

Jacksonville Tree Commission
Meeting Minutes March 22, 2018
Approved on April 12, 2018

Commissioners Present:	John Crescimbeni, Chair Curtis Hart, Vice Chair Chris Flagg Aaron Glick John Pappas Rhodes Robinson	Staff:	Cindy Chism
Advisors Present:	Sondra Fetner, OGC Richard Leon, Urban Forest Manager Kathleen McGovern, City Arborist Joel Provenza, Accounting	Public:	Teresa Eichner, COJ Budget Office Anna Dooley, Greenscape Dave McDaniel, COJ Mowing & Landscape Fred Pope, COJ Mowing & Landscape Alicia Grant, Scenic Jacksonville Mike Robinson, Greenscape John Jackson, Allstar Irrigation Joe Anderson, JEA John November, Public Trust

A. Meeting was called to order by Chair at 12:02.

1. All present introduced themselves. There is a quorum.
2. Submittal of Speaker's Cards
3. Motion made by Mr. Hart, seconded by Mr. Pappas to approve the minutes from the March 8, 2018 Meeting. None opposed.
4. Fund balance (Attachment A) and Encumbrance report for 15(F) and 15(N) (Attachment B)
 - a. Ms. Teresa Eichner from the Budget Office, provided an explanation of Attachment B: It is a list of all the projects which are active, their status, including the scope and the balances as well as the balance of the reserve in both sub-funds. The columns of the spreadsheet containing dollar amounts represent:
 - i. *Budget* column - the budget established for each of the projects when they were appropriated.
 - ii. *Actual* column - the amount which has been spent to date.
 - iii. *Encumbrance* column - the amount encumbered in a current contract to be spent.
 - iv. *Unencumbered Balance* column - the difference between the *Budget* column minus the *Actual* column minus the *encumbrance* column.
 - v. *Reserves* column - what is available to be spent in each of the sub-funds.
 - vi. *Unencumbered Balance Less Reserve* column - if you don't spend any of the reserves or what is unencumbered in each of these projects which has been budgeted but has not been spent to date and has not been encumbered in a contract.

- b. Ms. Anna Dooley asked about the Duval County School Board Property project listed on the sub-fund 15(F) page which shows only \$784.40 in the *Actual* column. There has been much more spent from the City. Ms. Eichner replied she would have to defer to Accounting.
- c. Ms. Fetner asked how Attachment B matches up with the information on the Tree Mitigation website. Mr. Provenza replied the Tree Mitigation website includes unappropriated balances. Attachment B only includes what is currently budgeted and within projects. What's on the website includes the reserve and anything unappropriated, which is not listed on Attachment B.
- d. CM Crescimbeni pointed out that not having the right numbers essentially gave birth to the Tree Commission. We really need Attachment B to match Attachment A and we need to be able to figure out what numbers we need to pull together to get to the numbers on the website. Mr. Provenza said that Attachment B shows the funds budgeted for specific projects, the website (Attachment A) shows the funds available which are not budgeted plus the reserves.
- e. Mr. Pappas asked if the *Unencumbered* balance and the *Reserves* added together were the amount available for appropriation. Ms. Eichner replied Attachment B shows only the expense side, Attachment A shows revenue minus expense.
- f. Ms. Eichner offered to provide a report which will show the revenue side and the expense side. **CM Crescimbeni suggested a meeting with Ms. Eichner to generate this report.**
- g. Mr. McDaniel reminded the Commission there was some concern regarding a process for project residuals to be returned to the fund. Ms. Eichner assured the Commission, there is a process in place to return any residual monies to its respective fund.

