

Jacksonville Tree Commission

Thursday, March 8, 2018 – 12:00 PM

117 West Duval Street, Third Floor, Conference Room C

Commissioners: John Crescimbeni, Chair
Curtis Hart, Vice Chair
Jeremy Cooper
Chris Flagg
Aaron Glick
John Pappas
Rhodes Robinson

Advisors: Sondra Fetner
Richard Leon
Kathleen McGovern

Staff: Cindy Chism

AGENDA

Order of Agenda is Subject to Change

A. Call to Order/ Verification of Quorum

1. Roll Call
2. Submittal of Speaker's Cards
3. Approval of minutes from February 22, 2018 meeting
4. Fund balance and encumbrance report for 15(F) and 15(N)
5. Status of Pending Tree Projects

B. New Business

1. Proposed Project Application Process, Sondra Fetner, Office of General Counsel
 - Discussion who administers the projects
 - Discussion about who can apply
 - Discussion about how Commission recommendation becomes legislation
2. Returning residuals to the Tree Fund – CM Crescimbeni, Chair
3. Shade Tree Subcommittee – Curtis Hart, Vice-Chair and Aaron Glick
4. Tree Commission Website, Cindy Chism, Staff

C. Public Comment

D. Information

- Tallahassee House Bill 574 and Senate Bill 521, Sondra Fetner, Office of General Counsel
- City Council Ordinance 2018-105, John Pappas, Director Public Works

E. Adjournment

Jacksonville Tree Commission
Meeting Minutes March 8, 2018
Approved on March 22, 2018

Commissioners Present: John Crescimbeni, Chair
Chris Flagg
Aaron Glick
John Pappas
Rhodes Robinson

Staff: Cindy Chism

Public: Joe Anderson, JEA
Tracey Arpen, Greenscape
Tom Larson, Sierra Club
John November, Public Trust
Anna Dooley, Greenscape
Alicia Grant, Scenic Jacksonville

Advisors Present: Sondra Fetner
Richard Leon
Kathleen McGovern
Joel Provenza

A. Meeting was called to order by Chair at 12:00.

1. All present introduced themselves. There is a quorum.
2. Submittal of Speaker's Cards.
3. Motion made by Mr. Robinson, seconded by Mr. Pappas to approve the minutes from February 22, 2018 meeting with scrivener errors corrected. None opposed.
4. Fund balance and encumbrance report for 15(F) and 15(N).
 - a. Mr. Provenza provided a more detailed encumbrance report (Attachment A) which states remaining balance of \$21,573,707 in funds in addition to encumbrances on budgeted line items. If the project is complete, the balance could be returned to the fund of origin.
 - b. Mr. Pappas suggested his Department could send a memo once a project has been completed requesting any residual funds be returned to their origin.
5. Status of Pending Tree Projects (Attachment B)
 - a. Mr. Flagg asked if there was any way to change the Landscape Standard requirements for entry roads to ban the Date Palms. CM Crescimbeni asked for a motion for **Mr. Flagg, Mr. Leon and Ms. Fetner to draft a position statement on the suspension of planting further Date Palms and the reasons for the same.** Motion by Mr. Glick, seconded by Mr. Robinson.
 - b. The floor was opened up to public comment: Joe Anderson, JEA Forester – for your information there is an International Palm Society with a First Coast Chapter here in

Jacksonville. They are scholars and experts on palms. **Mr. Flagg will contact them.**

- c. Tracey Arpen – Perhaps educating the City Council on why Date Palms are not a good tree to plant may help alleviate the requests from City Council. We would also like to see native palms planted in clusters instead of like fence posts down the median.
- d. Alicia Grant, Scenic Jacksonville – Reiterated that they had spoken with Senator Gibson, Legislative Liaison FDOT District 2 and Ken Cheek, Landscape Architect for FDOT District 2. Mr. Cheek indicated they are stopping all the massive palm plantings they had been doing throughout Northeast Florida and Duval County. Ms. Fetner requested the contact information for FDOT District 2.
- e. CM Crescimbeni called for a vote. The motion to draft a position statement was approved unanimously.

B. New Business

1. Proposed Project Application Process, Sondra Fetner, Office of General Counsel (Attachment C)

- a. Discussion who administers the projects – After speaking with Mr. John November, Ms. McGovern, Mr. Leon, Mr. Pappas, the Procurement Division, Parks, Recreation and Community Services Department, and Risk Management Division, here are the two processes recommended to the Commission:
 - i. City Administered projects (Tier 1) would come from a citizen or a business who would be the sponsor, requesting trees in a right of way or public space. These would be treated just like any of our other tree projects. Administered by Ms. McGovern or Mr. Leon, using the Davey Tree contract, which is already in place, everything would be pretty streamlined. That is a way the Tree Commission could review non-Council recommended projects. The projects coming from citizens who are experienced applicants will not need as much scrutiny. Of course we will have to review criteria for each project, but we won't have to determine what contractor they are going use, who's planting the trees, what trees they are requesting, all of these things would be handled in-house. This is squarely within Ms. McGovern's role through the ordinance, to handle projects with the tree fund dollars. There would be criteria for these projects that we would want staff and the Commission to review which we can discuss once we have progressed further on the initial process.
 - ii. Non-City Administered projects (Tier 2). Mr. John November provided quite a few pages of applications and criteria along with a great plan for handling Non-

City Administered projects. Those are the types of projects which would come from groups like Greenscape, who are familiar with trees, and have been planting trees in Jacksonville for decades. They know what they are doing, and they have experience in the field and education. These larger projects will need scrutinizing because we are using public dollars and putting them on public land; we cannot just give away money. There are a lot of questions to be answered. It is up to the Commission to determine qualifications. Mr. November suggested a few; 1) Not-for profit, 2) In existence for at least 1 year, 3) Operates in Duval County. These seemed to be workable.

