formulate plans for the elimination or reduction of such pollution; with the agreement of the full Commission, advise appropriate officials and administrators having jurisdiction over the causes of such pollution; recommend and support effective and reasonable environmental legislation at the local, state and federal levels; promote and support clean-up campaigns and anti-litter projects whenever necessary; help to develop civic pride in improving the aesthetics of the community; encourage the enforcement of existing ordinances.

~~C. PUBLIC RELATIONS AND EDUCATION COMMITTEE:~~ ~~Its activities shall include the following: publicize local environmental activities through the available media; compile and provide a list of environmental speakers to all interested persons, schools and groups; promote development of environmental curricula in local schools; publicize the Commission's role in improving the environment; encourage and organize workshops, seminars, films, slide~~

~~shows and speaking programs on environmental concerns; promote greater public consciousness of local environmental problems and needs.~~

~~D. AWARDS COMMITTEE:~~ ~~Its activities shall be limited to the following: generally arrange the Commission's annual presentation of Environmental Improvement Awards to individuals, organizations, businesses and institutions which have significantly contributed to the betterment of the local environment; solicit names of nominees for such awards from interested parties and the public at large; after investigation of all nominees, select the final recipients; organize the actual presentation of the Annual Awards; publicize the environmental activities of the award winners; encourage interest in winning such awards.~~

C. COMMUNITY PROJECTS COMMITTEE: Activities will include (but not limited to) pollinator garden projects, green drinks, awards ceremonies, or any other projects that benefit communities and neighborhoods within the Lexington-Fayette Urban County area. The Community Projects Committee will promote development of environmental curricula in local schools; publicize the Commission's role in improving the environment; encourage and organize workshops, seminars, films, slide shows and speaking programs on environmental concerns; and promote greater public consciousness of local environmental problems and needs. The Community Projects Committee will collaborate with other committees as needed to help execute tasks or projects that will benefit the Lexington-Fayette Urban County area.

D. FINANCE COMMITTEE: The Finance Committee will ~~coordinate~~ ~~lead the charge in~~ ~~partnerships,~~ ~~sponsorships,~~ and ~~advocating~~ to the Council with the purpose to acquire funds for the Environmental Commission.

Section 2. The Chairperson shall appoint all standing committee chairpersons, ~~subject to the approval of the Executive Committee.~~ The members of each standing committee shall select from among themselves an Associate Chairperson who shall act as the first assistant to the Committee Chairperson, and who shall conduct the activities of the committee during the absence of the Chairperson or his/her inability to act.

Section 3. All members shall actively serve on one or more standing committees of their choosing. The Commission shall recommend to the Mayor that a member shall be subject to removal after such member 1) fails to voluntarily join a committee, or 2) fails to attend three (3) consecutive committee meetings or otherwise fails to take an active part in the committee's activities.

Section 4. Special committees shall be appointed by the Chairperson, with the approval of the Executive Committee, from time to time as special situations and needs arise.

ARTICLE X

Employees

Within the limits imposed by the funds available for its use, the Commission may employ such staff personnel and consultants as are necessary for the performance of its functions. Appointments shall be made by a majority vote of the members in attendance of the Executive Committee.

ARTICLE XI

Amendments

Section 1. These Bylaws may be amended by a two-thirds (2/3) vote of the members attending a Commission meeting.

Section 2. Proposed amendments shall be submitted to the membership at least thirty (30) days prior to the meeting at which they are to be voted upon.

ARTICLE XII

Fiscal Year

The fiscal year of the Commission shall coincide with the fiscal year of the Lexington-Fayette Urban County Government.

ARTICLE XIII

Parliamentary Authority

The rules contained in Robert's Parliamentary Law and Robert's Rules of Order Revised (latest edition) shall govern the conduct of this Commission unless otherwise stated in these Bylaws.

Environmental Quality & Public Works

Referral Item	Current Sponsor	Date Referred	Last Presentation	Status	Legistar File ID
1 Process for Road Closures	D. Seigny	August 16, 2022			
2 Sevierville Waste Digesters	L. Sheehan/D. Seigny	March 29, 2022	May 3, 2022		0445-22
3 Explore Lexington's Sustainability Options	L. Sheehan	February 20, 2018	May 23, 2023		0499-21
4 Ways we use recycled pavement / environmental best practices in our paving process	P. Worley	April 18, 2023			
5 Streets and Roads fleet depreciation and replacement	H. LeGris	May 30, 2023			
6 Short-Term Rentals (STR) enforcement	H. LeGris	May 30, 2023			
7 Environmental Commission - Ordinance Updates	L. Sheehan	June 13, 2023		July 11, 2023	0743-23
Annual / Periodic Updates					
8 Recycling General Practices * Note several recycling items were combined into this one item on March 9, 2021	P. Worley	March 9, 2021	January 19, 2021		0292-19
9 Backyard Composting - Home Compost Pilot Program	H. LeGris	February 2, 2021	May 23, 2023		0500-21
10 Urban Forestry / Street Trees Update	H. LeGris	September 17, 2019	July 5, 2022	July 11, 2023	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	June 7, 2022	July 11, 2023	0572-22
13 Annual Snow/Ice Removal Plan	L. Sheehan	February 15, 2014	October 11, 2022		1034-22
14 Annual Pavement Management Plan / Curbs Assessment	L. Sheehan	May 26, 2020	April 18, 2023		0440-22
15 Annual Stormwater Priority List Update	L. Sheehan	February 20, 2018	September 13, 2022		0922-22
16 Annual Municipal Separate Storm Sewer System (MS4) Program Update	L. Sheehan	February 20, 2018	November 1, 2022		1122-22
17 Annual Consent Decree and Remedial Measures Plan Update	L. Sheehan	January 22, 2019	March 1, 2022		0222-22
18 Annual Division and Program Review (Pilot Program)	L. Sheehan	November 30, 2021	November 1, 2022		0127-22

Updated 06.13.23, KJT