

Jacksonville Tree Commission
Meeting Minutes January 24, 2019
Approved February 14, 2019

Commissioners Present:	John Crescimbeni, 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 Anna Dooley, Greenscape Nancy Powell, RAP Leslie Pierpont, Late Bloomers Dave McDaniel, Public Works Lawsikia Hodges, OGC Kevin Kuzel, ECA District 4 Dalton Smith, Urban Forester

- A.** Meeting was called to Order by Chair at 12:02 PM.
1. All present introduced themselves for the record.
 2. Submittal of Speaker's Cards.
 3. Motion made by Mr. R. Robinson, seconded by Mr. Flagg, for approval of minutes from January 10, 2019 meeting. None opposed.
 4. Fund balance and encumbrance report for 15(F), 15(N) and BJP (Attachment A) – Joel Provenza.
 - a. CM Crescimbeni told the Commissioners to expect a \$1.3 million contribution from JEA to the Tree Fund for mitigation during the installation of a high-volume transmission line from the Bayard area to Racetrack Road.
 5. Status of Pending Tree Projects (Attachment B) – Kathleen McGovern.
 - a. A non-mandatory, pre-bid meeting had good turnout (approximately seven contractors) for the Mandarin and Springfield Projects. The bids open on February 6th. The RAP re-leaf is in legislation.
 6. Status of Countywide Tree Planting Contract – Dave McDaniel
 - a. The RFP is at the Procurement Division and will be advertised no later than January 30th. The bid will be open and available for pick up for 30 days after the opening on January 30th. CM Crescimbeni asked if anyone follows up with the contractors that pick up a bid but do not submit one. Mr. McDaniel said he believes the Procurement Division follows up. **CM Crescimbeni said he would contact Greg Pease, the Procurement Division Chief, and ask about follow-up or surveys.**
 - b. Mr. R. Robinson asked if the bid was selected by lowest bid, qualifications, or a combination of both. Mr. McDaniel said there are minimum qualifications in the bid package that must be met. If they do not meet those requirements they could be disqualified, no matter how low their bid is.
- B. New Business**
1. Community Tree Planting Program Level 2 legislation – Susan Grandin. Deferred until next meeting.

2. Community Tree Planting Program Level 3 instructions (Attachment C) and application (Attachment D) – Susan Grandin
 - a. The items that were added were further items for Exhibit D: scope of work and performance schedule.
 - b. CM Crescimbeni asked for scope of work to be defined or examples given. Ms. MsGovern suggested some of the examples could be a summary of the installation, maintenance, or soil removal. **Ms. Grandin will add a description or examples and circulate the update.**
3. Community Tree Planting Program Level 3 grant agreement (Attachment E) – Lawsikia Hodges
 - a. The word ‘grant’ has been stricken as there will be payments made to the signatory.
 - b. Article I –Definitions – the City Tree Planting standards and specifications has been defined as the landscape specifications and planning details which will be attached to the agreement. Also, ‘eligible grant expenditures’ has been deleted.
 - d. The first paragraph for Article IX, Financial Reporting, has been removed. This requirement is associated with City grants.
 - e. The list of exhibits has been updated to match the application.
 - f. Exhibit G-2 – Draw Request form will be completed by the recipient and turned into the contract administrator: the City arborist. Article XII explains this and will be added to the form.
 - g. Mr. Flagg asked about the second bullet on exhibit E, regarding who is authorized to design a tree planting project. Specifically, landscape architects are licensed, which means a greater liability responsibility whereas the rest listed are not. Mr. M. Robinson added that urban foresters are not licensed by the State; arborists are certified and that requirement should be added. **Ms. Grandin or Ms. Hodges will restructure the sentence to read ‘be designed by a qualified professional such as’, remove ‘registered’ from before ‘landscape architect’, add ‘certified’ before ‘arborist’ and replace ‘right-of-way’ with ‘public’. Also to be added to Article III, 3.2 “All projects will be reviewed by a City landscape architect.” Third and fourth bullets need to be changed to “a period of up to two years.”**
 - h. Ms. Dooley asked about the sixth bullet point regarding the requirement to request three bids. CM Crescimbeni pointed out that if you do not want to get the three bids, you may use the City contractor. Mr. November added that he thought the requirement was to show three bids had been requested, not necessarily received. Ms. Hodges pointed out that, from a Procurement perspective, bids must be received and not just requested. Ms. Dooley added that there is no guarantee they will get three bids back. Mr. R. Robinson added that he has never had to get bids from subcontractors. **Ms. Hodges suggested “major suppliers” be stricken. CM Crescimbeni suggested the bullet be rewritten to clarify that three bids must be requested. However, if only one response is returned with two no bid responses, this requirement has been satisfied.**
 - i. Mr. November requested that the Tree Commission’s ability to waive the restriction to plant trees only listed on the Approved Tree Planting List be added to bullet seven of exhibit E, as well as waiving the requirement to only plant Florida Fancy or Florida #1 trees. The request for a waiver should be made prior to the submission of the application. **Ms. Hodges will add “or as previously approved by the Commission” to bullets seven and eight. Ms. Grandin will add language to the instructions for the applicant to come before the Tree Commission Staff prior to the submission of the application to discuss their conceptual and preliminary ideas (Section IV, E), especially if they are requesting any type of waiver.**
 - j. Mr. November questioned the approved draw schedule. This is an agreement between the City and the contractor. The only thing definite is the initial draw and the final draw. What about in between? Ms. Hodges envisioned the draw schedule would have some milestones, which may differ from project to

