

Jacksonville Tree Commission  
Wednesday January 27, 2021 – 9:00 AM  
Approved February 25, 2021  
Via Zoom Platform & In Person

<b>Commissioners Present:</b>	Chris Flagg, Chair Curtis Hart, Vice Chair Ron Salem John Pappas Mike Robinson Rhodes Robinson	<b>Staff:</b>	Cindy Chism
<b>Advisors:</b>	Susan Grandin, OGC Joe Regueiro, Finance Kathleen McGovern, City Arborist Richard Leon, Urban Forester Manager	<b>Public:</b>	Todd Little, COJ Joe Anderson, JEA Fred Pope, COJ Jeff Lucovsky, COJ Dalton Smith, COJ John November, Public Trust Mike Zaffroni, Liberty Landscape Nichole Evans, COJ Dave McDaniel, COJ

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
  - c) Fund Status of 630-CITY, Remove & Replace and Level 2 Programs– Richard Leon
    - i. The 630-CITY and the Level 2 Program appropriations both have been approved by City Council and been released so those programs are now fully funded. The Remove & Replace program has approximately \$156,000 left in the Removal portion and \$550,000 left in the Replacement portion of the program. The Replacement side lags several months behind the Removal portion. Perhaps we could discuss replenishing this fund.
5. **Action Items:**
  - a) Approval of Minutes from December 16th, 2020 meeting – Chair
    - i. Motion made by Mr. Hart, seconded by Mr. R. Robinson, none opposed.
6. **Old Business – Deferred until January meeting**
  - a) Review Legislation for funding increase(s) – Susan Grandin

- i. The legislation has gone through for the above programs. CM Salem suggested any funding be for at least a year.

**b) Discussion of Improvements to Level 3 Application Process (Attachment D) – Dave McDaniel**

- i. Mr. November pointed out having a defined timeline will greatly help any Applicants going forward.
- ii. Mr. November continued with regard to allowing for-profit companies to utilize Tree Fund monies, early in the discussions it was felt that allowing it may create a conflict for those that were awarded the Countywide Tree Planting contract. Mr. Hart asked Mr. November what type of for-profit companies may request Tree Fund monies. Mr. November responded that maybe the best way would be for the for-profit company to partnership with a non-profit. Ms. Grandin pointed out the way our Grant Agreement is written, the non-profit pays the invoices up front and then gets reimbursed by the City, which is a hardship for non-profits. Ms. Dooley was interested in possibly a Level 4 which would utilize volunteers. Mr. Joe Anderson pointed out JEA funnels all their tree planting projects through Greenscape.
- iii. Mr. November added until the Application has been approved by the Tree Commission, we should not be forcing the non-profits to spend too much on schematic drawings, but once the project is approved, very detailed construction drawings should be required. We need to discuss what is required by the Tree Commission to be able to assess a project effectively. Once City Staff has said, yes this is a good project, there is some confidence the project will most likely be approved but up until that point the monetary outlay should be minimal.
- iv. Mr. Pope asked if we couldn't change the Grant Agreement from reimbursement style of payment to a draw style, such as the City currently does for Construction contracts. A further discussion of how to structure the payment portion of the contract will be scheduled. Mr. Pope will review the instructions and application and bring it to the Commission at the next meeting with the suggested changes from Attachment D.
- v. Mr. Leon pointed out if we are making changes to the instructions and application; let's make sure we define the criteria of those eligible to submit Level 3 planting projects. Ms. Grandin asked Mr. Leon to review what the instructions and application currently say and suggest changes.

**c) Tree Farm – Curtis Hart**

- i. Originally it may have been a good idea for the City to have a tree farm but it would be just one more thing the City would have to keep track of, so perhaps not a feasible idea.
- ii. Florida Fancy requirements – is it really necessary? There are not a lot of Florida Fancy trees in the wild. We could get more trees for the money if we don't buy Florida Fancy. Is it possible to allow for non-Florida Fancy plantings? Mr. Leon would be happy to give a presentation on why Florida Fancy trees should be used. It's not just about aesthetics, it's about structure, the quality of tree and whether or not you are planting a tree which will live up to its biological potential. However, there places for trees which don't meet quality standards, say on the periphery of a park. When planting trees which are not Florida Fancy trees, the tree has a stunted life span. Not only in the canopy but in the root systems as well. Mr. Hart would like to see a presentation. Because the question is quantity over quality. Mr. Flagg agreed there are places where Florida Fancy may not be

required and we could get more trees in the ground. Mr. Leon will give a presentation on Florida Fancy trees and Mr. Joe Anderson will provide a lesson's learned on Tree Farming.