5. Status of Pending Tree Projects, Kathleen McGovern, City Arborist (Attachment C)

B. New Business

1. Position Statement on Suspension of Planting Date Palms - Sondra Fetner

- a. A resolution (Attachment D) was drafted with the assistance of Mr. November, Mr. Leon, and Mr. Flagg. Some of the issues discussed were time limitations for planting, maintenance and trimming. Potential liability from palm fronds and fruits falling to the ground and the Lethal Bronzing threat. Ms. Fetner read Section 2 from Attachment D.
- b. Mr. Flagg asked if the Resolution was trying to limit the planting of all Date Palms in Jacksonville. This Commission cannot prohibit the planting of Date Palms but because the Commission is tasked with providing recommendations on the canopy health of the

City, it is allowed to make a statement detailing why Date Palms are not desired within in the City. In addition the Commission may also limit the use of the tree funds with regard to proposed projects and types of trees.

- c. Mr. Glick elaborated on his question; does this resolution mean that tree funds will not be used to replace dead or diseased Date Palms or is it only new plantings of Date Palms? Ms. Fetner said the Commission would need to decide if we wanted to include existing Date Palms for use of the tree funds.
 - d. CM Crescimbeni asked Ms. Fetner if she spoke with FDOT regarding the planting of Date Palms. The response from FDOT, District 2 was they were not taking a hard stance regarding Date Palms; they feel they are appropriate in some locations; however FDOT will work with the community on determining what species to plant.
 - e. Mr. Robinson agreed with the proposed resolution but suggested that a decision needed to be made regarding existing Date Palms, i.e., what happens if you have a string of 25 Date Palms and one dies, what do you do, plant something different? Or replace it which may cause controversy in the Council. Mr. Flagg agreed with Mr. Robinson but added that we have to start somewhere.
 - f. CM Crescimbeni suggested we insert language (underlined) on line 6 of page 3 which says “official position against future planting of new or replacement of existing Date Palms in the City....”
 - g. Mr. McDaniel was asked how many Date Palms were in the City. There are approximately 350 in themed corridors. Other than traffic accidents, the rate of attrition is low. There will be a lot of attention if a different tree is planted in a row a Date Palms. We have spent a lot of money on these themed corridors, if it’s one or two perhaps we should replace them. As for maintenance, the Public Works Department gets approximately 25% from the tree fund (15N) for tree maintenance of these trees. We still need this money for the trimming of the existing Date Palms.
 - h. Mr. Robinson moved to insert the suggested language on page three, seconded by Mr. Glick. None opposed, and the amendment was adopted. Mr. Pappas made a motion to adopt the Resolution as amended, seconded by Mr. Flagg. There was no public comment. The Resolution was unanimously adopted as amended.
- 2. Application and Approval Criteria for Tier 2 Applicants - Chris Flagg and Sondra Fetner**
- a. Ms. Fetner, Mr. Flagg, Mr. Leon, and Mr. November discussed the process for awarding tree funds for the Tier 2 applicants. In Attachment E, page 1 is the original Approval Process, on page 2 every item which is underlined needs to be discussed by the Commission; every item in italics needs further discussion by the subcommittee.

