

Jacksonville Tree Commission
Wednesday March 17, 2021 – 9:30 AM
Approved April 21, 2021
Via Zoom Platform & In Person

Commissioners Present:

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

Staff: Cindy Chism

Public: CW Joyce Morgan, City Council
Joe Anderson, JEA
Fred Pope, COJ
Anna Dooley, Greenscape
Mike Zaffroni, Liberty Landscape
Todd Little, COJ
John November, Public Trust
Todd Little, COJ
Nichole Evans, COJ
Chet Aikens, COJ
Colin Moore,

Advisors:

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

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.
 - b) For those attending in person, paper speakers cards are available.
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
 - i. Mr. Flagg suggested taking before and after pictures of some of the Level 2 projects to show the Commission and City Council. Mr. Leon agreed and added that the pictures could also be posted on the Urban Forestry webpage.
 - c) Fund Status of 630-CITY, Remove & Replace and Level 2 Programs– Richard Leon
 - i. 3173 trees have been planted to date through the 630-CITY program. The amount of requests per day is 7 to 10. It is averaging about 3 months from receipt of the request to tree in the ground. There is \$705,110 left in the 630-CITY account. Remove and Replace has \$248,329 left in the Replace account. The Level 2 account has \$1.6 million including all the current obligations. Mr. Pappas asked if there was total of Removed and Replaced trees. Mr. Leon responded, 661 trees have been removed and then replaced. Mr. Joe Anderson added that JEA’s calls for vegetative outages has dropped over the last year due to the remove and replace program.

5. Action Items:

a) Approval of Minutes from February 25th, 2021 meeting – Chair

- i. Motion made by Mr. R. Robinson, seconded by Mr. Pappas, none opposed.

b) Proposed Level 2 Project(s) – Kathleen McGovern

i. Blue Cypress Park Restoration Tree Planting Project (Attachment C)– Richard Leon

1. Presentation – This is the old golf course which is undergoing renovation. There are 157 trees being planted. The tree selection was based on what was naturally growing there already. We have worked very closely with Parks Dept. to select the locations for these trees. In addition, to the 3 month warranty, we have an additional 20 supplemental waterings, using bags, which should be enough for the trees to establish themselves.
2. Public Comment –
 - i. CW Morgan wanted to be sure there were no plantings which would become sight obstructions lining University Club Dr. Mr. Leon said all of the trees being planted on this road are being planted inside of the fence of the park. The trees are mostly pines so will not be “bushy.” CW Morgan added that there is scheduled to be some infrastructure built by the playground. Mr. Leon said he would speak with the Parks Dept. to ensure there will be no conflicts.
 - ii. Mr. Flagg suggested before and after photos be taken especially with all the different conditions on this project. The collaboration with Park landscape architects will ensure success of this project.
3. Vote – Motion to approve the Blue Cypress Park Restoration Tree Planting Project made by Mr. M. Robinson, seconded by Mr. R. Robinson, none opposed. Motion passed.

i. Reddie Point Tree Planting Project (Attachment D)– Richard Leon

1. Presentation – This project has a 2 year warranty. There are 27 trees being planted throughout the park with the exception of the field near the retention pond by request of the residents. The tree selection was again decided by what is already growing there. We did add Winged Elms in the center of the parking lot; it’s a smaller tree and will work better for the space.
2. Public Comment – Mr. M. Robinson pointed out the Scope of Work says a 3 month warranty but in the presentation Mr. Leon said 2 year warranty. Mr. Leon said that would be corrected to read 2 year warranty.
3. Vote – Motion to approve the Reddie Point Tree Planting Project made by Mr. Pappas, seconded by Mr. R. Robinson, none opposed. Motion passed.

6. Old Business

a) Report to Commission on Level 3 Workshop – Susan Grandin & Fred Pope

- i. Ms. Grandin stated there are 3 documents for the Level 3 Project requests; the Application, the Instructions and the Grant Agreement. The Instructions and the Grant Agreement or Contract should be read together. There has been a problem in the past between what the Contract says and