- d) Mr. Flagg reminded the Commission about a matrix or graphic he wanted to develop which showed the Tree Commission accomplishments for 2020. Mr. Leon responded we now have the ability to stratify Plan-IT GEO by City Council districts. Plan-IT GEO also shows the over 5,000 trees planted since Ms. McGovern came onboard. Counting all current appropriations, 7,359 3" ball & burlap trees have been planted with a 95-97% survival rate; which translates to over 22,000 caliper inches of trees. The Council Districts are 1 layer of Plan-IT GEO however, not every Council District is equal; for instance the Northside it's very rural so already has lots of trees; downtown there is a lot of urban infrastructure so there are many variables to consider but we continue to plant trees as often and as properly as possible. CM Salem asked Ms. Grandin if there was a specific committee this presentation would be appropriate to present this information to or the whole City Council. Ms. Grandin replied, Neighborhoods, TEU and LUZ then Finance and possibility Rules. CM Salem volunteered to make a presentation at LUZ if we decide to go in that direction. Ms. Grandin added that Neighborhoods would be a good one as well and we might even get the whole Council if we present to both of these committees.

## 7. New Business

- a) Defining Public lands in Duval County – Issue of public accessibility – Susan Grandin & John November

Sec. 111.760 of the Ordinance Code States: The Tree Protection and Related Expenses Trust Fund limits the use of the Trust Fund monies to public 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."

- i. Mr. November pointed out that "or upon which other ownership control may be exerted by the City," that is a qualification of the language "owned by the City, its agencies or authorities, or upon which ownership control may be exerted by the City," that's not a qualification on all other public lands on Duval County. From a clear doctoral perspective it's acceptable to have it planted on public lands; from a policy perspective we want to try to not limit where we plant trees within Duval County, as long as it's in Duval County on public lands. This came up because of a possible Tree Planting project on Mayport Naval Station.
- ii. Mr. Hart agreed the Naval Base is part of Duval County and would be a good project. If any of the trees need to be removed, the contract will read they need to replace them. Ms. Grandin agreed with Mr. Hart that there must be an agreement in writing that if the Navy Base removes the trees we planted, they must mitigate for them. A resolution can be drafted which states if it is public land, i.e., if JTA was constructing a building downtown, is that public land that we would put trees on; it is but they aren't able to use it for mitigation. That has been a policy call so far and is not in the ordinance code. I can make a resolution on what public lands are to make it enforceable. Mr. M. Robinson agreed that yes, all of Duval County should be allowed to be planted upon.
- iii. Mr. Leon anticipates it will be difficult to enforce any mitigation on the Navy Base, it may be a bureaucratic nightmare with lots of restricted areas access. It seems it will be very difficult

for the Mowing & Landscape team to monitor progress on this project. CM Salem wondered if we had done something like this in the past and pointed out that they are tax payers; perhaps if there was a 1 off request and not promote it. Security is tight to get on base. Mr. Pope pointed out that FDOT, Federal Government and the School Board are exempt from the Tree Protection Ordinance therefore unless there is a separate contract they can remove the trees at any time. Mr. November answered that they Navy was very excited about the project and referred to the locations as sacrosanct locations. The Navy is requiring a Gift Acceptance Letter which would spell out what the City would like including agreements to not remove the trees and if they are removed replacing them, access to the trees during construction phase. Perhaps just do this project as a 1 off as CM Salem suggested and see how it goes. CM Salem added that the golf course is scheduled to be renovated and will be closed in approximately 6 months for up to 1 year. Let's make sure that what is being planned is included long term for the golf course.

- iv. Mr. Pappas agrees that getting trees in the ground is the ultimate goal and we should look at every opportunity however Mr. Leon has valid points regarding access also we want the public to see what we are doing and the base is restricted. Ms. Grandin suggested perhaps a sign by the area we are planting the trees "Brought to you by the City of Jacksonville." We may want to even include these signs for all Level 3s and possibly Level 2s. Perhaps CM Salem and Mr. November's idea of doing the project as a 1 off is a good compromise. In addition the partnership the City has with the Navy it is important to show we want to work with them.
- v. Mr. R. Robinson agreed with Mr. Pappas that it is an idea worth exploring but agrees with Mr. Leon's concerns with tracking the trees long term which may be alleviated by some type of written agreement with the Navy but we really will have no control. Ms. Grandin agreed that a contract stating that the Navy will take over the maintenance, our staff will be allowed on the base at certain times and the trees will not be removed. Mr. November added a Gift Acceptance Letter is that type of contract.
- vi. Mr. Hart thought the logistics of working out access for Mr. Leon as long as the Commanding Office is enthusiastic for the project. We should continue to explore the project.
- vii. Mr. Flagg pointed out that Mayport is part of us and we should embrace them. There are limitations and ways to work through or around them. We should continue to explore the opportunity.
- viii. Mr. Leon told the Commission this is the first we are hearing about the project. There has been no prior conceptual meeting and it does seem a lot of work has already been done towards this project. In addition, we have done big study on potential planting areas in Duval County which is study is available on the Forestry webpage. There are many areas with less challenges than Mayport, it is very low on the list.
- ix. Motion made by Mr. R. Robinson to include Navy Base as public property for purposes of the Ordinance code as long as there is an agreement between the Navy regarding

maintenance, mitigation and possibly a sign for visibility, seconded by Mr. Pappas, none opposed.

**b) Resiliency Committee – Nancy Powell – Deferred to February meeting**

**8. Public Comment - None**

**9. Adjournment** – the next meeting is Wednesday, February 25<sup>th</sup> and will be a Hybrid Zoom meeting.