

Jacksonville Tree Commission
Wednesday October 21, 2020 – 9:30 AM
For Approval November 18, 2020
Via Zoom Platform

**Commissioners
Present:**

Chris Flagg, Chair
Curtis Hart, Vice Chair
Ron Salem
John Pappas
Mike Robinson
Rhodes Robinson

Staff: Cindy Chism

Public: Todd Little, COJ
Joe Anderson, JEA
Fred Pope, COJ
Kealey West, COJ
Anna Dooley, Greenscape
John November, Public Trust
Mike Zaffroni, Liberty Landscape
Nichole Evans, COJ
Nancy Powell, Scenic Jax
Bruce Fouraker, Scenic Jax
Dave McDaniel, COJ
Gabriel Dempsey, Greenscape
Laura Byers, Greenscape

Advisors:

Susan Grandin, OGC
Joel Provenza, Finance
Kathleen McGovern, City Arborist
Richard Leon, Urban Forester Manager

1. **Call to Order** - Chair
2. **Roll Call and Verification of Quorum** – Cindy Chism
3. **Submittal of Speaker’s Cards** – Chair
 - a) A raised hand icon as well as waving at the screen will be acknowledged by Chair or Ms. Chism.
4. **Reports:**
 - a) Fund balance and encumbrance report for 15(F) (Ordinance Tree Fund), 15(N) (Charter Tree Fund) and BJP (Attachment A) – Joel Provenza
 - b) Status of Pending Tree Projects (Attachment B)– Kathleen McGovern
 - c) Fund Status of 630-CITY, Remove & Replace and Level 2 Programs – Richard Leon
 - i. The 630-CITY program currently has \$114,000 remaining; however there is legislation for \$2 million in progress. 3002 trees have been planted to date, approximately 40 trees per week.
 - ii. The Remove & Replace program currently has \$824,000 which will be split between the removal contractor and the planting contractor.
 - iii. The Level 2 Program has just under \$500,000 remaining but there are 2 projects awaiting MBRC approval and several projects in the work which encumbers the remaining balance. Replenishing this program should be considered; the previous legislation was for \$2 million and took approximately a year to spend. Motion to request legislation for additional \$2 million made by Mr. R. Robinson, seconded by Mr. Pappas, none opposed, motion passed.
5. **Action Items:**
 - a) Approval of Minutes from September 16, 2020 meeting – Chair

- i. Motion to approve minutes Mr. R. Robinson, second by Mr. M. Robinson, none opposed.

6. Old Business

- i. Ethics training must be completed every 4 years, if it has been 4 years or more since the last class contact Ms. Chism for enrollment information.

7. New Business

a) Resiliency actions regarding GIC (Attachment C) –Nancy Powell

- i. Recommendation number 1 to focus on the Northside, Eastside and downtown where there may not be many community organizations which may request Level 2 projects. There is a need for trees due to heat index, small right of ways, and stormwater. This would be an adaptation of the GIC recommendations numbers 6, 10, and 12. That's not to say trees are not needed in other parts of the City but looking at the projects completed and in progress it seems the rest of the City is represented.
- ii. Recommendation number 2 is to strengthen the Ordinance Code to support a healthy and growing tree canopy. As there is subcommittee already underway this appears to be in progress.
- iii. Recommendation number 3 is to plant trees around Stormwater Ponds. Though Tree Mitigation funds are only for public properties, there are FDOT ponds; perhaps a way to incentivize private property plantings could be found.
- iv. Recommendation number 4 is education but wasn't part of the GIC recommendation other than educating single family residents about the importance of mature trees. There is potential Resiliency money which may become available.
- v. The final recommendation is Tree Maintenance Operations and Funding. Taking care of the larger trees and coordination with FDOT and City for maintenance.
- vi. Mr. Hart commented that the approach for tree planting in Jacksonville should be based on canopy coverage. An analysis of canopy coverage should be done before a site is cleared for development, if there was 40% canopy coverage; then a plan should be generated to quickly replace that 40% canopy coverage on the site. Mr. Hart continued number 4, "Discourage the practice of clear-cutting"; this is not what the development community ever wanted to do or does on purpose. 15 years ago only the roadways were cleared for the utilities and the road. Then individual builder would then try to save as many trees as possible for each lot. However, the City, through a series of ordinances, requires the developers to do a drainage plan on every single lot. To meet the City requirements for a drainage plan, the trees have to be removed. The other item in this report, "Remove the single-family dwelling exemption" though this is required, it is not enforced. Ms. Powell added discouraging the practice of clear cutting and single family dwelling exemptions are items which the Committee is recommending for the education of homeowners and developers.