- b. CM Crescimbeni asked if more meetings will be required. Ms. Fetner agreed that yes more meetings will be required. It's a very large component of this Commission so we want to make sure we are putting a lot of thought into it and doing it right. If another Commissioner would like to attend the meeting, it could be noticed. CM Crescimbeni suggested that for the next meeting, it be scheduled far enough in advance that an email notification to the Commission members could be sent 24 hours ahead of the meeting.
- c. CM Crescimbeni asked about the definition of Florida Fancy and Florida #1 Standard. Mr. Pope responded that it's a quality requirement. UF did a lot of research on what is required for a tree to survive a long time with less structural damage from storms, etc. Mr. Leon added that the Public Works Department requires the contractor to submit photographs of the tree before it is planted to ensure that quality. Mr. Robinson pointed out that if we are doing restoration of natural areas, we may not need this level of quality or size of trees. Ms. Fetner agreed this could be more an evaluation criteria point instead of requirement.
- d. CM Crescimbeni pointed out that Maintenance Analysis, Operations Analysis and Positive Impacts Analysis are some of the components the commission may want to develop some type of schedule or matrix for, which says X species of tree is high maintenance and Y species is low maintenance and low maintenance will earn you more points. Also, who is working on the list of trees we can't plant? Mr. Leon replied that getting Ms. Dooley's schedule to line up has been a problem as this is the busiest time of year for Greenscape. March 24th is the last of their events so the meeting should be scheduled after that.
- e. Mr. Pappas recommends changing all references of Davey Tree to City's Continuous Contractor. Also will the Applicant be required to get a right-of-way permit or will approval of the plan by the Commission be sufficient to work in the City's right-of-way? Ms. Fetner said a permit would be required. It is to be determined who will be requesting it, the Commission or the Applicant.
- f. Ms. Fetner will further discuss with Risk Management the use of volunteers and try to strike a balance between the Commission's and Risk Management's positions. Ms. Dooley commented that Greenscape always uses volunteers. It gives the community ownership of the project. Greenscape gets the permits, and requires their volunteers to sign a liability release, wear bright t-shirts or a safety vest and Greenscape also has police officers on site. Ms. Dooley will provide Ms. Fetner a list of Greenscapes' most recent projects which used volunteers on the City right-of-way as well as a list of all the precautions taken and a copy of the release.

- g. Mr. John November commented that the irrigation limitation may be too stringent. It's a shame to spend all the money on projects only to see the trees die due to lack of irrigation. CM Crescimbeni asked Mr. Leon if there were some species of trees that might require longer periods of irrigation or planting in certain locations vice another location which might warrant additional irrigation i.e., if you planted a Live Oak in a median on a road it may require more irrigation than if you planted it in a wide open City Park? Perhaps we need to require longer irrigation periods for median plantings or certain species of trees. Possibly some type of sliding scale could be considered in our criteria. **Mr. Pappas will investigate if it's feasible to amend the Davey Tree contract to extend the warranty past the current 1 year if deemed necessary by the City.**
- h. Mr. Glick asked if drip irrigation was installed, when the one year is completed what happens to it? What types of irrigation options are available to the City from Davey Tree? Mr. Pope replied that Davey uses mostly Gator bags for watering and water as needed. The way the specification in the contract is written, it's up to the contractor to determine how they are going to water the tree to keep it alive and in good condition. Then at the end of the year, if the tree is not in as good as or better condition than at installation, the warranty may be extended for another year.
- i. CM Crescimbeni added scientifically speaking a tree in the ground at one year has some expectation of mortality which decreases at two years and is even lower at three years. Mr. Leon added that that he didn't think adding a separate line item for irrigation in the contract is a good idea unless the City is experiencing long periods of drought. **Mr. Leon and Ms. McGovern will follow-up with CM Crescimbeni to discuss if adding a separate line item would be advantageous.**

3. First Coast Chapter of International Palm Society - Chris Flagg

- a. There were many attempts at contact with no success (Attachment F). Mr. Flagg will continue to try to contact them. Another resource was contacted, Groundworks, who offered to provide an official response regarding their position on Palms in Florida for the next meeting.

4. One Tree, One School Contract Comparison - Richard Leon

- a. The table (Attachment G) shows a tree for tree comparison of what Greenscape paid versus what our contract with Davey Tree would have charged the City.