- iii. Additionally we need to consider if these groups are going to use a separate contractor or will they rely on the Davey Tree contract we have with the City. There is nothing requiring them to use Davey Tree, however, we need to make sure if we are waiving the procurement code there is a good reason. There is a good example from Greenscape: the One Tree, One School project which was a public-private collaboration. There was a lengthy contract between Greenscape and the City which provided for all of the risk management issues we would be concerned with such as indemnification, insurance and compliance with all state, local, federal, and anti-discrimination laws. It also required them to accept three bids and pick the lowest bidder. This contract could be made into a template approved by OGC and Risk Management for use with Non-City Administered projects. The project would also still be overseen by the City Arborist and Public Works.
- iv. Administrative Fees. Should there be administrative fees in Non-City Administered projects and what should the cap be? Should it be a set amount or case by case basis and what are appropriate administrative costs that would be covered by the Tree Fund.
- v. A warranty should be required for all contracts just like the warranty currently in place with Davey Tree, which is a one year warranty. Also, if the plantings require maintenance or irrigation, what is the organization's role and for what length of time?
- vi. CM Crescimbeni asked Greenscape if the One Tree, One School project was put out to bid and if so, did Davey Tree bid on the project. Ms. Anna Dooley from Greenscape, answered that yes, it was put out to bid but Davey Tree declined to bid on the project. The administrative costs for the project were \$50,000 carved out of the budget for the engagement of an employee to scout out the locations and follow up with the contractor. Total project was \$250,000 so the administrative cost was 20% with \$40,000 set aside as contingency. CM Crescimbeni asked Ms. Dooley what the usual administrative fee was for a

project that didn't entail 160+ parcels. Ms. Dooley said she had asked several groups like Greenscape around the country and the amount was usually 10% of overall cost of project. Greenscape provides accountability to Mr. Fred Pope from Public Works Department on how the project funds are distributed.

- vii. CM Crescimbeni asked Mr. Leon about the pricing of the City contract with Davey Tree. The contract is unit pricing, not per tree and includes installation and a 1 year warranty. Davey Tree is required to water the tree throughout the year and if it dies within that year, they are required to replace it. **Mr. Leon was tasked to get the One Tree, One School contract from Greenscape and compare it to the current unit pricing contract with Davey Tree. Mr. Pappas was asked to determine how much we have spent with Davey in trees in each of the last 5 years?**

b. Discussion about who can apply:

- viii. No objections to the 2-tier approach.
- ix. No objection to Tier 1 as it stands.
- x. No objections to requiring Tier 2 to be non-profit.
- xi. No objections to requiring a level of experience in tree planting for Tier 2. Amount to be determined.
- xii. No objections for requiring the submitting group for Tier 2 to be responsible for the project. **Ms. Dooley (Greenscape) offered to provide a Scope of Services which they use for all contracts.**
- xiii. Should the Commission notify the respective Councilmember or should the applicant be required to notify the Councilmember? The Commission could notify the Councilmember via memo when the application is submitted
- xiv. **CM Crescimbeni requested Mr. Flagg and Ms. Fetner to meet with Mr. John November, Mr. Leon or Ms. McGovern and another citizen (not Greenscape) to generate a narrative on the items listed for the Tier 2 applicants. Also discuss criteria for application and approval of projects.**

c. Discussion about how Commission recommendation becomes legislation.

- xv. The code may need to be amended to allow for The Tree Commission recommendations to go straight to Council; otherwise we would need a

Councilmember or the Mayor to sponsor it. In the ordinance code which controls the Tree Fund (15F), there are specific directions for how these funds are to be appropriated (Attachment D, highlighted). The tree fund section of the code requires the Council to request the appropriation; this Commission would be recommending the appropriation. Someone from the Council would then have to file legislation and then the approval of the Directors of the Public Works Department and Parks, Recreation and Community Services Department would be required. There is no guarantee that any future Council appointee may not have some conflicts of interest, i.e., if the Councilmember voted against the project at the Tree Commission but the project was approved anyway.

- xvi. To alleviate this possibility, should a provision be added to this section that would allow the Tree Commission to make requests for appropriation of the Tree Fund to the Council? Still to be considered by Council but not requiring the Director of the Public Works Department or the Director of Parks, Recreation and Community Services Department approval. CM Crescimbeni volunteered to introduce the legislation if the Commission wanted to draft this provision. Mr. Robinson agreed we should try, if we don't we'll be right where we are now having to find a sponsor. Seems it would be quicker and more streamlined. Mr. Pappas added that the ordinance which established the Tree Commission in that title says "to study and make recommendations to the Council regarding the planting of trees" which makes it sound like the Commission should be able to recommend directly to the Council. Ms. Fetner agreed and said it could be argued this was an oversight and this is to make sure the procedure agreed upon in the ordinance establishing the Commission can actually be followed through.
- xvii. Mr. Flagg made a motion for our **legal counsel to develop such legislation that would empower this Commission to submit future legislation authorizing and appropriating dollars for tree planting projects.** Seconded by Mr. Robinson.
- xviii. CM Crescimbeni opened up this question for public comment:
 - 1. Tom Larson, Jacksonville Beach – He agreed that what we were discussing was a good idea but pointed out that if he were going to do a project he would contact his City Council member or an At Large Council member to enlist support for the idea. However, it does seem as though the Council should be receptive to a proposal that the Commission has contemplated, reviewed and deliberated on. He stressed that what we really needed to focus on was how do we enable more sensible planting to happen faster and how do we engage more citizen groups to develop projects and see them to fruition in an economical way for the citizens who are volunteering to guide those projects.

