

Jacksonville Tree Commission
Meeting Minutes May 9, 2019
Approved June 13, 2019

Commissioners Present:	John Crescimbeni, Chair Curtis Hart, Vice Chair Rhodes Robinson John Pappas Aaron Glick	Staff:	Cindy Chism
Advisors:	Susan Grandin, OGC Kathleen McGovern, City Arborist Joel Provenza, Accounting Richard Leon, Urban Forest Manager	Public:	Anna Dooley, Greenscape John November, Public Trust Joe Anderson, JEA Dave McDaniel, Public Works

- A.** Meeting was called to Order by Chair at 11:00 AM.
1. All present introduced themselves for the record.
 2. Submittal of Speaker’s Cards.
 3. Motion made by Mr. Hart, seconded by Mr. Pappas, for approval of minutes from April 11, 2019 meeting. None opposed.
 4. Fund balance and encumbrance report for 15(F), 15(N) and BJP (Attachment A) – Joel Provenza.
 5. Status of Pending Tree Projects including Levels 1 and 2 (Attachment B) – Kathleen McGovern.
 - a. Mandarin Road Tree Planting project is complete and under budget. The unused appropriation will be returned to the Tree Mitigation Fund.
 6. Status of Countywide Tree Planting Contract – Dave McDaniel
 - a. Both the three month warranty contract with Liberty Tree and the one year warranty with Davey Big Tree are at the Mayor’s office for signature.
 - b. The two year warranty contract is at the Procurement Division.
- B. New Business**
1. Level 2 Planting Process – Richard Leon
 - a. Mr. McDaniel reminded the Commissioners that the legislation (Attachment G, page 3, number 7) that appropriated the \$1 million to these programs for the Mowing and Landscape Division said, “the request shall be heard by the Tree Commission for a recommendation to the Mayor’s Budget Review Committee for approval.” Ms. McGovern receives these Level 2 requests and completes Exhibit 1 from the ordinance, then plans the project. They would propose that the process for presenting these Level 2 Projects to the Tree Commission and then MBRC would be as follows: approximately one week before a Tree Commission meeting, a packet will be emailed to the Commissioners that will include a summary of the project, Exhibit 1 from the Ordinance, maps, and pictures. At the Tree Commission meeting, a vote is taken to send the project to MBRC. There will be no scoring or check lists. This should streamline the whole process.

- b. CM Crescimbeni asked Ms. McGovern if the checklist she had been developing was for herself or for the Commissioners. Ms. McGovern said it was for herself but she's happy to share with the Commissioner's (Attachment H).
 - c. Mr. McDaniel asked the Commissioners to look at the scoring sheet handed out at the last Tree Commission meeting and tallied by the Office of General Counsel for Tree Hill Amphitheater (Attachment I). There was some confusion, possibly because this was first time this form was used. Mr. McDaniel said the next step is to send this project to MBRC. Ms. Grandin clarified that the legislation says "heard", not "scored."
 - d. Mr. R. Robinson asked what the Commissioners receive to explain the project. Mr. McDaniel said Exhibit 1 from the Ordinance, a summary of the project, maps, and plans.
 - e. CM Crescimbeni asked if the Tree Hill project passed or failed, according to the scoring sheet. Ms. Grandin said it passed but there were concerns about the amount of palm trees requested, like why shade trees weren't used for the same effect. Irrigation wasn't included, so that item was not applicable.
 - f. CM Crescimbeni reiterated that the week before the Tree Commission meeting, documents detailing a new Level 2 Tree Planting Project will be sent out to the Commissioners for review. This project will be discussed at the next meeting and be given a red or green light to go before MBRC. **Ms. McGovern said there is an updated checklist, Attachment H, which could be sent in place of the scoring sheet used before.**
 - g. Mr. R. Robinson suggested adding a place for comments or concerns. Mr. Pappas suggested labeling it "Staff Comments".
 - h. CM Crescimbeni said there were some requirements in the Ordinance Code that need to be added to the checklist. There is not a limitation for 25% or less of palm trees in Level 2. Because the Tree Commission would like to know the percentage, this will be added to the checklist. Incidental landscaping will not be an option and will be removed. Mr. Pappas asked about irrigation being listed. It should be more detailed with a "yes" or "no". Irrigation and construction will be dealt with as separate items. Also ask if any trees are being removed and how many. **Ms. McGovern will redesign the Level 2 Community Organization Tree Planting Program Application Checklist form.**
2. New Level 2 Projects – Kathleen McGovern
- a. Level 2 Tree Hill Amphitheater Tree Planting Project – Motion to approve from Mr. R. Robinson, seconded by Mr. Glick. **Project approved to move to MBRC.**
 - b. Sheffield Elementary Tree Planting Project – CM Crescimbeni reminded the Commissioners that there was a question outstanding for this project; Duval County School Board was to check on the utility situation. Some of the plantings have been reconfigured. Two overcup oaks have been removed from the plan and two of the ligustrums have been rearranged to accommodate existing utilities. The revisions have been approved by Duval County Public Schools. Mr. R. Robinson made a motion to approve the project; Mr. Pappas seconded the motion. **Project approved to move to MBRC.**
 - c. San Marco Tree Planting is requested by Greenscape and Councilmember Boyer. Ms. McGovern requested that the Commissioner's review this project on the City's Canopy Planner; she will provide a link. There is an area under FDOT maintenance that the City has an agreement with. Ms. McGovern can provide a copy of the permit, if requested. This project will be under warranty for one year. Mr. Pappas informed the Commissioners and Ms. McGovern that there is a LaSalle Street Pump Station project that is under design; let's coordinate these two projects with Robin Smith, acting City Engineer. **Ms. McGovern will email this information packet, as well as the revised checklist to the Commissioners and coordinate with the Acting City Engineer.**

