

Jacksonville Tree Commission  
Wednesday May 19, 2021 – 9:30 AM  
For Approval June 16, 2021  
Via Zoom Platform & In Person

**Commissioners  
Present:**

Chris Flagg, Chair  
Curtis Hart, Vice Chair  
Mike Robinson  
Rhodes Robinson  
Susan Fraser

**Staff:** Cindy Chism

**Public:** Dalton Smith, COJ  
Joe Anderson, JEA  
Fred Pope, COJ  
Todd Little, COJ  
Mike Zaffroni, Liberty Landscape  
John November, Public Trust  
Jeff Lucovsky, COJ  
Anna Dooley, Greenscape

**Advisors:**

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

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)
    - i. Mr. Provenza and the financial reports are unavailable due to a CFO directive but did provide Ms. Chism with the fund totals which were read into the record; last month there was \$22,993,822.67 available for appropriation, this month there is \$21,421,082.73. The difference of \$1,572,739.94 is most likely a result of the appropriation of \$2 million for the Remove & Replace program (Ordinance 2021-0144E).
  - 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. Remove and Replace balance is \$89,022; the \$2 million appropriation hasn’t been encumbered with a PO yet. The 630-CITY balance is \$508,251 with approximately 3500 trees planted with a daily average of 15 trees. The balance of the Level 2 program is \$891,000. However there are 7 upcoming projects which total \$1.5 million. Mr. Leon requested a funding appropriation of double the previous \$2 million for the Level 2 programs to alleviate the issue City Council had with the Commission is repeatedly requesting further funding.
    - ii. Ms. Grandin added that CM Salem will ask when the last appropriation for the Level 2 Programs was passed and how long it took to spend. Mr. Hart said he wasn’t aware the City Council had a problem with the appropriations. Ms. Grandin replied CM Cumber asked “why do you keep coming back to

us?” Ms. Fraser pointed out requesting more funding was a kind of report card; we spent \$2 million may we have \$2 million more? It’s a periodic success story. Mr. Hart added perhaps either the Tree Commission Chair or Vice Chair could be at the meeting and explain to the City Council that the funds are not coming out of any budget but the Tree Mitigation Fund. Mr. Flagg added that it is also a good opportunity to report the immense amount of progress the Tree Commission has made throughout the City in increasing the Canopy. Mr. Flagg asked Ms. Grandin to let him know the next City Council Meeting when a Tree Commission appropriation was on the agenda.

- iii. Mr. Flagg suggested we approve \$2 million now and then at the next meeting discuss increasing the next appropriation to \$5 million. This way we can get CM Salem’s input. Ms. Grandin said there will be time before the next Commission meeting to file the bill. Mr. Hart suggested determining how much is spent in 1 year and appropriating that amount for the year.
- iv. Mr. Leon pointed out that perhaps not all of the City Council members are aware there are separate programs for each appropriation; they only see the Tree Commission has another appropriation. Ms. Grandin suggested instead of drafting 3 different bills, 1 for each program, it should be done once per year. Mr. Leon replied because the programs are self-promoting so taking a snapshot of 1 year is not going to be accurate because as time goes on, the requests are increasing. Ms. Grandin responded the CM will most likely ask how long it will take to spend the appropriation. Mr. Hart continued, it should be possible to project what will be necessary for 12 months.
- v. Ms. McGovern reminded the Commission the last appropriation for Level 2 was in January 2021. So half was spent in 6 months. Mr. Leon added that the upcoming projects total \$1.4 million. Mr. November agreed this appropriation should be approved. Mr. Pope added that it may be possible to forecast the upcoming year on what was spent the previous year plus 10 or 15%. Mr. Flagg doesn’t believe a typical year has happened yet. Ms. Grandin suggested if the Commission approves the appropriation for Level 2 perhaps a meeting could be scheduled with the CM, Mr. Leon and Ms. Grandin to include the funding for 630-CITY and Remove and Replace all at once. This may help alleviate some of the issues the City Council has with the Tree Commission always asking for more funds. Perhaps Mr. Leon could generate a graph or chart which shows the growth of the programs.
- vi. Ms. Fraser asked if the Commission could approve projects pending the appropriation. The funds are there, could we keep approving the projects, it just takes time for the funds to be allocated.
- vii. Mr. Flagg called for a motion to approve the appropriation of \$2 million for the Level 2 Program and authorization for Mr. Leon and Ms. Grandin to meeting with CM Salem to discuss a projected annual appropriation for all 3 programs, Mr. M. Robinson made the motion outlined by the chair and seconded by Ms. Fraser, none opposed.