2. John November, Public Trust – When working with Ms. Fetner we did discuss this. There will be potential situations where Council members have other priorities than tree plantings. It would be a shame to have that limit a community tree planting project. However, we did consider having the Councilmember contacted before the project was brought before the Commission. They would then have the opportunity to participate but not be required to be the sponsor.
 3. Alicia Grant – Councilmembers should be included in this application process. The Councilmembers have the option of skipping the Commission entirely and going directly to legislation. It's a courtesy.
 4. Mr. Flagg agrees it will raise the credibility of the Commission.
- xix. CM Crescimbeni called for a vote – the motion passed unanimously. **Ms. Fetner will draft legislation and bring it back to the Commission in 4 four weeks.**
2. Returning residuals to the Tree Fund - CM Crescimbeni met with Ms. Teresa Eichner to discover if a process existed or could be developed to get the residuals from completed projects returned to the funds. There is a process in place already. Ms. Eichner currently conducts audits and has authority to return residuals to the originating fund. She will attend the next meeting and provide some assistance to the Commission.
 3. Shade Tree Subcommittee – A meeting was held with Curtis Hart, Aaron Glick, Tracey Arpen, Lad Hawkins, Alicia Grant and Sondra Fetner (Attachment E). The discussion centered on substituting shade trees for Palm trees. There were about 4 recommendations. CM Crescimbeni asked Mr. Glick if perhaps the Building & Zoning Inspection Chief is interpreting the landscape code and allowing 4 palm trees to equal a shade tree and 2 palms in place of non-shade tree. The discussion centered on fixing a cap on the amount of shade trees planted with palms which was 25% of the required, so 12.5% of the project. Also discussed was clustering the palm trees, if they are planted in a row, obviously there will be no shade, increasing the width of the terminal islands to 8 feet (which is the minimum) would allow a shade tree to thrive and mature and lastly inspection periods for compliance once a project is complete was discussed. **There is a plan to meet again to discuss potentially adding an educational component to the landscape requirements and also to discuss limiting applications for administrative deviations from landscape requirements. Those items will be presented in more detail at the next meeting on March 22nd.**
 4. Tree Commission Website, Cindy Chism, Staff

- a. The first two paragraphs of the web page (Attachment G) are taken, first from the City Council page and the second from the Ordinance. Do we want them condensed? It was suggested that the second paragraph be changed to a bullet format and leave the first paragraph alone.
- b. A link to a longer PDF version will be used for biographic information. Mr. Glick, Mr. Pappas and Mr. Cooper will provide a bio.
- c. Add a link to the Tree Commission Ordinance, titled Enabling Legislation.

C. Public Comment

John November, Public Trust – In collaboration with the City there is a Tree Symposium on March 20th, at Intuition Aleworks. The professional session is from 3-6 so if there is any tree professionals, planners, anyone who wants to get detailed information about the technology available, they are welcome. Mr. Leon and I will be speaking. Ian Hanou, the CEO and founder of plan-it GEO will be there to answer questions about how the technology was developed and will discuss our survey and additional tools which may be available to the City long term. From 6:00 pm to 8:00 pm will be a meet and greet for the community. If someone from the Tree Commission would like to speak, please let me know. Parks are going to become a larger part of this deal. I recommend someone from Parks, Recreation and Community Services Department sit on the Tree Commission. I know it is not in the legislation but with upcoming projects it's going to become vital for them to have a seat at the table. I've learned bringing people in from the beginning leads to better results. Irrigation is something else we should think about. We did a case by case analysis during the working group session but for citizen projects we want to limit it of course, but we want the trees to survive so it's something we need to think about. Another issue is the size of islands for the trees to survive. There are other communities which have larger islands that actually work. There's a big movement in the development community to change that up where you actually have corridors going through the parking lot instead of weird little places with one tree. Let's have little parks within these parking lots. Web page: there is too much writing on the web page. Tom Larson and I will send staff some technical tricks to allow us to expand and shorten the page. It's important for the Commission to take a proactive responsibility to develop some things that are really important. Mr. Flagg commented that one of the most renowned Urban Foresters, Ed Gillman, is residing in Jacksonville and he would be a wonderful resource to come before the Commission and discuss urban planting, and trends. It's up to us to stay on the cutting edge let's not ignore any opportunities that come before us.

Tracey Arpen, Greenscape – We tend to think about tree plantings as contractor plantings or big trees being planted here and there. If you look around the Stadium, out at I-95 & Hecksher Drive area, I-10 & Roosevelt Ramp area, those weren't trees planted by contractors, those are big trees, Live Oak, Crepe myrtle, Sycamores all sorts of trees all planted by volunteers who came out and planted 3 gallon trees. We got a lot more trees using 3 gallon trees costing \$7-10 each. For those types of projects I don't think it's realistic or necessary to have a warranty

that all the trees are going to survive. We planned for a 20% mortality rate and in reality we only had about 5% mortality. We got a lot more trees in the ground with the low cost. Young trees grow better and have a better chance for survival. These are good projects because they get people involved who then become tree fans and supporters. Hopefully any process you set up to review projects, with regard to warranties, irrigation, and administrative fees will still allow the opportunity to have these types of projects. These get a log of bang for the buck and have become some of the more significant and successful projects from a visual standpoint for a little amount of money.

D. Information

- CM Crescimbeni asked if anyone had any additional suggestions for scoring or criteria for the application process.