- d. Arbor Day Foundation Grant – The grant will be used to make bio-swales and the Tree Fund will pay for the trees. Part of the grant must be done in underserved communities. The requested trees are fruit trees to help relieve food desert issues. CM Crescimbeni pointed out that there are no fruit trees on the Approved Trees List. Mr. Leon added that if no one picked the fruit, they would not fall onto a sidewalk but onto a more natural area, like a trail. The non-profit requested several different types of fruit trees. Mr. Leon added that this is a pilot program to see if it can be successful.
3. Level 3 Documents Re- Approval of Instructions (Attachment D), Application (Attachment E) and Agreement (Attachment F).
- a. Mr. Glick made a motion to re-approve the Level 3 Tree Planting Documents, Mr. R. Robinson seconded the motion. All Approved. **Ms. Chism will get fillable PDF forms created for all the Level 3 documents.**
 - b. CM Crescimbeni asked if there was any reference to incidental landscaping in the instructions or agreement? Incidental Landscaping is defined in the Ordinance Code. The removal of any reference to it has not been approved by Council yet.
4. Committee on Unauthorized Tree Pruning/Removal (Attachment C) – M. Robinson/S. Grandin
- a. Attachment C captures what the Pruning Subcommittee discussed. Also shown in the shaded areas are questions which require the Commission’s input. However, the Shade Tree Subcommittee conclusions are not listed here.
 - b. All the definitions will be listed together in alphabetical order. The definition of “protected tree” was questioned because the committee was looking at pruning and how to penalize improper pruning. It was determined that a “protected tree” is anything that meets dimensional criteria, as well as anything required by the landscape code, PUD, or any tree put in, no matter the size, using mitigation funds.
 - c. Subpart B was reorganized because the definition of “protected tree” was listed, followed by exemptions from protected tree, and then exclusions from the exemptions. In addition, a new State Statute has been passed that states a “protected tree” does not include a diseased or dying tree.
 - d. “Drip line” was changed to “root zone” and defined.
 - e. Mr. McDaniel is currently asking for exemptions regarding mitigation of cemetery trees that are growing through or on top of a grave plot. There is no way to find the owner or owner’s heirs of the plot to ask permission to remove the tree. Does the City have to mitigate trees that are not supposed to be there to begin with?
 - f. The suggested changes to the landscape and tree protection regulations will be discussed further in a workshop which will also include the Shade Tree Subcommittee suggestions. **Ms. Grandin will email an inclusive document by May 17th. Ms. Chism will schedule the workshop for May 23rd.**
5. Incidental Landscaping and Irrigation for Level 3 Planting Projects – CM Crescimbeni
- a. CM Crescimbeni had a meeting with Mr. Mousa, Ms. McGovern, and Mr. Leon regarding incidental landscaping. Two concerns are: 1) what is the definition? 2) No funding is available for maintenance. Legislation is being introduced to address these concerns.
 - b. Mr. McDaniel answered that his division does not fertilize, mulch, or spray for insects or pests. They prune but do not have the money to do bed maintenance. Mr. McDaniel said anything planted around that new tree is competing with the tree for water and nitrogen. It’s better for the tree if there is no competition.
 - c. Mr. November asked if mulch, sod, or ground cover could be funded by the Tree Fund. Mr. McDaniel said mulch is included in the cost of planting the tree. The mulch is not maintained. Once it’s gone, the contractors spray a ring around the tree to keep the weeds down versus using a weed eater to ensure the City’s specifications are met.