project. CM Crescimbeni pointed out that this needs to be flexible and as the City is paying reimbursement, there is no risk. The draw schedule will be determined by the contract administrator.

k. Application, item C.4. Mr. November questioned the rationale for selecting the winning contractor, subcontractor and/or supplier. Those won't be selected until after the application has been approved. **Ms. Grandin will strike this item and re-number.**

l. Mr. R. Robinson put forth a motion to approve the Level 3 application, instructions and agreement to include the discussed changes. Mr. Flagg seconded the motion, which passed unanimously.

4. Penalties for cutting down trees with no permit and incorrect pruning (Attachment F) – Susan Grandin & M. Robinson

a. Mr. M. Robinson said there have been two meetings regarding these issues. This process is ongoing. **CM Crescimbeni requested the Commissioner's read Attachment F and bring any questions or comments to the next meeting.**

5. Plan-it GEO Watering Tracking Module Evaluation – Dave McDaniel

a. Mr. McDaniel, Mr. Leon and Ms. McGovern reviewed the module. They concluded that it is very easy to use, however it would be more of an in-house function rather than allowing Level 3 groups to input their project's watering schedules.

b. One possibility that has been discussed is the Mowing and Landscape Division purchasing a watering truck with tree funds. The question is always raised: How do we know the truck will only be used to water trees that have been purchased by the Tree Fund? Mr. Leon pointed out that 25% of the Mowing and Landscape Division's budget comes from 15F, earmarked for maintenance of trees on the right-of-way, not just trees that were planted using tree funds. Purchasing a watering truck (using tree funds) would solve many of these issues.

c. Ms. McGovern agreed; she could be successful tracking the delivery of water from the water truck using this module.

d. **CM Crescimbeni asked Ms. Grandin to determine if using 15F funds to purchase, operate, and maintain a water truck/trailer would be allowed.**

C. Public Comment

John November – 1) The City Council will need some education on the Tree Commission's community planting program. 2) The first application cycle is currently listed as May 1st and perhaps the Tree Commission should open the program on March 1st or April 1st. Now that the application is complete, they need to begin the outreach process to get the word out so they have a diverse set of applicants for both the Level 2 and Level 3 applications. 3) If Ms. Grandin could define more specifically what "incidental landscaping" means, that would provide some guidance to contractors.