Mr. Pappas put together a list (Attachment F) from two different sides, maintenance and operations. **Ms. Fetner will look at these and include those applicable in the application.**

- Tallahassee House Bill 521 and Senate Bill 574, Sondra Fetner, Office of General Counsel – The House bill has passed the house and has changed a lot and now has no penalties for trees causing power outages. The bill only deals with tree trimming in the water management districts. The Senate bill has not been assigned to any committees and is essentially dead. Our Duval Delegation Coordinator doesn't believe either of them will pass.
- City Council Ordinance 2018-105 & White Paper, John Pappas, Director Public Works (Attachment H)
- Funding from Florida Forest Service Grant, \$50,875. Assesses the impacts of tree canopy on storm water quantity & quality. Mr. Pappas is hoping to use this assessment for some sort of treatment benefit as we move through our TMDO and DMAT process. This is a matching grant Mr. Leon applied for a year ago. It won't cost the City anything as long as we match man-hours to what they are putting in. We will be reimbursed by the Florida Forest Service. This is strictly looking at water quality and storm water. Green Infrastructure Center will be here several times for meetings. Mr. Leon is putting together a core team with city planners, streets & drainage folks and other interested parties, possibly partnering with JEA. There will be several focus groups strictly looking at how trees affect our storm water and water quality in the City. A report will be generated and shared with the City. Ultimately Mr. Leon would like to put together an Urban Forest Conference with industry professionals to go over the results once this is completed.

- Parking – As this is a Mayor’s Commission and not City Council Commission the City Council Reception Desk cannot validate parking. The Mayor’s office does not validate parking for members of the audience, only for Commission members. If this was a Council Commission, it would be staffed by City Council. Instead we are staffed by the Public Works Department.

E. Action Items:

Ms. Fetner, Mr. Flagg and Mr. Leon will draft a position statement on the suspension of planting further Date Palms and the reasons for it.

Mr. Flagg will contact the First Coast Chapter of the International Palm Society.

Mr. Leon will get the One Tree, One School contract from Greenscape and compare it to the current unit pricing contract with Davey Tree.

Mr. Pappas was asked to determine how much we have spent with Davey Tree in each of the last 5 years?

Ms. Dooley will provide a copy of a scope and services used by Greenscape.

Mr. Flagg and Ms. Fetner will meet with Mr. November, Mr. Leon or Ms. McGovern and another citizen (not Greenscape) and generate a narrative on the criteria for application and approval of projects for the Tier 2 applicants (Attachments C and F).

Shade Tree Subcommittee will present results of their 2nd meeting with regards to adding an educational component to the landscape requirements and limiting applications for administrative deviations.

Ms. Fetner will draft legislation that would empower this Commission to submit future legislation authorizing and appropriating dollars for tree planting projects. The proposal will be discussed at the Commission meeting on April 12th.

F. Adjourned 1:50pm.

INDEX CODE	Index Code Titles (accounts)	Encumbrance Balance	* Remaining Budget Balance net of encumbrances
PWOD15FARATP	SANDALWOOD TREE REPLACEMENT PROJECT	1,380	-
PWOD15FF5AS	FORREST STREET ASH SITE TREE/PLANTING	5,995	-
PWOD15FNMS	NORTH MAIN STREET LANDSCAPING	22,057	-
PWOD15FBDAS	BROWN'S DUMP ASH SITE TREE/PLANTING	22,370	-
PWOD15FFCAS	5TH & CLEVELAND ASH SITE TREE/PLANTING	117,423	-
PWOD15FDCS	DUVAL COUNTY SCHOOL BOARD PROPERTY	124,216	-
PWOD15FHRDA	TREE PLANTING - HARTS RD. AT DUNN AVE	23,718	-
PWOD15FDTP	DOWNTOWN TREE PLANTING	38,822	-
PWOD15FZLAE	ZOO LANDSCAPING-ASIAN EXHIBIT	1,135,063	-
PWOD15FMSW	MINDANAO FR ALOHA DR TO WITCHHAVEN ST	-	635
PWOD15FIBCL	INTERSEC,BRIDGE,MISC 09/10 LANDSCAPING	17,245	19,286
PWOD15FROW	COUNTY-WIDE TREE PROG-RIGHT OF WAY	36,528	30,756
PWML15F	TREE MAINTENANCE	358,344	34,384
PWOD15FHAMM	HAMMOND BLVD PROJECT	-	175,761
PWOD15FVPP	COUNTY-WIDE TREE PROG-PRESERVATION PARKS	-	514,854
PWOD15FVAP	COUNTY-WIDE TREE PROG-ACTIVE PARKS	-	532,545
PWOD15FTP	TREE PROTECTION & RELATED EXPENSES	-	1,964
PWOD15NARTS	AVONDALE/RIVERSIDE TREE SURVEY	1,661	1.20
		1,904,819.97	1,310,186.38

* Remaining balance presented above doesn't include budgeted Reserve balances because Reserves are considered "available for appropriation" within the calculation presented on the Tree mitigation website.

CITY OF JACKSONVILLE TREE PLANTING PROJECTS - ACTIVE

See jaxtreemitigation.coj.net - Tree Fund City Projects for links to legislation and planting details

CD	Project Title	Project Scope	Project or Ordinance Number	Project Manager	Estimated Cost	Actual Cost	Anticipated Start Date	Actual Start Date	Anticipated Completion Date	Actual Completion Date	Status
7	Harts Rd & Dunn Ave. Medians and Streetscape in Downtown Jacksonville	5 Date Palms to be planted on two medians on Harts Rd. at the cross street of Dunn Ave. 8 Date Palms to be planted as replacements in Downtown Jax (4 on Riverside Ave., 2 on Adam St. W, 1 on Forsyth St W, 1 on Monroe St) 13 Date Palms total. Includes removal of existing Date Palm stumps in city street planting boxes. Introduced by CM Gaffney. Appropriation from Tree Fund 15F.	2018-0007-E	Richard Leon/ Kathleen McGovern	\$62,540.03		4/10/2018				In Progress; Date Palms have been ordered for Phase 1 of planting at Harts Rd and Dunn Ave.
6	Old St. Augustine Rd Medians	Two median tree plantings on Old St. Augustine Rd from Bartram Park Blvd to entrance of Palmetto Leaves Park South. Introduced by CM Schellenberg. Appropriation from Tree Fund 15F.	2018-0043-E	Richard Leon/ Kathleen McGovern	\$18,364.21		4/20/2018				In Progress; project to be scheduled upon receipt of PD number.