- vii. Mr. November added that what the Committee was hoping is the Commission would put together a subcommittee with Staff, a Commissioner and local stake holders to set some goals for the future to work towards. Mr. Pappas added that in addition to the programs we currently have, another funding opportunity on the resiliency side, is the Tree Fund. It plays a role in the management of the fund, what do individuals want for their homes, to what communities want. Mr. Flagg asked for an action plan. Mr. Pappas suggested asking the Resiliency Group where they believe these trees being planted improve or enhance the resiliency of Jacksonville and factor that into our future allocations. Mr. Flagg pointed out that communication must stay open between the 2 groups. Mr. R. Robinson suggested Ms. Powell contact water management district. There is a lot of open space around the stormwater ponds but there are requirements for maintenance, getting equipment in and out. There is opportunity but it needs coordination.
- viii. CM Salem added focusing on 4-5 items instead of all of the recommendations is a good idea. Mr. Pappas has a good point in Resiliency being separate from the Tree Commission. There are advantages to showing the projects were very specific to Resiliency and Resiliency funding. Ms. Grandin added all tree planting projects are pointed towards Resiliency but a subcommittee is possible. Plan-IT GEO has an analysis of what areas of town have sparse canopies. Mr. Flagg agreed, a subcommittee is relevant, current and shows we are adhering to the issue at hand but we must stay coordinated with Ms. Powell's group. Further discussion will be conducted and a follow up meetings may be scheduled.
- b) The next meeting, November 18th is scheduled to be an in person meeting. Mr. Flagg would like to know the comfort level of the Commission members. What will be the precautions that will be taken? Perhaps this Commission can have a hybrid meeting. Mr. Hart asked if there was a way to do a hybrid option. Because the Governor's mandate expires on November 1 allowing for ZOOM meetings. Ms. Grandin added that a quorum must be present in person, which is 4 members, the rest could meet virtually. The Mayor would have to extend the mandatory mask requirements in city buildings, which is set to expire on October 27th which is 1 way to feel safe but he cannot extend the virtual meetings. CM Salem pointed out the City Council has moved in the direction of in person or virtual meetings in a desire to meet the needs of the public. The public needed to have the option to come in person. The consensus is for a hybrid meeting if possible, if not, precautions.
- c) As we have gone over time, the remaining items on the Agenda will be tabled until the next meeting. Review Legislation for Funding Increase for 630-City Program and a robust discussion about Level 3 Process as it relates to Non-Profit and Community Groups. Both will be discussed under new business next month.

8. Public Comment

- i. John November – Sulzbacher Village Tree planting project has begun today. The irrigation is being done as we speak, then the tree planting and flower garden will be done next week. Mr. Pope has looked at the site and pointed out good placement for the trees. The Huguenot Park project should begin near Thanksgiving.

