

Jacksonville Tree Commission
Wednesday October 20, 2021 – 9:30 AM
Approved November 17, 2021
Via Zoom Platform & In Person

**Commissioners
Present:**

Chris Flagg, Chair
CM Ron Salem
Mike Robinson
Rhodes Robinson
Susan Fraser
John Pappas

Staff: Cindy Chism

Public: Joe Anderson, JEA
Kelly O’Leary, Liberty Landscape
Fred Pope, COJ
Courtney Wilson, Greenscape
Mike Zaffaroni, Liberty Landscape
John November, Public Trust
Tracey Arpen, Greenscape
Nancy Powell, Scenic Jax
Dalton Smith, COJ
Lisa Grubba, Greenscape
Becky Henson, Greenscape
Dave McDaniel, COJ

Advisors:

Susan Grandin, OGC
Joe Regueiro, Finance

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)
 - i. Mr. Arpen suggested adding a grand total for Appropriation Ordinances.
 - b) Status of Pending Tree Projects (Attachment B) – Dalton Smith
 - c) Fund Status of 630-CITY, Remove & Replace and Level 2 Programs– Dalton Smith
 - i. Due to the end of year accounting process, fund status will be available next meeting.
5. **Action Items:**
 - a) Approval of Minutes from September 22, 2021 meeting – Chair
 - i. Motion made by Mr. John Pappas, seconded by Mr. R. Robinson, none opposed.
6. **Old Business**
 - a) Status of Level 3 Program Document Revisions (Attachment F)– Susan Grandin/Fred Pope
 - i. This is continued from the previous meeting. The decision point which needs to be determined is when the Applicant is eligible for reimbursement.

ii. Pre-Application Procedures

1. Project Scope Review – it has been suggested that after this meeting, once the project was funded, the Applicant could then begin to keep track of their time for reimbursement. Ms. Fraser added compensation should be given when the work starts, so this proposal is appropriate. However, it doesn't seem that 1 week is enough time for the Staff to adequately evaluate a project on the scale a Level 3 would be. If tracking time spent beginning with the second meeting, Conceptual Project Plan Review, in essence this project has been approved.
 - a. Mr. McDaniel suggested 3 weeks would be a better timeframe for the Staff to evaluate the proposed project. Mr. Pope added that the Conceptual Project Plan Review meeting is more a 30% submittal, basic information. Mr. Flagg pointed out that this meeting would give the Applicant time to resolve any issues.
 - b. Mr. Pappas added that 1 week is not enough time to vet the plan; other City Departments may need to be consulted. Mr. Flagg agreed and added that at this point Staff could also tell the Applicant this isn't a feasible project, don't go any further. Ms. Fraser added it appears the onus is on Staff to determine if this is a feasible project or not.
 - c. Mr. McDaniel added the Applicant should have at least done the locates, which are no cost, for the proposed area and spoken to the "owner" of the property for the first meeting, the Project Scope Meeting. If the Applicant does not have experience in managing a planting project, are they eligible to receive approval of a Level 3 Project?
 - d. Ms. Lisa Grubba, Greenscape, pointed out that they are working on 2 Level 3 Project Applications; so far Greenscape has met with the property owners onsite, as well as facilities staff. Ms. Fraser continued, if a new non-profit wants apply for a Level 3 Planting project, this document should tell them exactly what to do. Ms. Grubba responded, they should hire a consultant right away, as we did. Ms. Fraser pointed out there is nothing about utilities or locates or property owner meetings. Those things should be listed in Phase 1; what should you know before you propose your project to Staff.
 - e. Mr. McDaniel asked if a non-profit with no knowledge of planting trees is the best entity to fund tree planting projects which are supposed to save City Staff time? Is that the best thing for the City? Mr. Pappas suggested that adding all those things to the Phase 1, such as locates and meetings with property owners, may discourage groups with no experience. Ms. Fraser added, or they may hire a consultant and now need would like to know how much money is being risked.
 - f. Mr. Arpen asked who would resolve a conflict between the property owner and City Staff? Mr. Pappas suggested the non-profit would have to resolve the issue or take the chance and go forward anyway. Mr. Pope added there must be coordination with the user agency to determine a design appropriate for both parties. There are some instances where the Applicant or property owner cannot use Tree Fund money to do what they want. Any issue of this nature would most likely arise in this Phase 1 meeting, Project Scope Review.