CITY OF JACKSONVILLE TREE PLANTING PROJECTS - PENDING

See jaxtreemitigation.coj.net - Tree Fund City Projects for links to legislation and planting details

CD	Project Title	Project Scope	Project or Ordinance Number	Project Manager	Estimated Cost	Actual Cost	Anticipated Start Date	Actual Start Date	Anticipated Completion Date	Actual Completion Date	Status
14	King Street	King St. from College St to Park St., replacement planting on nine medians and sidewalk cut-outs. Introduced by CM Love. Appropriation requested from 15F.		Richard Leon/Kathleen McGovern	\$85,366.23						Submitted 3/7/2018
14	Avondale Neighborhood -Tree Planting Plan	Tree Planting in City ROW on residential streets in Avondale to include Avondale Ave., Belvedere Ave., Chalon Ave., Hollywood Ave., Oak St. and Windsor Native Park- replace dead/storm damaged trees. Introduced by CM Love. Appropriation requested from 15F.		Richard Leon/Kathleen McGovern	\$26,753.42						Submitted 3/7/2018
6	San Jose Blvd	From Julington Creek Bridge to I-295, 19 medians Introduced by CM Schellenberg		Richard Leon/Kathleen McGovern							Pending
4	Patton Rd/Beach Blvd. -Southside	Right of Way Plantings on two adjacent sites at the intersection of Patton Rd. and Beach Blvd., no tree removals. Introduced by CM Scott Wilson and through citizen request. Appropriation requested from 15F.		Dave McDaniel/Kathleen McGovern	\$16,533.50						Submitted 3/7/2018
8	North Shore	Assessment of current tree canopy and potential tree planting areas. Introduced by CM Katrina Brown.		Dave McDaniel/Kathleen McGovern							Pending
4	Brookview Park Neighborhood	Tree Planting in City ROW on residential streets and community park. Introduced by the Special Committee and of Safe and Healthy Neighborhoods.		Dave McDaniel/Kathleen McGovern							Pending
8	Myrtle/Moncrief Neighborhood	Tree Planting in City ROW on residential streets. Introduced by the Special Committee and of Safe and Healthy Neighborhoods.		Dave McDaniel/Kathleen McGovern							Pending
7	Springfield	Tree Planting in City ROW on residential streets per citizen request and post removal of declining/dead trees per hurricane damage and natural lifespan completion.		Richard Leon/Kathleen McGovern							Pending

TREE FUND PROJECT APPROVAL PROCESS

	CITY ADMINISTERED PROJECT	NON-CITY ADMINISTERED PROJECT
Application	<ul style="list-style-type: none"> ➤ Most likely a "sponsor" of a project ➤ Would suggest tree planting in a certain area ➤ May request specific trees or leave it up to City Arborist ➤ May want to be involved in planting or may just want trees ➤ Approval to do planting in area (ROW, School Board, Parks & Rec, etc) 	<ul style="list-style-type: none"> ➤ Most likely a "sophisticated or experienced" applicant ➤ Responsible for the project ➤ Would want minimum qualifications for the applicant ➤ Would need to provide the entire planting plan ➤ Would know which trees to plant ➤ Would want to choose the contractor to plant trees ➤ Would need a form-approved agreement with the City (see Greenscape 1 tree 1 school campaign) ➤ Need to warranty, insurance, bond, indemnify, comply with all laws, etc. ➤ Need approval and permit for Right of Way work or access approval if on other public lands
Planting	<ul style="list-style-type: none"> ➤ Would use City Contractor (currently Davey Tree) ➤ May have a ceremony or marker indicating the project sponsor 	<ul style="list-style-type: none"> ➤ Contractor needs to carry insurance if not Davey Tree ➤ Would need releases and indemnifications if volunteers do plantings (Risk Management not in favor of non-qualified planters)
Project Administration	<ul style="list-style-type: none"> ➤ Administered by the City Arborist ➤ No additional administrative fees 	<ul style="list-style-type: none"> ➤ Administered by Applicant with oversight by City Arborist ➤ May request Administrative Fees (need to decide if cap on fees or %) ➤ What are appropriate administrative costs (planning, ancillary planting supplies/costs, community outreach/coordination costs)?
Maintenance of Planting	<ul style="list-style-type: none"> ➤ Maintenance and irrigation contemplated and decided by City 	<ul style="list-style-type: none"> ➤ Do we want to require irrigation and maintenance for a certain amount of time ➤ Agree to warranty all trees for a period of one year

Sec. 111.760. - Tree Protection and Related Expenses Trust Fund.

