

Jacksonville Tree Commission
Meeting Minutes January 10, 2019
Approved January 24, 2019

Commissioners Present:	John Crescimbeni, Chair Curtis Hart, Vice Chair John Pappas Rhodes Robinson Chris Flagg Aaron Glick Mike Robinson	Staff:	Cindy Chism
Advisors:	Susan Grandin, OGC Kathleen McGovern, City Arborist Joel Provenza, Accounting Richard Leon, Urban Forest Manager	Public:	Tracey Arpen, City Beautiful Jax John November, Public Trust Joe Anderson, JEA Anna Dooley, Greenscape Nancy Powell, RAP Kevin Kuzel, ECA District 14 Dave McDaniel, Public Works Lawsikia Hodges, OGC

A. Meeting was called to Order by Chair at 12:00 PM.

1. All present introduced themselves for the record.
2. Submittal of Speaker's Cards
3. Motion made by Mr. Hart, seconded by Mr. R. Robinson, for approval of minutes from November 8, 2018, as corrected, and December 13, 2018 meetings. None opposed.
4. Fund balance and encumbrance report for 15(F), 15(N) and BJP (Attachment A).
5. Status of Pending Tree Projects (Attachment B). Status of the final project with the previous Countywide Tree Planting contractor is shown in green. The projects listed in blue are in legislation and will be put out to bid.
 - a. CM Crescimbeni asked if any 630-City or Level 2 requests for trees have been submitted. Ms. McGovern replied that she has received three Level 2 requests; Kensington HOA, Cathedral District, and Tree Hill; no 630-City requests yet. Mr. Leon added that once a Countywide Tree Planting contractor is in place, they can begin promoting that program through the call center hold menu and other venues.
6. Status of Countywide Tree Planting Contract – Dave McDaniel
 - a. A meeting has been scheduled with the Public Works Operations Director to assist in the wording of the RFP as this is so different from any previous RFPs. Once the RFP has been submitted to the Procurement Division for review, it will be put out for bid.

B. New Business

1. Wireless Sensors for Tree Watering – Richard Leon

- a. The opinion of the Division irrigation techs was that the sensors are expensive, corrode quickly, and are high maintenance. Research it attached (Attachment C). The best sites to use these sensors are sites with existing irrigation.
- b. The base price for JEA to set up a water meter for site irrigation is \$4000. The cost of any pavement work and piping must be added for every site.
- c. The most common soil sensor has two probes and a base with voltage. The two probes connect through the water in the soil which identifies how much moisture is in the soil. The consensus on these meters is they are not worth the effort.
- d. Both wired sensors and wireless sensors track back to a controller at the site. Wired sensors are physically wired to the controller that dictates when the water is turned on or off. The wireless sensors also send the information to the controller which then uploads it to the cloud from where it can be downloaded. The sensors for both need to be in the ground where you want to monitor the moisture. The sensors and the controllers are also easily removable. While that allows for moving them to another site once the trees have matured, it also allows for the possibility of theft or vandalism. Counting the costs of the meter, installation of the irrigation, cost of the sensors and controller, as well as their maintenance, these are not cost effective.
- e. These sensors are typically used in agricultural settings as a water saving device and are configured for that use. Mr. Leon does not recommend using sensors for small scale projects such as medians or individual right-of-way trees; too much effort for not enough payback.
- f. A standard rain gauge was used for a landscaping project done by the Mowing and Landscape Division in the past. While the project had zero mortality, the gauge only measured how much water hit the surface, not what infiltrated the soil. All the irrigation systems were based on the rain gauge and were installed temporarily for five years, but this also included the JEA meter.
- g. The final option is a manual probe. The advantage is the low cost; the disadvantage is it requires manpower.

2. Community Tree Planting Program; Level 2 & Level 3 – Susan Grandin

- a. Attachment D is a summary generated by CM Crescimbeni of all three Levels of the planting programs.
- b. Level 2 is administered solely by the City. Attachment E is the application for a Level 2 project. CM Crescimbeni pointed out that according to the summary (Attachment D), Level 2 will be scored by the Tree Commission and then put on a priority list. Should the three Level 2 projects Ms. McGovern has received then be scored by the Tree Commission? Ms. Grandin opined that yes, they should be scored and then sent to the Mayor's Budget Review Committee (MBRC). CM Crescimbeni asked if most requests will be coming in through 630-CITY, how can they ensure these projects are brought to the Tree Commission for evaluation and/or scoring? Ms. McGovern said this issue has not yet arisen. So far, all the project requestors have mentioned the Tree Commission and use of tree funds.
- c. CM Crescimbeni added that they need to ensure that Level 2 Projects come through the Tree Commission. City Council sponsorship is not necessary. Mr. November pointed out that in the initial process design, the Level 2 application did not require a full analysis and scoring, only notification of the project to the Tree Commission. The Commissioners could halt a project but as there were no administrative fees, prior approval was not required. Ms. Grandin added that