- what the Instructions say. Currently the Contract doesn't reference the Instructions at all although if read as a whole it should.
- ii. One of the conclusions from the workshop was the Contract refers to Contractor, i.e., Greenscape or Public Trust, which is confusing with regard to responsibilities. Therefore it is suggested Contractor be changed to Applicant. The Commissioners agreed this was a logical. Ms. Grandin will make this change.
 - iii. Ms. Fraser pointed out that many times as documents are handed on to other parties, the documents referenced are "left in a drawer." Perhaps there could be a standard addendum or something attached so the person who actually gets handed the document and has to perform the work has a copy. It doesn't necessarily need to be in the contract but a copy should always be in the record. The Commission agreed.
 - iv. Ms. Grandin added that because there are a lot of exhibits with the contract it seems long but actually isn't. Perhaps a comparison could be made between the Instructions and the Contract document to make sure there are no redundancies and streamline the Instructions. Ms. Grandin and Mr. Pope will do the comparison.
 - v. Ms. Grandin said let's begin with the definitions which need to be the same for all the documents. The first one is Applicant; one of the questions which arose at the workshop was whether or not the Applicant had to be a non-profit or community organization or if it could be a for profit entity. The Ordinance Code and the Bills which have appropriated funds do not distinguish in any way.
 - vi. The next is Application, no change. Then Award; the definition currently states "a grant from the City..." this is not really a grant. Mr. Pappas agreed it is a design build contract. Ms. Grandin said she would make that change.
 - vii. Construction Bid Documents; the word bid has been added and who will prepare the documents has been changed.
 - viii. Design Consultant; currently the definition includes many different professionals with 5 years or more experience. Ms. Grandin continued, in the workshop it was suggested limiting the Design Consultant to a Florida Landscape Architect. This is a Level 3 project with a design build contract and a lot of money. FDOT requires Florida Landscape Architects to do the designs for their projects. Ms. Fraser agreed; we are relying on that professional both from an insurance standpoint and an inspection standpoint. otherwise it falls on the City and the Staff. Mr. Flagg added it also helps the Applicant with a professional safety net.
 - ix. Ms. Dooley asked if these requirements will be retroactive. Ms. Grandin replied using the first Checklist, which has the 3 phases, for Phases 1 and 2 a Landscape Architect isn't required because it is a conceptual design. Phase 3 requires a schematic drawing which should be completed by a Landscape Architect. Ms. Fraser suggested a transition period for requiring a Landscape Architect. Mr. Pope pointed out as there have been no new designs submitted, this is a good time to update this process. Mr. Flagg added that it needs to be clear to the Applicant when to engage a professional. Mr. November asked for flexibility in requiring the new process be followed. Also there should be very clear minimums for the drawing requirements, where possible. Perhaps a preliminary approval of staff before being required to hire a professional.

- x. Mr. Leon added that a Level 3 is essentially a contract between the City and the Applicant. Once approved, City Staff should not be responsible or required to do anything other than intermittent inspections of the progress of the project. It defeats the purpose of the Level 3 Project if City Staff is managing the project. Mr. Flagg added the Applicant has the ultimate responsibility for the project; Design Consultant, contractor etc., the Applicant is held responsible for the work that professional has provided. The Applicant is not necessarily going to have the type of professional on staff which will have the landscaping and construction experience necessary to supervise this level of projects.
- xi. Ms. Grandin pointed out that per State Law, to use City money, we must get 3 bids to these drawings and also to plant the trees. Perhaps the Tree Commission wants to approve the project at the Conceptual Phase. Then the Applicant would bid out the design and the construction. Mr. Pappas agreed that is a good point. Mr. Pappas said the contract with the City is with the Applicant, not with the contractor planting the trees. Ms. Fraser added, perhaps if there was a list of qualified people already vetted to work on City contracts. The Applicant could then use one of those already approved professionals. Mr. November added having to bid out for a Landscape Architect also really complicates the process further. Mr. Flagg added the fewer complications the better; clear criteria. Ms. Grandin will investigate what the limits or requirements on bidding projects are.
- xii. Mr. Flagg suggested the Commissioners review the red-lined Instructions (Attachment E) and discuss it at the next Tree Commission meeting. Ms. Grandin and Mr. Pope will continue to review and clarify the 3 documents.

7. New Business

- a) None

8. Public Comment –

- a) John November asked about watering the projects in the summer months or if there was a drought again. Mr. Leon said a water truck was purchased for these kinds of projects but we also look at time of year and try to time our plantings.

9. Adjournment – the next meeting is Wednesday April 21st and will be a Hybrid Zoom meeting in Ed Ball Building, 10th floor, Public Works Office, conference room 5,