There is created within the General Trust and Agency Fund a trust fund account to be known as the Tree Protection and Related Expenses Trust Fund, hereinafter referred to as the Fund, into which shall be deposited all contributions and fines collected or imposed, together with any donation, gift, grant, or other sum of money as may from time to time be appropriated by Council, and all monies recovered by the City as civil fines pursuant to Section 656.1208; provided, however, that monies collected as administrative costs or attorneys' fees or costs of litigation shall be paid directly to the City. The funds deposited in this trust fund, together with any interest accrued thereon, shall be expended for providing trees and incidental landscaping, and maintaining trees, within City rights-of-way and on other lands owned by the City, its agencies or authorities, or upon which other ownership control may be exerted by the City, its agencies or authorities, including parks, public areas and easements, and also along all other public rights-of-way and on all other public lands in Duval County. The funds deposited in this trust fund may also be used to pay the salary and benefits of one City Arborist position. The City Arborist position authorized herein shall be exclusively focused on the planting of trees and other activities directly supporting planting projects in the City which utilize monies from this trust fund. The Director of Finance and Administration is authorized and directed to make disbursements from this fund, after Council appropriation, upon written requisition for such purposes signed jointly by the Director of Public Works and the Director of Parks, Recreation and Community Services. Monies deposited in this trust fund shall not lapse at the close of any fiscal year, but shall carry over to the next fiscal year. In no case whatsoever shall these trust funds be considered as the sole source of revenue for funds necessary to meet the normal landscaping needs of the City's recreation, park or conservation lands, or public right-of-way. The total amount appropriated from these trust funds for tree maintenance in any fiscal year shall not exceed an amount equal to twenty-five percent of the amount budgeted in that fiscal year for tree maintenance activities in the Public Works Department. Any appropriation of trust funds for tree maintenance shall be used to supplement, not replace, monies otherwise appropriated for tree maintenance by the Public Works Department, and shall be used to undertake activities intended to extend the life of existing trees.

(Ord. 89-1185-673, § 12; Ord. 92-1933-1383, § 1; Ord. 98-542, § 1.3(k); Ord. 2000-707-E, § 10; Ord. 2004-1003-E, § 1; Ord. 2004-1146-E, § 1; Ord. 2005-1283-E, § 7; Ord. 2006-422-E, § 52; Ord. 2010-557-E, § 11.8; Ord. 2011-732-E; Ord. 2016-140-E, § 16; Ord. 2016-487-E, § 7; Ord. 2017-398-E, § 1)

Editor's note— Ordinance 2007-839-E, § 18, authorized updated department/division names

Subcommittee of Shade Tree Provisions, Tree Commission

3/7/18

10:00-11:15

In attendance:

Curtis Hart, Vice-Chair, Tree Commissioner

Aaron Glick, Tree Commissioner

Tracey Arpen, Greenscape/ City Beautiful Jax

Lad Hawkins, Scenic Jax/ City Beautiful Jax

Alicia B. Grant, Scenic Jax/ City Beautiful Jax

Sondra Fetner, OGC

Discussion began about the definition of "Palm Trees" in Sec. 656.1203(ii) and the use of Palm Trees in Sec. 656.1211(e)(3)(ii). Discussed the ability to substitute 2 palm trees for 1 tree and 4 palms for 1 shade tree. Subcommittee opined this ability to substitute was problematic because palm trees do not provide the shade intended by the landscape requirements and they are not planted in a manner to make shade. Recommendation, as indicated below was to limit substitutions of palm trees and require specific clustering of palm trees to create the necessary shade.

Discussion about the maintenance and pruning of trees. A. Grant discussed the issue with crepe myrtles being drastically over-pruned and should be left to mature to appropriate size and height. L. Hawkins discussed educated the public, including landscapers, property owners and contractors on how to trim trees and providing penalties for not following the pruning code. L. Hawkins read Sec. 656.1212(c) related to Tree Pruning.

T. Arpen began the discussion about trees and landscaping in terminal islands in parking lots. Discussion about whether or not the minimum size of the islands (5') is large enough for a tree to grow and mature. Unanimous agreement that 5' is too small and that something wider should be recommended. C. Hart suggested 8' minimum. C. Hart also recommended an ability to have 5' wide islands but it could not be used for credit towards required landscaping. Other members did not want to provide the option. (See below for recommendation).

C. Hart began discussion about creating a warranty program to see if landscaping is the way it should be. T. Arpen believed that an inspection within one year is good because it will show plants and trees survived all seasons. C. Hart believes this 1 year certified warranty would be from property owner to the city. In building world, C. Hart explained he has a check at a year for drainage, plumbing, also known as an "Inspection 17." L. Hawkins questioned if there

should be a charge for the inspection? T. Arpen thought it might make sense to have a courtesy inspection at 11 months so that property owner could have chance to see what was dying and utilize their own 1 year warrant to replace. A. Glick recommended an inspection between 9 and 12 months.

L. Hawkins began the discussion about the irrigation requirements. Everyone agreed they are there but they need to be enforced better. C. Hart suggested it be included in the 1 year inspection. L. Hawkins suggested penalties be associated with failing to irrigate. Everyone agreed education of public would be beneficial.

T. Arpen brought photos and opined that the recommended requirements would apply to the issues.

T. Arpen suggested that someone needs to talk to Tom Goldsbury about pruning trees properly. Especially Crepe Myrtles. This would be accomplished through enforcement and education. There was a concern that there is no penalty on the contractor or landscaper for failing to comply with landscape requirements.

Everyone agreed to have another meeting to discuss the education component of the landscape requirements and to discuss limiting Administrative Deviations for landscaping requirements.