5. Davey Tree Cost Analysis - John Pappas

- a. Attachment H is the contract expenditures with Davey Tree for the last five years. The point was if the amount of tree plantings are going to increase, is there good reason to put the contract back out for bid for potentially lower prices. The contract was re-bid in 2016

with no expectation or commitment for cost volume. The Davey contract was executed December 7, 2016. We are in the first renewal now which is October 1, 2017 to September 30, 2018. The City has the right to renew for one more term, October 1, 2018 to September 30, 2019. Mr. McDaniel added that in 2007, the Public Works Department received a \$2.5 million fund appropriation from City Council for countywide tree planting. It was an all-years fund and what wasn't used rolled forward. There is now approximately \$30,000 left. This may account for the drop in expenditures. As far as any planting that goes on now, it is usually at the request of a Council member. **Ms. Fetner will provide CM Crescimbeni with a copy of the Countywide Tree Planting contract. Mr. Pappas will determine if the contract should be re-bid due to the anticipated increase in tree planting projects.**

6. Scope and Services used by Greenscape (Attachment I) – Anna Dooley

a. This project was an anomaly for Greenscape and not initiated by them. This project was to forge better relationships between the City Council and the School Board. Not many contractors wanted to bid on a project which had such a long timeline. We did hire someone to monitor this project and are in the final phase now, inspecting all the trees.

b. There are a lot of differences from this project and our usual type of project. For our usual projects we would be working with a City Council member, and holding town hall meetings. We would also seek buy-in from the residents before even putting a shovel in the ground.

7. POSTPONED - Shade Tree Subcommittee – Curtis Hart, Vice-Chair and Aaron Glick

8. Tree Commission Website - Cindy Chism

a. The webpage is up and a link will be sent to each Commission member individually.

C. Public Comment

Mr. Joe Anderson, Forester, JEA – There is a handout provided (Attachment J) which has information about the Tree Line USA Program. This is a program created with the Arbor Day Foundation and the National Association of Foresters. Also provided is a brochure about Utility Pruning of Trees (Attachment K) which defines the vocabulary utilities use when trimming trees. Both are for informational purposes.

Mr. John November, Public Trust – 1) Requests that the Commission discuss palm trees in more detail. There have been some issues with MD Anderson wanting to plant too many, for example. Does the Commission want to prohibit palms completely or possibly only allow a percentage of a project to have palm trees? Mr. Glick responded that the Shade Tree subcommittee is discussing palm trees in more detail with regard to the Landscape Code. Mr. November elaborated that he was concerned with tree mitigation trust fund dollar plantings regarding the planting of palms. **Ms. Fetner will add a discussion limiting projects with**

100% palm trees at her meetings regarding Application Criteria. 2) Perhaps the Commission could invite someone from the Parks Department to attend the Commission meetings. There are bound to be several upcoming projects in which their input and participation would be very valuable. 3) The Commission may need to consider allowing some smaller trees in some circumstances for restoration projects, old preserves and for large planting projects. The countywide planting contract currently only allows for 3-6 inch plants, which omits the smaller, more cost effective plants.

D. Information

Tallahassee House Bill 521 and Senate Bill 574 - Sondra Fetner

- Both bills are dead.

E. Action Items

CM Crescimbeni will have a meeting with Ms. Eichner to generate a report which shows both the Revenue side and the Expense side of 15(F) and 15(N).

Mr. Pappas will investigate if it's feasible to amend the Countywide Planting contract to extend the warranty if deemed necessary by the City and if the contract should be re-bid due to the anticipated increase in tree planting projects as a result of the Tree Commission.

Mr. Leon and Ms. McGovern will follow-up with CM Crescimbeni to discuss if adding a separate line item for irrigation or extending the warranty in the current Countywide Planting contract would be advantageous.

Ms. Fetner will provide CM Crescimbeni with a copy of the Countywide Tree Planting contract.

Mr. Pappas will investigate if it's feasible to amend the Davey Tree contract to extend the warranty past the current 1 year if deemed necessary by the City.

Mr. Pappas will determine if the contract should be re-bid due to the anticipated increase in tree planting projects.

Ms. Fetner will include a discussion limiting projects with 100% palm trees at her meetings regarding Application Criteria.

From March 8 2018 Meeting: Ms. Fetner will draft legislation that would empower this Commission to submit future legislation authorizing and appropriating dollars for tree planting projects. The proposal will be discussed at the Commission meeting on April 12th.

F. Adjournment