- g. Mr. McDaniel added ultimately if there is that much conflict between the non-profit and Staff perhaps it is the wrong project. Worst case scenario, the property owner could go directly to a Council member and get his project bid out independently.
- h. Ms. Powell commented that if you want a lot of non-profits involved or if you only want to have a couple like Greenscape who understand tree planting projects, coordinating between Parks Department and Urban Forestry is not easy. Mr. McDaniel suggested inviting Parks Department to the meetings.
- i. Ms. Fraser suggests the Project Scope Review meeting is the initial meeting then Staff can determine if additional meetings are required and create the invite list. Meetings continue until the issues are resolved. The reimbursement clock doesn't begin until Phase 2. The Staff will have the right to require additional meetings before release to Phase 2, Conceptual Project Plan. Ms. Grubba clarified schedule a meeting with Staff and Property Owner, on-site, determine what the basic scope get all information up front. If there are no further requirements from Staff and they sign off, then a professional may be hired and the reimbursement clock starts. Mr. R. Robinson suggested adding B.8 Any other information as requested by Staff. Before the Applicant moves to the next Phase, Staff must sign off.
- j. CM Salem pointed out that these funds are tax dollars, if the Commission is not comfortable with the project, it should not be approved. In addition, there should be signatures obtained for each Phase, i.e., all the respective personnel have approved this project to date, then it comes before the Commission as a straightforward process. Mr. R. Robinson added the goal is a point of confidence in an early meeting that is worth of the City spending money. The Commission needs the confidence from the Staff. So Staff will have a lot of input on Phase 1 and not sign-off on it until all the issues are resolved so the Commission knows its been reviewed. A sign-off from Staff should be done for each Phase.
- k. Mr. Flagg summed up, 1 week is not enough, how much is enough? Mr. McDaniel suggested a month, if there were issues, between non-profit and Staff it could always be brought to the Tree Commission for resolution, if necessary. Ms. Grubba asked if an on-site meeting is required with Staff and property owner before the initial meeting? Mr. Pope replied, no at this initial meeting, once the project has been generally outlined, Staff will suggest who the Applicant needs to meet with and these are the issues you need to look at. Then other meetings will be scheduled to meet on-site and hear the results of the issues pointed out.
- l. Mr. M. Robinson added 1 week is not enough time. The non-profit needs to meet with the property owner to discuss what they are looking for in their tree planting project. If there are any conflicts, the property owner should "win".
- m. Ms. Grandin summed up the discussion so far: 1.B. Applicant must be prepared to identify *at least* the following. The deadline will be changed to 1 month. There will be some type of check-off list or sheet when to move to the next Phase. Also included will be when the reimbursement clock is to start.
- n. Mr. November pointed out the work begins at Phase 1, don't penalize non-profits for using professionals from the beginning and not reimbursing them. Mr. Pope pointed out any grant program requires a great deal of overhead to prepare the grant proposal, in many

cases no reimbursement is allowed for the time spent preparing the proposal. Mr. Flagg agreed. Mr. November doesn't understand why the reimbursement clock doesn't start from the very beginning of planning the project. Mr. Flagg added there is at risk work in defining what the scope is going to be. If it's going to be difficult then communication needs to be open to resolve any issues. In every professional world there is that level of at risk in a project, you just take that chance. Ms. Grandin added that if there is a non-profit who has no experience with planting trees, the Phase 1 meeting should be a narrow-focused meeting. The detail would begin with the Phase 2 meeting.

- o. Ms. Fraser added the Tree Commission is here to encourage as many non-profits to participate and we want them to be successful. One alternative is if your project is approved, there is a fixed fee which is granted for the up-front work. Every hour the professional spends is an hour the Staff does not spend. If the non-profit doesn't bring in the professional timely, the Staff will have to fill in those gaps; either the Staff is getting paid to do the work or the professional, it's a choice. Mr. Pappas said the decision which needs to be made is do we require the non-profit to invest to get the project or at risk if they don't get it they lose it.
- p. Mr. McDaniel added that the first meeting may turn into three depending on the project; it may require other City Departments input which is part of the risk of doing the project and shouldn't be reimbursed. Mr. Flagg agreed this is typical. Mr. November added when the non-profits are trying to sell the project to the Property Owner having professional conceptual drawings and documents helps. Once the first meeting with Staff has happened whether there need to be more meetings for Phase 1 or not, the project has begun at that point.
- q. Mr. McDaniel and Mr. Flagg disagreed, that's atypical to the process. Mr. November said as long as it's after the first meeting. Mr. Regueiro said there are 2 components, there's a sales side which doesn't have a lot of information, desired area of planting and then formal plan drawn by a Landscape Architect. Once the plan is drawn, that is a billable event and is usually rolled into the project costs once approved. Ms. Grandin will try to elaborate on the discussion and then continue the discussion next meeting.

7. New Business

a) Gold Star Family Memorial Parkway Phase 2 – Dave McDaniel

- i. Mr. McDaniel recommends Phase 2 be bid out and has requested CM Salem to sponsor legislation based on an estimate for the next 3 miles of the road. Once the conceptual plan and specifications have been done, they will be shown to the Tree Commission. Ms. Grandin added the Tree Commission would be giving an advisory opinion which would be included in the City Council package. CM Salem agreed.

b) Discussion of reports required for City Council Presentation

- i. Mr. Flagg, Ms. Grandin, and Mr. Leon will meet to ensure a presentation of the evolution of the Tree Commission. November 15th and 16th are the presentation dates. A handout showing the

encumbrance history would be helpful as well as a Before and After of the Canopy inventory. Also, we need to include the breakdown of each of the programs.

8. Public Comment –

- a) Joe Anderson, JEA – There is an award from the Florida Urban Forestry Council in the Lobby of the Director’s Office for the 630-CITY program from 2019. The Florida Urban Forestry Council consists of many of the professionals being discussed at this Commission.
- b) Lisa Grubba, Greenscape – Saturday, November 13th is Greenscapes annual tree giveaway. It will be at Lot E, the bottom of the Hart Bridge. This will be a drive-thru event. Keep Jacksonville Beautiful will be accepting 2 bags of shredding per vehicle.

9. Adjournment – the next meeting is Wednesday November 17th and will be a Hybrid/Zoom meeting in Ed Ball Building, 10th floor, Public Works Office, conference room 5,