

Jacksonville Tree Commission  
Wednesday July 20, 2022 – 1:30 PM  
Approved August 17, 2022  
Via Zoom Platform & In Person

<b>Commissioners Present:</b>	Chris Flagg, Chair	<b>Staff:</b>	Cindy Chism
	Mike Robinson, Vice Chair	<b>Public:</b>	Jameka Smith, COJ
	Rhodes Robinson		Fred Pope, Scenic Jax
	CM Ron Salem		John November, Public Trust
	Susan Fraser		Tracey Arpen, Scenic Jax
	John Pappas		Joe Anderson, JEA
<b>Advisors:</b>	Susan Grandin, OGC		Mike Zaffaroni, Liberty Landscape
	Justin Gearhart, City Arborist		Kelly O’Leary, Liberty Landscape
	Jose Regueiro, Finance		Lisa Grubba, Greenscape
			Nancy Powell, Scenic Jax
			Nikki Evans, COJ
			Andrew Roman, COJ
			Dave McDaniel, COJ
			Susan Caven, Scenic Jax

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) – Jose Regueiro
    - i. Ms. Fraser asked if the Financial Combined sheet could be reorganized somewhat to show how much has been allocated from the fund as well as what is has not.
    - ii. Ms. Fraser asked if the County-wide Tree Planting Program, Level 2 Tree Planting, Level 3 Tree Planting, and 630-CITY Tree Planting programs could be bolded and grouped together on the Appropriated Expenditures. Mr. Regueiro will make these changes.
    - iii. Ms. Powell asked if there were any type of tutorial or footnotes on how to read this report. In addition, where does the report show the funds being deposited by the developers?
    - iv. Mr. Flagg said the deviation per month, depending on development, is what he looks for.
  - b) Status of Pending Level 2 Tree Projects (Attachment B) – Justin Gearhart
    - i. Mr. Flagg added Ms. Boyer said, a week or 2 ago, the Tree Commission was holding up the Northbank project. Mr. Gearhart said the project is currently undergoing planting.

**c) Fund Status of 630-CITY, Remove & Replace and Level 2 Programs— Justin Gearhart**

- i. Level 2 Planting Program has \$9.8 million, 630-City has \$558,065 and Remove & Replace is \$405,000.

**5. Action Items:**

**a) Approval of Minutes from June 13, 2022 meeting – Chair**

- i. Motion to approve the minutes made by Mr. R. Robinson, seconded by Mr. M. Robinson, none opposed.

**b) Approval of Minutes from June 27, 2022 Facilitator Funding meeting – Chair**

- i. Motion to approve the minutes made by Ms. Fraser, seconded by Mr. M. Robinson, none opposed.

**c) Approval of Minutes from June 30, 2022 Facilitator Committee meeting – Chair**

- i. Motion to approve the minutes made by Mr. R. Robinson, seconded by Mr. M. Robinson, none opposed.

**d) Approval of Minutes from July 11, 2022 Palm Tree Committee – Chair**

- i. Motion to approve the minutes made by Mr. M. Robinson, seconded by Mr. R. Robinson, none opposed. Ms. Grandin pointed out there was no Tree Commissioner present at the meeting.

**e) Proposed Level 2 Project(s)**

- i. St. John's Bluff Road Planting Project (Attachment C) – Justin Gearhart

**1. Presentation**

- i. Ms. Fraser asked about the medians being curbed. Mr. Gearhart replied a portion of them are, closest to Beach Blvd. proceeding north to Saints Rd. A lot of the uncurbed medians are much wider. Ms. Fraser continued, so the medians which are smaller, 10-15 ft wide are all curbed? Mr. Gearhart said for the most part, yes. There may be 1 or 2 which are not, 1 near the school on New Covenant Way, north of Alden, in which we put Pines, is 15 ft which is still plenty of room for these trees.
- ii. Ms. Fraser asked about clear zones and site visibility due to the speed limit and the uncurbed medians. Mr. Pappas said there are restrictions. Mr. Gearhart said he has spoke with Traffic Engineering who was most concerned about the visibility within the intersection. The general rule of thumb is 40 ft at least from the nose of the intersection. I usually add a little more just to be safe. This includes any turning lanes as well, so breaks in the median gets 40+ ft as well. It is a relatively straight road, not a lot of curves, so straightforward. Ms. Fraser said, if you are checking for the clearances.
- iii. CM Salem asked about maintenance. Mr. Gearhart replied there is a 2-year warranty which means the contractor will water the trees. The medians, other than the curbed portion, serve as a type of retention area for the water draining from the roadway. Though the soil is sandy, it should drain quickly but will have access to the water every time it rains. The trees selected are also drought tolerant. After 2 years, they should be well established, and rain should provide enough of a source of water.