- ii. Anna Dooley – the Equestrian Center Project which we have been working on for 3 years is missing from this agenda. Everything was submitted in what we thought was a timely fashion considering that we had gone through all of the comments that Mr. Leon and Staff has provided and made those adjustments. Again, I assumed everything was fine until the Agenda was published and our project was not listed. Mr. Leon has said they got behind because of staff illness. There is a lack of professional courtesy in not communicating. Mr. Leon responded the timestamp of the submission of the Application was Friday, October 2, 2020 at 5:25pm. According to the rules the Application must be submitted to the Commission 2 weeks before the next meeting. With the submission being on the Friday evening, the 2nd that left Monday and Tuesday to review all the new drawings, and new prices, an essentially brand new Application. It was not possible to turn around the Application in the amount of time allowed. Ms. Dooley added the revisions were requested by Staff in the past. Ms. Dooley doesn't believe reviewing the new submission was labor intensive. Mr. Flagg acknowledged the Application is in staff's hands and should be on the Agenda for next month.
- iii. Ms. Grandin pointed out the instructions for Level 3 Programs say the Commission should have 2 weeks prior to the meeting to review the Application and Staff Report. There is nothing in the instructions which says how soon the Staff needs to receive the Application. Mr. Pappas agreed Staff does need more than 2 days to review Mr. Hart agreed as well that there needs to be time for Staff to review but the Commission doesn't need a hard 2 weeks. Instead if Mr. Leon receives an Application and completes the Staff Report he should send it to the Commissioners no matter how close to the next meeting. If the Commissioners don't have time to review it, they could then make the decision not to hear the Project. It would then be the Commission's decision. Mr. Flagg agreed as this project has come before the Commission previously, now there are a number of additions, so time to review is necessary but making it the Commission's decision to hear the project or not is to be preferred.
- iv. Mr. Pope pointed out the Applicant may need time to prepare comments to the Commission in response to the Staff Report. If the Staff Report is issued shortly before the meeting, the Applicant will not have time to generate any responses to possible deficiencies or questions noted in the Staff Report. Mr. November agreed, as a prior Applicant, receiving the Staff Report at least a week before the meeting gives ample time to review and prepare comments or responses to questions from the Staff Report. Perhaps the deadline to turn in to Staff any Level 3 Application should be 21 days before the meeting the Applicant want's their project on the agenda of. That would give Staff 2 weeks to review and prepare the Staff Report which would then be distributed to the Commissioners and the Applicant 1 week before the meeting.
- v. CM Salem agreed there should be a deadline and there is an obligation to make sure that the item is on the Agenda. If an Application is submitted within the timeframe proscribed, there is an obligation to hear that Application timely. Ms. McGovern added there was an internal meeting about the Equestrian Center project and it is ready to come before the next Tree Commission meeting. Mr. Flagg responded that 21 days was too much, 2 weeks should be enough and remain as flexible as possible. Mr. M. Robinson agreed 21 days is more than enough; there is a conceptual meeting with City Staff, then another meeting between the organization and City Staff to finalize plans and then the Application is submitted after that. City Staff has had 2 reviews prior to submission so 2 weeks is probably enough.

- vi. Mr. Leon responded that City Staff will keep to whatever schedules the Commission assigns. However, this project was dropped off with 2 days to review and only 1 Staff member. Reviewing Tree Commission projects is not our sole job. Given the amount of revisions required it was not as simple as has been eluded too. Ms. Grandin will update the Level 3 Instructions so submissions must be 2 weeks before the next meeting and will list no time period for when the Commission needs to review it. Mr. Pappas committed to working with Mowing and Landscape Division to support the needs of the Commission.
 - vii. Anna Dooley – On November 14th at the Prime Osborn Center parking lot. Greenscape is celebrating Arbor Day by giving away over 2000 trees to citizens. This is a drive-thru event. A shredder is available for disposal of any documents, then the resident can chose the tree they would like from a menu of trees being offered then volunteers will load their selected tree into the Citizen’s vehicle.
 - viii. Gabriel Dempsey – It is astonishing to me that it could take 3 years for the Equestrian Center, which direly needs trees, to take this much time. Ms. Dooley, our Executive Director, has spent untold hours over those 3 years working on this project, making the changes. So when everyone is talking about sending things in timely she’s 1 person as well, she does not have a huge staff behind her, so whether she’s sick or on vacation or where ever, she keeps going along. I am praying by next meeting the Equestrian Center gets done.
- 9. Adjournment** – the next meeting is scheduled for Wednesday, December 16th.