- d. Mr. Glick added that he wanted to make sure Tree Funds were not used for things that do not benefit the tree(s). CM Crescimbeni asked if the mulch ring was included in planting the tree and what the specification would be. **Mr. McDaniel will tell CM Crescimbeni what the specification for mulch ring is when a tree is planted.** Mr. McDaniel said that replenishing or maintaining mulch rings is not specified in the countywide contract.
- e. CM Crescimbeni recapped; a tree planting project that uses tree mitigation funds will have a mulch ring around each tree even if they dig the holes themselves. Ms. Grandin said that it should be listed in the specification, which is attached to the agreement. Mr. Joe Anderson pointed out that reference could be made to the current arboricultural or ISA standards. That way a formula would have to be created and then kept updated. Currently the ISA A300 Standards are referenced in the Ordinance so there is no requirement to create a new document to keep current.

C. Public Comment

John November, Public Trust – In the Level 3 instructions, IV.D.8.d) *“The applicant may provide a cost for both irrigating the plantings and non-irrigated planting projects. If irrigation is planned, then please provide the cost of the installation and for the three lengths of warranty and maintenance for the irrigation system.”* What does that mean? There is no maintenance required for an irrigation system. Mr. McDaniel said that there is a lot of maintenance required for irrigation systems. Mr. November asked if they should list maintenance requirements for the irrigation system. CM Crescimbeni answered that the Tree Fund cannot pay for maintenance of any irrigation systems and the Public Works Division doesn’t have the money to pay for it. The tree fund will pay for the installation, but then what? Mr. Leon asked if the irrigation would only be required to establish the trees.

Ms. Grandin pointed out that the memo says *“maintaining trees includes the following: irrigation, pruning, providing nutrients, such as fertilizer and providing pest control.”* The memo talks about irrigation in the beginning but it doesn’t talk about the maintenance of the irrigation system. CM Crescimbeni specified the memo mentions irrigation in the first month; what about month 1500? **Ms. Grandin confirmed that for month one it does, but it doesn’t say anything for month 1500; this is a policy call. CM Crescimbeni asked if we need to address that in the Ordinance Code. Ms. Grandin said yes.**

Mr. November asked for clarification. CM Crescimbeni said his understanding of the Tree Mitigation monies was establish the tree, irrigate, fertilize, prune, but once it’s established, there is nothing else. They have traditionally not used Tree Fund monies for maintenance.

Mr. November asked how to get a right-of-way permit for a project that has not been approved by the City Council. Mr. Pappas answered that a permit was obtainable even if funding was not available yet.

Mr. November would like further guidance for administrative fees; they would be equal to the amount of services rendered; payment for what is done. Does the Commission want to see estimates of hours spent? CM Crescimbeni said the costs are being broken down according to the instructions.

Mr. November asked if he could submit projects by June 1st, 2019. The answer was yes.

D. Action Items

Ms. McGovern will redesign the Level 2 Community Organization Tree Planting Program Application Checklist form.

Tree Hill Amphitheater Level 2 Project has been approved for submission to MBRC.

Sheffield Elementary Level 2 Project has been approved for submission to MBRC.

Ms. McGovern will email the San Marco Level 2 Tree Planting Project packet as well as the revised checklist to the Commissioners and coordinate this project with the Acting City Engineer..

Ms. Chism will get fillable PDF forms created for all the Level 3 documents.

Ms. Grandin will email revised Landscape Regulations by May 17th. Ms. Chism will schedule a workshop for May 23rd.

Mr. McDaniel will tell CM Crescimbeni what the City specification for the mulch ring is for new tree plantings.

Ms. Grandin confirmed that for month one it does, but it doesn't say anything for month 1500; this is a policy call. CM Crescimbeni asked if we need to address that in the Ordinance Code. Ms. Grandin said yes.

E. Adjourned – the next meeting is scheduled for June 13, 2019.