Subcommittees recommended changes to the Landscape regulations for tree planting

Change code:

- Substitution of palm trees cannot be substituted for more than 25% the amount of the shade trees requirement
- Clustering of palm trees or other non-shade trees for substitution of shade trees, the minimum planting area shall still meet the requirements for a shade tree (min 8' wide, 150sq. ft)
- Change 656.1214(d) to increase the width of terminal islands to 8' so that trees are capable of thriving and maturing in that location
- Within 9-12 months of the CO, a follow-up inspection for compliance with landscaping for commercial buildings applicable (part c) so that the developer can replace with own warranty

Minutes by: Sondra R. Fetner, OGC

From: Pappas, John
Sent: Thursday, March 08, 2018 7:45 AM
To: Pappas, John
Subject: Tree Commission - Potential Tree Planting Project Criteria for Evaluation & Grading

John Pappas comments/considerations:

- **Maintenance**
 - Impacts from the species on COJ infrastructure (roads and/or sidewalks and/or drainage system) and/or JEA Infrastructure (above and below surface)...does the species produce bi-products that require COJ to provide enhanced maintenance around the tree?
 - For example, but not sure how to quantify:
 - Date Palm impacts...date production
 - Oak Trees impacts...roots on infrastructure (Roads/Sidewalks/Drainage Pipes)
 - Impacts from "High Maintenance" to retain a good appearance – this is a very big concern as we work to address Blight through-out Jacksonville...visible unmaintained Trees can have a very negative

- **Operations**
 - Adverse Impacts on Safety to COJ Infrastructure and/or JEA Infrastructure...long term growth that might:
 - Block Site Distance on Roads
 - Block Sidewalks and require on-going "Encroachment" trimming
 - Adversely Impact Power Poles
 - Adversely Impact Street Light performance
 - Operation Needs to ensure Healthy Tree
 - Irrigation?
 - Annual cost for water
 - Annual cost for O&M
 - Fertilize?
 - Annual cost
 - Adverse Impact to City's TMDL BMAP (River/Tributaries Nitrogen Reduction requirement)
 - Positive Impacts
 - Potential Stormwater benefits – study to determine benefits will be underway
 - Groundwater benefits – help in reducing impacts from high groundwater on COJ infrastructure

Tree Commission

Legislative Authority: Chapter 94, Ordinance Code

Total Members: 7

Committee Duties: Study and make recommendations to the city with respect to planting of trees and the health of the City's tree canopy. Formulate an overall plan for the planting of trees and the health of the City's tree canopy and thereafter to annually review the plan and report recommendations to the Mayor's Office. Act as a motivating and coordinating body to encourage joint public and private participation in the planting of trees and the health of the City's tree canopy. Review and make recommendations, if necessary, to the Council concerning the City's tree protection and landscape regulations.

To act as a coordinator for programs, projects, and activities related to planting projects and the health of the tree canopy between all public and private entities; To review expenditure proposals and plans for planting projects; To prioritize, with the input of District Council members, proposed planting projects based on established criteria for recommendation to the Council, and, when requested, the Commission may also make recommendations on other proposed tree planting projects; To formulate a recommended priority project list, including an estimated implementation cost for each item, for tree planting and canopy maintenance, and to thereafter annually review the priority project list and report recommendations to the Mayor's Office; To help coordinate the maintenance of an inventory of the urban tree canopy with an emphasis on historic trees, exceptional specimen trees and other unique environmentally significant trees within the City; To assist in the establishment of educational and outreach programs to encourage proper management and maintenance of trees on private property in the City; To conduct research studies, collect and analyze data and prepare maps, charts, and plans for the accomplishment of its purposes; To identify issues relative to the health and protection of public trees and recommend solutions to problems identified; To recommend to and help develop opportunities for the City's grant writing office for grants and solicitation of donations to support the City's tree canopy; To perform an annual audit of funded projects, the status of the inventory, and tree permits submitted to the City to be included in an annual report to the Mayor's Office and City Council; To develop and maintain a tree canopy and existing tree inventory.

Meeting Date: Twice monthly meetings from 12:00 PM – 1:30 PM and held in Conference Room C, St. James Building, 3rd Floor; 117 W. Duval Street; Jacksonville, FL 32202. (Meeting times and locations are subject to change.)

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2018-105**

5 AN ORDINANCE APPROPRIATING A \$50,875.00
6 MATCHING GRANT FROM THE FLORIDA DEPARTMENT OF
7 AGRICULTURE THROUGH THE FLORIDA FOREST SERVICE
8 (FFS) DIVISION TO FUND A STUDY TO DEMONSTRATE
9 HOW THE MANAGEMENT OF THE CITY'S URBAN FOREST
10 CAN BE USED AS A STORMWATER BEST MANAGEMENT
11 PRACTICE WHEN INTEGRATED INTO THE EXISTING
12 STORMWATER MANAGEMENT PROGRAM, AS INITIATED BY
13 B.T. 17-134; APPROVING, AND AUTHORIZING THE
14 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
15 SECRETARY TO EXECUTE AND DELIVER, THE
16 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
17 GREEN INFRASTRUCTURE CENTER, INCORPORATED
18 (GIC) AND ANY EXTENSIONS OR RENEWALS THEREOF;
19 APPROVING, AND AUTHORIZING THE MAYOR, OR HIS
20 DESIGNEE, AND THE CORPORATION SECRETARY TO
21 EXECUTE AND DELIVER THE FEDERAL FINANCIAL
22 ASSISTANCE SUBRECIPIENT AGREEMENT BETWEEN THE
23 FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER
24 SERVICES, FOR AND ON BEHALF OF THE FLORIDA
25 FOREST SERVICE, AND THE CITY OF JACKSONVILLE
26 AND ANY EXTENSIONS OR RENEWALS THEREOF;
27 PROVIDING FOR OVERSIGHT BY THE PUBLIC WORKS
28 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

29
30 **BE IT ORDAINED** by the Council of the City of Jacksonville:

31 **Section 1. Appropriation.** For the 2017-2018 fiscal year,

1 within the City's budget, there is hereby appropriated the
2 indicated sum from the account listed in subsection (a) to the
3 account listed in subsection (b):

4 (B.T. 17-134, attached hereto as **Exhibit 1** and incorporated herein
5 by this reference):

6 (a) Appropriated from:

7 See B.T. 17-134 \$50,875.00

8 (b) Appropriated to:

9 See B.T. 17-134 \$50,875.00

10 (c) Explanation of Appropriation.