## **5. Action Items:**

- a) Approval of Minutes from April 21, 2021 meeting – Chair
  - i. Motion made by Mr. M. Robinson, seconded by Ms. Fraser , none opposed.
- b) Proposed Level 2 Project(s)
  - i. Kernan Blvd. Tree Planting Project (Attachment C)– Dalton Smith

1. Presentation – After the last meeting’s discussion regarding the species selection and locations. Alternate locations were chosen and where appropriate the Little Gem Magnolias were changed for regular Southern Magnolias. The Little Gem Magnolias in southern most section have been replaced with trees which will have larger canopies. In addition, more trees have been added with appropriate spacing.
    - a. Mr. Robinson asked about the new total of trees. Mr. Smith replied there are now going to be 132 trees.
    - b. Ms. Fraser recommended in the future any revisions to a project which has been to the Commission and is then submitted again, an approval or submission date be included on the original and the revision also contains a submission date.
  2. Public Comment – None.
  3. Vote – Motion to approve the Kernan Blvd Tree Planting project as presented made by Ms. Fraser, seconded by Mr. M. Robinson, none opposed.
- ii. Twin Lakes Academy Elementary Tree Planting Project (Attachment D)– Richard Leon
1. Presentation – The project is exactly as approved except the warranty period has been increased to 2 years because the location is just off an interstate highway.
    - a. Mr. Hart asked if there was a cost change. Mr. Little replied yes, the cost of this project increased by \$44,358.84 making the total cost of the project \$122,553.00.
  2. Public Comment – None.
  3. Vote – Motion to approve made by Mr. M. Robinson, seconded by Ms. Fraser, none opposed.
- iii. Atlantic Beach Tree Planting Project (Attachment E)– Richard Leon
1. Presentation – The project is exactly as approved except the warranty period has been decreased to 3 months. The City of Atlantic Beach has volunteered their Public Works Dept. to water the trees after the 3 months. This resulted in a reduction in cost of \$24,660.72.
  2. Public Comment – None.
  3. Vote – Motion to approve made by Mr. M. Robinson, seconded by Ms. Fraser, none opposed.
- iv. Amelia View Tree Planting Project (Attachment F)– Todd Little
1. Presentation – 73 trees on the North side of town requested by the Home Owner’s Association. The development has little to no canopy now so adding these trees will really add a lot of canopy.
    - a. Mr. Flagg suggested a location map be added to the project documents so the Commissioners could see where in the City the project will be. Also, the circles illustrating the canopy around the dots representing the trees is very helpful.
  2. Public Comment – None.
  3. Vote – Motion to approve made by Ms. Fraser, seconded by Mr. M. Robinson, none opposed.