- iv. Mr. Flagg asked about planting Oaks in the medians. Mr. Gearhart replied yes, they will be planted in the wider medians, 30 ft apart but staggered. Mr. Flagg asked about planting on the shoulder right-of way? Mr. Gearhart replied, that is tricky; there is currently a project installing sidewalk, there are utilities, retention areas and a historical issue of semi-trucks parking along there. If this goes well, in the future we may expand along there, especially once sidewalks are in and the utilities are settled. Once things get developed along there we'll be able to see how the right-of-way is going to look and where all the final utilities placements and any driveways and sidewalks may be. That would be a good time to look at planting then. Mr. Pappas added there is a major sidewalk project going through there currently but to come back in the future to evaluate it for a second project for planting.
  - v. Ms. Fraser wanted to make sure the Long Leaf Pines were not going to be planted in a straight line like soldiers. Mr. Gearhart agreed and said they were going to be staggered even if only a few inches off center.
2. Public Comment –
- i. Tracey Arpen said besides not planting in a straight line, also not planting the exact same distance apart; plant 1 then 15 ft plant another then maybe 12 ft plant another.
  - ii. Fred Pope, Scenic Jax, asked about the distance of the trees between the gaps in the median. FDOT site distance requirements should be utilized; 40 ft is not enough. Especially where there is a turn lane or street crossing, where there is no curb there should be a 25 ft set back. Also, because the soil is so sandy, soil replacement should be done. In addition, temporary irrigation should be considered. Mr. Gearhart will review the FDOT standards with Jameka Smith to ensure compliance. With the 2-year warranty, watering isn't an issue.
3. Vote – Motion made to approve the project after reviewing the FDOT intersection sight clearances by Mr. Pappas, seconded by Mr. R. Robinson, none opposed. Mr. Gearhart will report back to the Commission on this project at the next Tree Commission.
- i. Ms. Grandin asked if there were construction documents given to the people in the field. Mr. Pappas suggested putting a note on the document which says do not plant past X feet from the intersection. Mr. Pope said what is typically done at FDOT right-of-way projects the clear sight line is shown for the designer and the contractor and with the drawing being to scale.
  - ii. Ms. Fraser added at this level of project, having a drawing is appropriate, it's a lot of money and liability, if there is way to map where the curbs are and are not, so distances can be measured. Mr. McDaniel pointed out this is a Level 2 project and there is a Landscape Architect on staff who collaborates with the Urban Forestry staff.

## 6. Old Business

### a) Level 3 Program Document Revisions – Susan Grandin

- i. Attached are the final versions of the Level 3 documents. The only change to the Agreement was the definition of Landscape Architect was added. Here are highlights of the changes to the instructions:

1. the \$2500 stipend was removed.
2. The timeframe of when they Applicant could begin to be paid was moved.
3. The Identification of the Project Team was added.
4. The Rough Order of Magnitude for the project is through the project execution phase.
5. Approved with conditions or changes, the Applicant must make those changes before MBRC, if MBRC changes anything, the Applicant will have to change it before it goes out to bid.
6. Dates were changed to give more time for conceptual design submittal.
7. POLICY Decision: The hiring of the Landscape Architect and the cost. If the Applicant is over the \$35,000 design fee or if the project is over \$325,000 then, according to Florida Statutes, they need to go through the CCNA process, and put out a public bid. OR the Commission can limit the design fee to a maximum of \$35,000 and limit the project fee to a maximum of \$325,000.
  - a. Mr. November suggested not putting limitations on the Application. There may be a project which everyone wants, the procurement process will have to be done. The non-profits will probably try to avoid having to go through the procurement process and stay below those limits. Ms. Fraser agreed.
  - b. Mr. Pappas asked if it was too complicated. Does the language make it too complicated? If you're not experienced with it, there is some red tape to go through. Should it be simpler where the value is limited to amounts which would not trigger CCNA. Ms. Fraser said, with a Rough Order of Magnitude required, that would give a good idea of what the costs may be. Hopefully the groups looking at \$300,000 projects will be savvy enough to see it.
  - c. Mr. November replied we shouldn't limit ourselves at this point. The Applicant better know that that's a risk they are taking if they reach that \$300,000 line. Ms. Fraser pointed out, what if they are close and there is a change order, what happens. Mr. Pappas said you cannot retro this process. If the cost goes up, something must be removed.
  - d. Mr. Flagg asked Ms. Grandin to summarize so a motion could be made Ms. Grandin said there is (a) and (b). (a) is where the Applicant must know what the limits are of the Statutes and follow the Statutes if they go over those limits., and (b) set the limits on projects at \$35,000 design fee and \$300,000 construction cost. Mr. Pappas made a motion to approve (a), Mr. M. Robinson seconded the motion, none opposed.
8. Homeowner's Association was removed. It's too big a stretch for a Homeowner's Association to do a project like this. A Level 2 Project is a better fit.
9. The At-Large Council Member was added to the distribution list of the Staff Report.
10. Mr. Arpen asked about the Public Benefit Criteria; D.(4)c. says "The Project serves high visibility areas" that may not always be an asset. Many resiliency projects may not be in high visibility areas, nor has resiliency been addressed. High visibility is being over-emphasized and resiliency under-emphasized. Ms. Grandin will add a D.(4)f. which says "Supports Resiliency goals within the City." Mr. Pappas made a motion to add f. to D.(4) as stated, seconded by Ms. Fraser, none opposed.