there is no “pot of money” for these projects and they still require funding, so a City Council member would have to sponsor the project or it would go to MBRC for approval and then to the Council. CM Crescimbeni said they need to preserve the integrity of Level 2 Projects and not circumvent the Tree Commission. Ms. Grandin will draft something to ensure the projects are not hijacked by a Council Member and let this body do what it’s worked hard to do. Ms. Grandin suggested putting together legislation for another “pot of money” to fund Level 2 projects. The Level 2 projects would go to MBRC and wouldn’t have to go to Council. CM Crescimbeni agreed, that would be a much faster process. **Ms. Grandin will begin drafting legislation for funding \$1 million and include criteria that the Level 2 Project goes to the Commission and then to MBRC.** Mr. Hart made a motion to introduce legislation in the amount of \$1 million dollars to fund Level 2 Projects, seconded by Mr. M. Robinson. None opposed.

- d. Attachment F is the Level 3 Instructions that were approved by the Tree Commission at the November 8 meeting. Attachment G is the Level 3 Application generated from the Instructions.
- e. Lawsikia Hodges (Office of General Council) generated a draft grant agreement (Attachment H) from the last page of the instructions (Attachment F) for the Tree Commission’s discussion. **Commissioner’s will review and bring their comments to the next meeting.**
- f. Ms. Hodges explained some the highlights of the draft Grant Contract (Attachment H).

Article I – Definitions are standard for all City contracts.

Article II – Grant Funds – This section clarifies that the grant monies are only able to be spent on the Project Scope, and what happens if they are misspent.

Article III, 3.2 – “City Tree Planting Standards and Specifications” is a created term and needs a comprehensive definition, including any Charter requirements, Public Works requirements, and/or Ordinance Code provisions. The contractor will agree to perform the project scope in accordance with the “City’s Tree Planting Standards and Specifications.” **Ms. Grandin, Mr. McDaniels, and Mr. Pappas could assist in defining that term.**

Article IV – “Performance Schedule” refers to a schedule of work as well as the change-order process and use of subcontractors. **This must be added to the application so the contractor may be held accountable.**

Article V – Completion Date, Change Orders, Subcontractors. **Ms. Hodges will add a paragraph addressing the subject of volunteers.**

Article VI – “Draw” refers to the process for a contractor to submit invoices for payment throughout the project. **This is not listed in the instructions and must be added.**

Article VII – “Term and Terminations” refers to a maximum time limit of the contract as well as procedures for default or termination of a contract.

Article VIII – “City Tree Planting Standards and Specifications” is a place holder for some of the specifications that may need to be emphasized.

Article IX – “Financial Reporting” refers to financial statements provided to the City by the applicant as well as an accounting of monies spent. **This is not listed in the instructions and must be added.** Mr. M. Robinson asked about the retention of records. Is five years standard? On the One Tree, One School project, the requirement was for three years. Ms. Hodges said three years is the minimum. **Ms. Hodges will change the retention of records to three years.**

Articles X through XII are standard boilerplate for City contracts. Ms. Hodges asked if the Level 3 Application is limited to Incorporated Entities. Ms. Grandin replied the applicant should be a legal entity.

- g. Ms. Hodges pointed to page 18 of Attachment H, which is a list of exhibits the applicant is required to provide with their application. CM Crescimbeni pointed out the exhibit numbers listed on the instructions (Attachment F) and grant agreement (Attachment H) do not match. **Ms. Grandin and Ms. Hodges will edit the Instructions and grant contract exhibits to match.**

Exhibit A – Property Description: Mr. R. Robinson suggested this be defined as a google map, legal description, or GIS location; the more specific the better. Ms. Grandin added that to the instructions (Attachment F) on page 5, D.4 lists what is required.

Exhibit B – Project Scope:

Exhibit C – Design Plans:

Exhibit D – Project Budget:

Exhibit E – Project Performance Schedule: **This was not listed in the application and must be added.**

Exhibit F – Eligible Grant Expenditures: **This was not listed in the application and must be added.**

Exhibit G-1 – Approved Draw Schedule: **This was not listed in the application and must be added.**

Exhibit G-2 – Draw Request Form: **This was not listed in the application and must be added.**

Exhibit G-3 – Insurance and Bond Requirements: **This is a requirement to work through with Risk Management.**