## 6. Old Business

### a) Status of Level 3 Document Revision – Susan Grandin

- i. Mr. Pope and Ms. Grandin have completed the requested changes on Application and the Instructions. However an issue has arisen with the Level 3 Program itself; There is a meeting scheduled with the Director of Procurement, Greg Pease and Lasikia Hodges, the original drafter of the Grant Agreement, which should not really be a grant agreement. Because of the Florida Statute CCNA, competitive bid which is required is the contract is over \$35,000 in design fees, professional services fees or \$325,000 for the whole project, the whole project must be bid out. Which means an RFP would be issued and anyone submit an idea for a project and how it would be designed, etc. The competitive bid process would have to start at the very beginning. Because the program is open to all 501(c)(3)s and Community Organizations looks good but the fact is there are only 2 organizations that it really fits. Level 3 programs may have to be opened to more organizations than just non-profits and community organizations and a cap of no higher than \$325,000.
- ii. Ms. Fraser said CCNA was Consultant Competitive Negotiation Act so the consulting professions which fall under that are Landscape Architects, design consultants, etc.. The non-profits are “project sponsors” working on behalf of the City and find interested people who are unsure how to proceed and provide assistance. They don’t profit from it, they dedicate time and expertise so are not a consultant. The construction value is the bid. Ms. Grandin replied there are 2 Statutes, not just CCNA, which was pointed out by the Procurement Director, hence the upcoming meeting.
- iii. Ms. Fraser continued, if there was a list of CCNA approved Landscape Architects which the program sponsors could select from. The projects have a construction cap of no more than \$300,000, the Landscape Architects are selected from the approved list and the non-profits could be the Sponsors. Ms. Grandin agreed this may work but needs to be vetted by Procurement. Ms. Fraser continued that having a list of approved and qualified Landscape Architects for the Applicant to select from increases the success of the approval of the Project. Mr. Flagg asked who would create the criteria for the Landscape Architects. Ms. Fraser replied, Public Works would have to request qualifications and sort through the applicants and approve some.
- iv. Mr. Pope added a fee schedule may also have to be negotiated. Public Works is getting ready to issue a continuous contract for Landscape Architectural Services. One approach may be the Community group or non-profit using the Landscape Architect the City will have on contract.
- v. Ms. Grandin added that there could be another type of program which is more like the old programs Greenscape used to do, using volunteers and much smaller trees.
- vi. Ms. Grandin will report back to the Commission the results of the meeting with Procurement.
- vii. Ms. Fraser pointed out that projects which are requested where there is the possibility of urban infrastructure perhaps the Commission could require a Landscape Architect or Design Consultant do the drawings but if the project is in an area, such as a park, in which the possibility of urban infrastructure is less than a Landscape Architect would not necessarily be required. The dividing line could be set by the Commission. Mr. Hart added the projects are approved individually; it shouldn’t be broken down in advance. Ms. Fraser replied that presupposes a concept presentation which

would direct it to this path or that one. The Commission could then decide if a Landscape Architect or Landscape Designer was required.

- viii. Mr. Leon added that a supplemental meeting about the Level 3 Program should be scheduled. The Level 3 Program needs to be a turn-key as possible, so staff involvement is minimal. Currently the requirement for Staff involvement is overwhelming.

## **7. New Business**

- a) Mr. Joe Anderson, President of the Florida Urban Forestry Council, presented Mr. Mike Robinson, Commissioner, a Lifetime Achievement Award for outstanding Friends of the Urban Forest.
- b) Greening-up Parking Lots (Attachment G) – Curtis Hart
  - i. The picture is of a parking lot in Kentucky. A lot of the parking lots there are done in this manner. There is a 30 foot strip planted with shade trees and some hardwoods. Half the car is parked on the grass with the remainder on asphalt. It would be wonderful to have this as an option a developer could use. For instance at the Avenues Mall there is heavy traffic 5-6 hours a day but there are 18 hours a day in which there is just grass and asphalt, mostly asphalt. There's an occasional island with a tree in it which is completely restricted and so is stunted because it has no room to grow. The way parking lots are built in Jacksonville is the whole space is lime rock and then a hole is cut for the tree and sometimes the hole doesn't get all the way through the lime rock. Under the current code, this type of parking lot is not an option but wouldn't it be wonderful if it was.
  - ii. Mr. Flagg agreed and pointed out there is no wiggle room in the Ordinance Code for innovation. Mr. Robinson agreed with Mr. Hart that the parking lot islands are not good for the trees. Ms. Grandin asked if there was a motion to have the code changed. Mr. Pope pointed out the Commission is still in the process of updating and revising the code.
  - iii. Ms. Fraser pointed out that its really the difference between the person who installs it and the person who maintains it. The easiest thing for the shopping center owner to do is pave the parking lot and then hire ABC Landscape Company to maintain it. Unfortunately the dilemma isn't how it's designed but that there is no continued maintenance and no repercussions for lack of continued maintenance.
  - iv. Ms. Grandin will check to see if the Code currently allows for any wiggle room in parking lot installation.

## **8. Public Comment –**

- a) None.

- 9. **Adjournment** – the next meeting is Wednesday June 16<sup>th</sup> and will be a Hybrid Zoom meeting in Ed Ball Building, 10<sup>th</sup> floor, Public Works Office, conference room 5,