

Jacksonville Tree Commission
Meeting Minutes July 25, 2018
Approved August 9, 2018

Commissioners Present:	John Crescimbeni, Chair Curtis Hart, Vice Chair Chris Flagg Aaron Glick John Pappas Rhodes Robinson	Staff:	Cindy Chism
Advisors:	Susan Grandin, OGC Richard Leon, Urban Forest Manager Kathleen McGovern, City Arborist Joel Provenza, Accounting	Public:	Tracey Arpen, Greenscape John November, Public Trust Anna Dooley, Greenscape Mike Robinson, Greenscape Lad Hawkins Joe Anderson, JEA Teresa Eichner, COJ Budget Office

A. Meeting was called to Order by Chair at 1:00 PM.

1. All present introduced themselves. Welcome Susan Grandin, new Tree Commission Attorney.
2. Submittal of Speaker's Cards.
3. Motion made by Mr. Flagg, seconded by Mr. Hart, to approve minutes from the meeting of July 12, 2018. None opposed.
4. Fund balance and encumbrance report for 15(F) and 15(N) (Attachment A)
 - a. Better Jacksonville Plan funds will be listed on the jaxtreemitigation.coj.net page as a separate line but included in the total.
5. Status of Pending Tree Projects (Attachment B). The Harts Road project has been deferred. CM Crescimbeni said he sits on the committee that deferred this project. The district Council Member was invited back to discuss why date palms were going to be planted despite the Tree Commission's resolution. Mr. Glick asked about the Main Street Project; the ordinance 2017- 0111 states that twelve Chinese elms and two cabbage palms will be planted and 34 trees will be removed. Does this mean that there will be several empty wells? **Mr. Leon will provide the Tree Commission with a current inventory of what's going into the ground on this project.**

B. New Business

1. Right Tree, Right Place – Joe Anderson, JEA
 - a. CM Crescimbeni had asked Ms. Fetner to check the City's Ordinance Code for any regulations for planting near power lines. **Ms. Grandin will research this and get back to the Tree Commission.**
 - b. Mr. Joe Anderson, Forester, JEA – The packet (Attachment C) has a few brochures that each mention Right Tree, Right Place. The concept has been around for nearly three decades and is

considered best practice in the utility industry. Right Tree, Right Place is supported by the Arbor Day Foundation, the State Association for Foresters, Florida Forest Service, and local tree advocacy groups such as Greenscape of Jacksonville, among others, and is not just about electricity, but also addresses infrastructure.

c. The higher the wire, the higher the voltage. Three-phase, main feeder lines are generally the highest wires on the pole. They are bare wire with no insulation other than distance. Below the main feeders are single phase lines (26,000 volts) which enter the community and require at least 10 feet of clearance. This is the wire that requires trimming the top canopy. The limbs that cause problems are usually about two fingers wide, not the larger limbs.

d. JEA trims every 2.5 years in an established path. There are over 7,000 miles of wire; 45% overhead and 55% underground. Any new community is built with underground utilities. Most of the trimming goes unnoticed but there are “C” cuts and “V” cuts which cause complaints. Nothing which grows over 8 feet can be planted under a transmission line or closer than 15 feet from the base.

e. Ms. Grandin asked how far up the three-phase and single phase wires are. Mr. Anderson replied 35-45 feet.

f. Mr. Arpen asked about perimeter landscaping in the City’s Ordinance Code. Currently, this language doesn’t distinguish between types of overhead power lines, but it should. Mr. Anderson said all wires are not created equal and there can be taller trees along secondary lines and not have a conflict. Mr. Arpen asked if there was a Right Tree, Right Place for planting in the vicinity of underground lines. Mr. Anderson said there should be; trees can cause outages underground due to root growth and weight of the tree.

g. CM Crescimbeni asked if JEA mitigated trees that are removed from the City’s right-of-way. Mr. Anderson said yes.

h. Mr. Arpen asked Mr. Anderson if JEA has any programs where they participate with homeowners to remove trees from private property to avoid a conflict with power lines. Mr. Anderson responded, yes, a notice will be left on the property owner’s door recommending the tree be removed. If removal can be done within a certain timeframe or during a routine cycle trim, JEA will cover the cost. Because the tree is on the property of an occupied residence, no mitigation is required. JEA focuses their entire mitigation tree planting through Greenscape.

2. Right of Way Tree List and Parks Tree List (Attachment D) – Kathleen McGovern

a. There are approximately eight additional trees added for parks at the end of the right-of-way list. They are still waiting for final approval from Parks, Recreation and Community Services Department. Ms. Grandin asked about adding a Japanese Blueberry tree to the parks portion. Ms. McGovern said she would look into it. **Ms. Grandin will forward an email to Ms. McGovern regarding this tree.** Mr. Arpen pointed out that there are only four prohibited trees listed but the City’s Ordinance Code shows more. CM Crescimbeni recommended removing the prohibited tree table on the right-of-way list. If the tree is not shown on the list, it cannot be submitted for planting.

Ms. McGovern will remove the prohibited tree table and add Laurel Oak and Shumard Oak to the approved trees. Ms. McGovern will get input from the School Board on what trees listed are approved by the School Board. CM Crescimbeni requested a column be added for parks, right-of-way, and school board locations, and contain a check mark if the tree is approved for that location.