11. Mr. Arpen continued; the non-profit's fee is locked in at the beginning. There is a provision in the contracts there's a form if a change order is required, then the contractor can recover their costs plus a certain administrative amount but every time there is a change order, that non-profit is going to have an administrative requirement overseeing the changes to the project which are out of their control.
12. Mr. Flagg agreed, errors and omissions are one thing but requests over and above the original scope is another which should be covered. Ms. Grandin said it should be covered in the Agreement itself. Mr. Arpen said he looked but didn't see it. Ms. Grandin suggested a separate conversation. A vote could be taken on the Agreement at the next Tree Commission meeting.

**b) Palm Tree Subcommittee – Susan Grandin - DEFERRED**

**c) Strategic Planning Committee – Susan Fraser**

- i. Authority is requested to reserve the services of Mary Littlepage. One session is \$3000, two is \$3500 to be scheduled in the Fall. This would authorize development of a draft MOU with Ms. Fraser and Ms. Grandin. This is to facilitate meetings; the obligation of the Commission is to provide all the data and the analysis which would be used in the meetings. A motion was made by Mr. M. Robinson to authorize Ms. Fraser and Ms. Grandin to develop an MOU to secure the services of Facilitator Mary Littlepage, seconded by Mr. Pappas, none opposed.

**d) Funding of Maintenance – Justin Gearhart**

- i. The funds earmarked for maintenance from the Tree Funds for this fiscal year totaled \$319,750. General maintenance of the trees includes collar cuts, raising the canopy to avoid vehicle damage, removing dead wood to prolong the health of the tree and any structural defects. There are no removals done with these funds. The way this is calculated is there is \$1,129,000 from the general fund plus \$150,000 for removing trees in ditches for stormwater. That total is multiplied by 25% and that is how much is contributed by the tree fund. Maintenance is done for trees on any public property.
- ii. Ms. Fraser asked for something in writing. This will be good information to add to a script when speaking with Council members about projects. Just so everyone is on the same page, if asked. Mr. Gearhart will provide something to Ms. Fraser.

## **7. New Business**

**a) Resiliency – Anne Coglianese**

- i. Lisa Grubba, Greenscape asked where does the tree canopy plan fit in and what would the time frame be? Ms. Coglianese said a lot of information will be available through the Excel Adapt tool. It may not be a separate strategy but it will be folded into the resiliency strategy.
- ii. Joe Anderson, JEA asked if there was a link on the COJ website for the integrated tool. Ms. Coglianese said that will be an internal tool for the time being though an investigation is ongoing to find a way for citizens to interact with elements of the tool. However, because the tool drills down to the parcel level there is the risk people will take their risk out of context. The tool is based on models and projections, there is no guarantee that anything project will happen. This tool is just to guide the City to make decisions to ultimately mitigate the possible risk. There will be a website which will have some screen grabs from the tool as well as images and background resources.