11 The funding above is a matching grant from the Florida
12 Department of Agriculture through the Florida Forest Service
13 (FFS) Division.

14 **Section 2. Purpose.** The purpose of the appropriation in
15 Section 1 is to provide funding for a study to demonstrate how the
16 management of the City's urban forest can be used as a stormwater
17 best management practice when integrated into the existing
18 stormwater management program. The grant allows the City to use the
19 monetary value of in-kind services provided by its personnel and
20 volunteer hours provided by its engineering consultant, ET&M, to
21 achieve a 50/50 match.

22 **Section 3. Agreement with Green Infrastructure Center,**
23 **Inc. approved and execution authorized.** There is hereby approved,
24 and the Mayor or his designee, and the Corporation Secretary are
25 hereby authorized to execute and deliver, the Agreement between the
26 City of Jacksonville and Green Infrastructure Center, Incorporated
27 (GIC), in substantially the same form placed on file with the
28 Office of Legislative Services, and any extensions or renewals
29 thereof. The grant specifically requires that the professional

1 services for the study be provided by GIC. GIC, a 501(c)(3) that
2 works with local governments, communities, and regional planning
3 organizations, land trusts and developers to evaluate their green
4 infrastructure assets and develop plans to conserve them, uses
5 economic analysis, mapping, and land use planning and asset
6 assessment needed by communities to protect and restore their
7 naturally assets, specifically green infrastructure.

8 **Section 4. Federal Financial Assistance Subrecipient**
9 **Agreement approved and execution authorized.** There is hereby
10 approved, and the Mayor, or his designee, and the Corporation
11 Secretary are hereby authorized to execute and deliver, the Federal
12 Financial Assistance Subrecipient Agreement between the Florida
13 Department of Agriculture and Consumer Services, for and on behalf
14 of the Florida Forest Service (FFS), and the City of Jacksonville,
15 in substantially the same form placed on file with the Office of
16 Legislative Services (the "Subrecipient Agreement"), and any
17 extensions or renewals thereof. Pursuant to the Subrecipient
18 Agreement, FFS will provide funding for the cost of GIC's services
19 and establish the in-kind services to be provided by the City.

20 **Section 5. Oversight.** The Department of Public Works
21 shall oversee the project described herein.

22 **Section 6. Effective Date.** This ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

1 Form Approved:

2

3 /s/ James R. McCain, Jr.

4 Office of General Counsel

5 Legislation prepared by James R. McCain, Jr.

6 GC-#1148486-v1-08_07_17_BT_17_134_PW_FFS_GIC_CA_Oversight.doc



ONE CITY. ONE JACKSONVILLE.

Department of Public Works
Mowing and Landscape Maintenance Division

"WHITE PAPER"

3/7/18

SUBJECT: 2018-105

**FLORIDA FOREST SERVICE GRANT:
PROTECTING & RESTORING URBAN FOREST TREE CANOPY FOR STORMWATER
MANAGEMENT**

Council District: All
Councilmember: All

The City of Jacksonville has been awarded a \$50,875 matching grant by the Florida Forest Service, Florida Department of Agriculture and Consumer Services to conduct a study to show how the management of the City's urban forest can be used as a stormwater best management practice (BMP) when integrated into the existing stormwater management (MS4) program.

Jacksonville is one of two communities in the State of Florida selected to participate in this special multi-state pilot Green Infrastructure (GSI) project. The grant allows the City to use the monetary value of in-kind services provided by its personnel and volunteer hours provided by its engineering consultant, ET&M, to achieve a 50/50 match.

The grant specifically identifies that the professional services for the study will be provided by Green Infrastructure Center (GIC), a 501(c)3 that works with local governments, communities, and regional planning organizations, land trusts and developers to evaluate their green infrastructure assets and develop plans to conserve them. The GIC uses economic analysis, mapping, and land use planning and asset assessment needed by communities to protect and restore their natural assets, specifically, green infrastructure.

The Public Works Department is requesting legislation to allow the Mayor to execute a financial assistance agreement with the FFS to provide funding for the cost of the GIC services and to establish the in-kind services to be provided by the City. In turn, FFS requires the City to execute an agreement with GIC to define the scope of work provided by each party (City, FFS and GIC), and the cost of GIC services. The FFS will reimburse the City for its payments to GIC.

Public Works Contact: Dave McDaniel, Chief
Mowing and Landscape Maintenance Division
mcdaniel@coj.net
255-4301

- 5 -



TREE MITIGATION

CITY OF JACKSONVILLE



TREE REMOVAL PERMIT INFORMATION

Click here to search detailed information on Site Clearing and Tree Removal Permits. In reviewing tree removal information on a specific permit, for "B" permits click on the Spec 2 tab; for "L" permits click on the Tree Mitigation tab.



TREE FUND CITY PLANTING PROJECTS

Click here to search detailed information about City Tree Fund Planting Projects.



AVAILABLE FOR APPROPRIATION

15F (Ordinance): \$17,878,150.28
15N (Charter): \$3,695,556.90
Total: \$21,573,707.18



FILE AN ISSUE

Click here to report site clearing or tree removal without a permit, or to request tree maintenance on public property. In the CARE System, select "Tree Remove or Landscape Violation" from the dropdown.

Disclaimer: The AVAILABLE FOR APPROPRIATION information shown on this page is updated nightly from the City's financial records, but does not include any pending appropriations, or other financial transactions of the funds which have not been completed.



If you experience difficulty viewing or accessing the documents provided on this site, or navigating this application's table features, using any assistive technology please contact the Disabled Services Division at 904-630-4940 or 904-630-4933 (TTY) to request an accommodation.

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Version: 1.0.0.6

As of March 7, 2018 (Increase of \$6,671 since February 22, 2018)