3. Final Project Evaluation and Tier II Application (Attachment E) – Susan Grandin

a. Mr. Glick asked about the application evaluation period, during which the applicant is not allowed to contact any of the Tree Commission members or City staff involved with the tree planting project application process. CM Crescimbeni asked how the applicant is supposed to know who those staff members are. **Ms. Grandin will discuss with Ms. Fetner and rephrase as it relates to footnote 11 of the Approved Trees list.**

b. Ms. Dooley said the requirement of five bids for material is very onerous. Mr. Hawkins added that it would be difficult for a Homeowner's Association as well. **Ms. Grandin will add language which eliminates the requirement for obtaining five bids if the City's Countywide Contractor is used.** Mr. Arpen said he had suggested a third type of application geared towards volunteers planting smaller trees and not using the City's contractor. CM Crescimbeni replied we would have to grow into that. There are currently two tiers: the first is a suggestion for tree planting through the C.A.R.E. system and this is the second.

c. Ms. Dooley asked about the language that reads "the site preparation costs are reasonable in relation to the entire planting project." Is reasonable defined? CM Crescimbeni reminded Ms. Dooley that no consensus has yet been reached. This will initially be determined on a case-by-case basis.

d. **CM Crescimbeni asked Ms. Grandin to make all changes discussed and send him the updated documents.** A motion was made by Mr. Glick to approve the Overview, the Application and the Project Evaluation with the changes discussed. Seconded by Mr. Flagg. None opposed.

4. Shade Tree Subcommittee – Curtis Hart

a. Deferred. Requires additional meetings.

C. Information

1. Status of 2008 Public Works Appropriation of \$1.5 Million

a. CM Crescimbeni had asked the Council Auditor's Office to research the \$1.5 million awarded to the Public Works Department in 2008. They have completed researching the 2008 \$1.5 million appropriation which was placed in a countywide tree planting project account in 2008, via ordinance 2008-721. At that time, the Right-of-way Grounds Maintenance Division of Public Works was charged with oversight of this project. This ordinance appropriated \$2.2 million from the tree protection ordinance fund, 15(F) for various projects including \$1.5 million for countywide tree planting, not all of which was spent. The challenge in explaining the expenditure of the \$1.5 million is due to it being combined with \$3.1 million which had previously been appropriated for countywide

tree planting of which \$453,000 had been unspent at the time 2008-721 was approved. The spending of funds show more than \$1.5 million because remaining funds from prior appropriations were combined with the 2008-721 funds in a single purchase order in 2013. Using the first in, first out method, all funds spent from 2013 to current are from the \$1.5 million appropriation. Which means \$36,000 encumbered and \$30,000 unencumbered funds all relate back to the \$1.5 million appropriation from 2008-721.

b. The expenditures per year are: (A City of Jacksonville year is October 1 through September 30 of the following year.) 2009 - \$396,000; 2010 \$190,000; 2011 \$139,000; 2012 \$89,000; 2013 \$67,000; 2014 \$430,000; 2015 \$278,000; 2016 \$147,000; 2017 \$58,000; and in the current fiscal year \$4,000.

c. CM Crescimbeni asked the Council Auditor if there was a way to discover what projects these funds were used for, they responded, yes but it would take approximately 60 days or more. ; Mr. McDaniel said his office has a list of the projects the \$1.5 million was spent on and will contact Kim Taylor in the Council Auditor's office to assist in determining how the funds were spent.

2. Request to Appropriate Funds to Public Works for Tree Replacement -

a. CM Crescimbeni spoke with the Administration regarding an appropriation of funds. The request was looked upon favorably, but not in the amount Mr. November had been requesting. Also discussed with the Administration was Mr. November's suggestion of appropriating \$100,000 for each Council District. That was a firm no.

b. Does the Tree Commission want to suggest an appropriation of monies out of the fund to go to the Public Works Department specifically for planting trees which have been removed? CM Crescimbeni offered to introduce that legislation (with the Tree Commission's support) to the Council. Mr. Glick confirmed there are currently no funds set aside for replacement of trees other than the remainder of the \$1.5 million.

c. CM Crescimbeni asked how much could be spent in a year to replant trees that have been removed. Mr. McDaniel said the Mowing and Landscape Division could spend \$300,000 a fiscal year for Tier I's and tree replacement only; no Mayor's projects and no incidental landscape.

3. Stiffening Penalties for Improper Clearing or Removal without Permits - CM Crescimbeni visited a Speedway gas station (Attachment F) and asked the person at the counter what happened to their trees, to which he responded, the car wash next door had asked for permission to trim the trees for sign visibility. Currently, the fine is assessed using DBH (diameter at breast height). Perhaps what also should be taken into account is the width of the nubs left on the tree. There will be discussion at the next meeting about updating the criteria with which the penalty is assessed.

D. Action Items

Mr. Leon will provide the Tree Commission with a current inventory of what's going into the ground on this project.

Ms. Grandin will research the ordinance code regarding planting near powerlines and get back to the Commission.

Ms. McGovern will remove the prohibited tree table and add Laurel Oak and Shumard Oak to the approved trees. Ms. McGovern will get input from the School Board on what trees listed are approved by the School Board. CM Crescimbeni requested a column be added for parks, right-of-way, and school board locations, and contain a check mark if the tree is approved for that location.

Ms. Grandin will discuss the language in the Overview which says “during the Application Evaluation Period, the applicant is not allowed to contact any Commission member or City Staff” with Ms. Fetner and rephrase as it relates to footnote 11 of the Approved Trees list. Language will be added in the Tier II Application which eliminates the requirement for obtaining five bids if the City’s Countywide Contractor is used. Item V.H. in the redlined Overview will be removed as there is no longer a Prohibited Tree List. Ms. Grandin will make all changes and send the documents (the Overview, the Application and the Project Evaluation) to CM Crescimbeni for final review.

E. Public Comment

Anna Dooley – Declined

John November – Declined

F. Meeting adjourned at 2:40pm