- iii. Tracey Arpen, Greenscape & Scenic Jax asked what the time frame for the heat index study to be completed and will it be made available without waiting for the final report to be finished? Ms. Coglianese said the data should be available in September and will be made into a GIS layer and that will be published for the public.
- iv. Joe Regueiro, COJ, asked if the modeling being done will change yearly based on input? Ms. Coglianese said for the flood modeling the data being used is federal data which is updated on a 5 year cycle. So the models will be updated when that data is updated.
- v. Ms. Coglianese continued Jacksonville is in a great position to tackle these issues; it's not an urgent immediate concern for Jacksonville as it is for a city like Miami; the space constraint is not like Charleston. Now we have ability to find innovative ways to protect Jacksonville's residents against some of the changes happening before there is a catastrophe. We'll have the data, a plan, and a dollar figure in mind. Fortunately, there is also a federal infrastructure funding which can go to a lot of these projects. We are probably the first City that can publish a resiliency strategy and not have to figure out to self-fund it. There are so many federal funding streams which can be utilized that gives us the confidence to build and implement this plan.
- vi. Mr. Flagg asked how is integration in development being accomplished, whether it's downtown or countywide? Ms. Coglianese said the dynamic is not an expectation that the CRO has given a stamp of approval for every project, that's not sustainable or realistic. The most systemic change is to infuse the policies either through DDRB reviewing projects, Planning or Public Works Departments which is my priority now. However, with all the development currently in progress downtown and along the waterfront, the completed data for the coastal/high hazard has been shared with those developers to try to mitigate some of the possible flooding.
- vii. Ms. Grandin asked if the data being collected is all down to the parcel level? Currently, the data we have is only to the census block, which isn't enough. Ms. Coglianese said it's an aggregation of multiple data sets which gives you the variability; there may be census block data which tells you one thing about the area and then actual information from the Planning Department about the individual property which would also get added to the analysis. The hope is to have the ability to identify parts of the City which are ripe for tree planting; there are a lot of factors this tool will help inform us of areas which need trees.
- viii. Ms. Fraser asked how could the Tree Commission communicate the data already amassed and how can the Commission continue that communication process, both ways? Ms. Coglianese said, send anything and everything you've got, we'll take it! Going forward communication can work both ways, we would be happy to include the Commission the public meetings. Ms. Fraser added the Commission will certainly ensure you have access to the data already collected and will schedule meetings to discuss interpretation.
- ix. Mr. Arpen asked if there were any funds allocated or earmarked to the CIP in anticipation of future resiliency construction projects or is the reliance solely on federal funding? Mr. Pappas said every project being planned now is reviewed with resiliency in mind including meetings with Ms. Coglianese; it's a joint process. Additional funding was allocated through City Council, not for specific projects, but resiliency focused. There are also many opportunities for grants, which Ms. Coglianese is well-versed in.

- x. CM Salem said as these projects come before the Council, particularly the downtown area, developers are bringing up resiliency; outlining to the Council what each development is doing towards resiliency.
- xi. Mr. Flagg concluded the Commission will extend communication to the Resiliency Group. This will help guide the Commission, we want to help, establish better canopy where we can but we also want to keep resiliency in mind for what we do as a Commission. Thank you for taking the time.

**b)** Partners – Susan Fraser

## **8. Public Comment**

- a)** Lisa Grubba, Greenscape – June was the driest month in N.E. Florida in 115 years. Greenscape plants during the recommended Florida Forest Service planting season, October to March. There was a big planting of 50 trees at the end of March. With a grant we were able to have those trees irrigated and only lost 2. But then June and July happened and now the trees are dying. In the past, Greenscape has been able to ask the Parks Dept. or Public Works to help water some of our projects. Recently when we asked, they said they can only water Tree Commission trees. We just need some help from the City watering trucks. We wouldn't need a lot, just occasionally. Can they water Greenscape trees in a pinch? The volunteer Tree Steward program is being restarted so responding to some of these maintenance needs will be more feasible. Mr. McDaniel said the reason we were not able to fulfill that request is because the watering truck was purchased with Tree Fund money. Which means there are a lot of restrictions, such as it can only be used to water Tree Fund trees. Ms. Grandin said she would investigate if it's really limited to Tree Commission trees only.
- b)** John November, Public Trust – Supportive of spending Tree Fund dollars on maintenance is acceptable under the Tree Fund. Hopefully the conversation can continue and the funds from the Tree Fund can increase as we increased the maintenance in the coming years. There was a meeting of several Tree Stakeholders and non-profit groups which were very supportive of an additional staff person for the Urban Forestry Section to assist Justin and others in the planting of trees. Savannah has 27 staff in their Urban Forestry Dept.

- 9. Adjournment** – the next meeting is scheduled for Wednesday, August 17, 2022 at 9:30am and will be a Hybrid/Zoom meeting in Ed Ball Building, 10<sup>th</sup> Floor, Public Works Office, conference room 5.