Tracey Arpen – The Riverplace road diet project has planted lovely Live Oaks in a four foot round planting hole surrounded by impervious concrete. Is it too late to request a change order to put in an eight-foot, square hole so the Live Oaks will have a chance to thrive? **Mr. Pappas said he would look at the design to see if there is anything that can be adjusted.** Mr. Flagg added that he understands it is very difficult to amend already approved plans, but when planting Live Oaks, they must have sufficient room. CM Crescimbeni asked if pervious concrete would help. Mr. Flagg said it would. CM Crescimbeni suggested updating the Ordinance Code to say that you can have a four-foot opening, but if you are planting a Live Oak, any surface within X feet of the opening must be pervious. Ms. Grandin added that was already in the Ordinance Code for developers but it

doesn't necessarily say it applies to the City. Mr. Flagg said he would have liked for that to have been handled by the Downtown Development Review Board because there were two landscape architects on that board. **CM Crescimbeni suggested the Commissioners try to fix that going forward.**

CM Crescimbeni thanked everyone in the audience for participating in this process. There is now a Remove and Replace program, and Level 1, 2 and 3 programs. With regard to the roll-out, he's had conversations with the Mayor and they are going to be cautious about rolling out anything that's unfunded at this point. They are prepared to discuss Remove and Replace and the Level 1 program. The legislation for Level 2 will be introduced at the next Council Meeting. Until they get the continuous contract situation resolved, the Mayor's office wants to be cautious about broadcasting. If the Public Trust or Greenscape have an interest in submitting a project, they may do so. Ms. McGovern is receiving calls on both Level 1 and Level 2 projects. When everyone is ready, there will be a joint press conference between the Tree Commission and the Mayor to generate some publicity.

D. Action Items

CM Crescimbeni will contact Greg Pease, Procurement Division Chief, and ask about follow-up or survey for contractors who pick up bids but do not submit.

Instructions IV.D.6 - Ms. Grandin will add a description or examples of the scope of work and circulate the update.

Instructions IV.E - Ms. Grandin will add language for the applicant to come before the Tree Commission Staff prior to the submission of the application to discuss their conceptual and preliminary ideas, especially if they are requesting a waiver.

Application - Ms. Grandin will strike C.4 and re-number.

Agreement Exhibit E, 2nd bullet - Ms. Grandin or Ms. Hodges will restructure the sentence to read 'be designed by a qualified professional such as', remove 'registered' from before 'landscape architect', add 'certified' before 'arborist', and replace 'right-of-way' with 'public'. Also to be added to Article III, 3.2 'All projects will be reviewed by a City landscape architect'.

Exhibit E, 3rd and 4th bullets – Ms. Hodges will add 'a period of up to two years' to each bullet.

Exhibit E, 6th bullet - Ms. Hodges suggested 'major suppliers' be stricken. CM Crescimbeni suggested the bullet be rewritten to clarify that three bids must be requested, but if only one response is returned with two no bid responses, the requirement has been satisfied.

Exhibit E, 7th and 8th bullets - Ms. Hodges will add 'or as previously approved by the Commission' to each bullet.

Commissioners will read the white paper from the Committee on Unauthorized Tree Pruning/Removal (Attachment F).

Committee on Unauthorized Tree Pruning/Removal will determine if an Ordinance Code update allowing a four-foot opening, but if a Live Oak is being planted, any surface within X feet of the opening must be pervious. Ms. Grandin said that was already in the Ordinance Code for developers but it doesn't necessarily say it applies to the City.

Ms. Grandin will determine if using 15F funds to purchase, operate, and maintain a water truck/trailer is allowed.

Mr. Pappas said he would look at the design of the planting holes for the Live Oaks planted for the Riverplace Road Diet project to see if there is any chance of increasing those planting holes.

E. Adjourned – 1:32pm