- h. Ms. Hodges suggested the presentation, scoring, and vote not take place at the same meeting. Perhaps the presentations could primarily be clarification presentations to answer any questions the Commissioner's may have. Another meeting could then be held to announce the scores or winners.
- i. Ms. Powell pointed to page 19 of the instructions which reads that grant agreement general concepts (Attachment F), item 3. requires a two-year warranty. However, an option for the Countywide Tree Planting Contract will be getting prices for warranties of three months, one year, and two year options. CM Crescimbeni suggested making the warranty options for Level 3 applications match what is being requested for the Countywide Tree Planting Contract. **Ms. Grandin and Ms. Hodges will ensure the Level 3 cost analysis is based on a three month, one year and two year warranties to be consistent.**
- j. **Ms. Grandin and Ms. Hodges will hastily marry the instruction and grant agreement documents to be circulated before the next meeting on January 24th.**
- k. Mr. November asked about waiving the requirement for Florida Fancy or Florida grade #1 plants. CM Crescimbeni asked if there was a specific caliper size in which a tree becomes classified as Florida Fancy or Florida #1. Mr. McDaniel said it needs a 1.5" caliper and form. Mr. Arpen also pointed out that Level 3 does not allow for use of volunteers, planting of smaller trees, or the expectation of higher mortality. Mr. November disagreed as long as this

requirement could be waived at the Tree Commission's discretion. **This will be discussed at a later date.**

3. Penalties for cutting down trees with no permit – Susan Grandin

- a. CM Crescimbeni said when the Tree Commission was set up, the Ordinance Code was amended to provide additional penalties. Ms. Grandin continued, in 656.1208 (Attachment I, the amended portion is highlighted) the Code singles out private protected trees and does not include public protected trees. CM Crescimbeni clarified; there is no penalty if a homeowner or business owner improperly removes a public tree from the City right of way. **Ms. Grandin will remove the word "private" from the fee list.** There is a difference in the mitigation payment per caliper requirement between the Ordinance Code (\$148) and the Charter (\$73)
- b. Mr. Arpen reminded the Tree Commission of the issue which led to this discussion: the ten 24" Live Oak trees cut down on Old St. Augustine Road with no permit. Does the Ordinance Code sufficiently cover the loss of canopy when large trees are removed and are the penalties to the contractors commiserate with the loss for removing large trees without a permit? **CM Crescimbeni appointed Mr. M. Robinson to work with Ms. Grandin in increasing the penalties for removing trees without a permit.**
- c. Subsequent violation notifications are only sent to the property owner whereas initial violations are sent to the property owner, permit holder, and contractor. **Ms. Grandin and Mr. M Robinson will update the Code to reflect subsequent violation notifications sent to the same parties as the initial notifications.**

4. Plan-it GEO Watering Tracking Module (Attachment J) – John November

- a. This module has already been added to Plan-it GEO at no cost to the City and includes customer service. **CM Crescimbeni asked Mr. McDaniel to review the module and share his thoughts with the Commission at the next meeting.**

5. 2019 Meeting schedule (Attachment K) – The meeting schedule was presented with one meeting per month beginning in February; time and location to remain the same. Mr. Hart requested the May 9 meeting begin an hour earlier at 11:00am, which was agreed upon. 2019 Meeting schedule was adopted with the May 9th change.

C. Public Comment

John November – Presentation of the proposed Betz-Tiger Point Habitat Restoration Project (Attachment L).

Tracey Arpen – Attachment M contains photographs of Live Oaks "topped" for visibility of a billboard on Philips Hwy. There is one tree which will never recover; another reason to increase the penalties to include the contractor.

D. Action Items

Tree Planting Programs

Ms. Grandin will begin drafting legislation for a funding source of \$1 million dollars to include criteria that the Level 2 Project goes to the Commission and then to MBRC.

Commissioner's will review the Level 3 draft Grant Agreement (Attachment H) and bring their comments to the next meeting

Ms. Grandin, Mr. McDaniels and Mr. Pappas will assist in defining City Tree Planting Standards and Specifications.

Ms. Grandin will add the requirement of a Performance Schedule to the Application so the contractor may be held accountable.

Ms. Hodges will add a paragraph in Article V addressing the subject of volunteers.

Ms. Grandin will add information regarding the Draw process in the Instructions.

Ms. Grandin will add Financial Reporting requirements to the Instructions.

Ms. Hodges will change the retention of records to 3 years (Article IX).

Ms. Grandin and Ms. Hodges will edit the Instructions and Grant Contract Exhibits so the numbers match.

Ms. Grandin will add the requirements for Exhibits E through G3 to the Instructions.

Ms. Grandin and Ms. Hodges will ensure the Level 3 cost analysis are based is on 3 month, 1 year and 2 year warranties to be consistent.

Ms. Grandin and Ms. Hodges will hastily marry the Instruction and Grant Agreement documents to be circulated before the next meeting on January 24th.

Penalties for Removing Trees with no Permit

Ms. Grandin will remove the word "private" from the fee list from Ordinance 656.1208.

Mr. M. Robinson to work with Ms. Grandin in increasing the penalties for removing trees without a permit and adding subsequent violation notifications sent to the same parties as the initial notifications.

Plan-It GEO

Mr. McDaniel will review the Plan-It GEO maintenance module and share his thoughts with the Commission at the next meeting.

E. Adjourned – 1:44pm