

1 Introduced by Council Member Salem and Co-Sponsored by Council
2 Members Bowman, Cumber, DeFoor, Freeman, Hazouri and Pittman and
3 amended by the Finance Committee:
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6 **ORDINANCE 2019-745-E**

7 AN ORDINANCE APPROPRIATING \$2,000,000.00 FROM
8 THE TREE PROTECTION AND RELATED EXPENSES TRUST
9 FUND, SUBFUND 15F, FOR A COUNTY-WIDE PROGRAM
10 TO PROVIDE TREE PLANTING IN THE PUBLIC RIGHTS-
11 OF-WAY WHERE TREES HAVE BEEN REMOVED BY THE
12 CITY DUE TO TREE CONDITION; APPROVING, AND
13 REQUESTING THE MAYOR, OR HIS DESIGNEE, TO
14 DIRECT THE DEPARTMENT OF PUBLIC WORKS TO
15 ADMINISTER THE PROGRAM IN ACCORDANCE WITH THE
16 CRITERIA HEREIN PROVIDED; PROVIDING A
17 CARRYOVER OF FUNDS INTO SUBSEQUENT FISCAL
18 YEARS; PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, the Tree Commission, an advisory body of the City of
21 Jacksonville formed to encourage and coordinate the efforts of the
22 various public and private entities that are concerned with the
23 conservation and enhancement of the City's Tree Canopy, voted to
24 recommend two types of tree replacement programs to be administered
25 by Public Works; and

26 **WHEREAS**, pursuant to Ordinance 2018-775-E, the City
27 appropriated \$300,000.00 as an initial amount into the "County-Wide
28 Tree Program-Right-of-Way" account for the Tree Replacement
29 Program; and

30 **WHEREAS**, all of the funds appropriated to the Tree Replacement

1 Program have been expended or allocated to ongoing projects to
2 replace trees within the rights-of-way in Duval County; now
3 therefore

4 **BE IT ORDAINED** by the Council of the City of Jacksonville:

5 **Section 1. Appropriation for Tree Replacement Program.**

6 For the 2019-2020 fiscal year, within the City's budget, there
7 are hereby appropriated the indicated sum(s) from the account(s)
8 listed in subsection (a) to the account(s) listed in subsection
9 (b):

10 (The account information is attached hereto as **Exhibit 1**, and
11 incorporated herein by this reference)

12 (a) Appropriated from:

13 See attached **Exhibit 1** \$2,000,000.00

14 (b) Appropriated to:

15 See attached **Exhibit 1** \$2,000,000.00

16 (c) **Explanation of the appropriation** - The funding above is
17 to provide \$2,000,000.00 from the Tree Protection and
18 Related Expenses Trust Fund, Subfund 15F, to the County-
19 Wide Tree Program-Right-of-Way, for a county-wide right-
20 of-way tree replacement program, to be administered by
21 the Department of Public Works.

22 **Section 2. Purpose.** The purpose of the appropriation in
23 Section 1 is to provide an additional \$2,000,000.00 for the tree
24 replacement program initiated by Ordinance 2018-775-E (the "Tree
25 Replacement Program"), to plant trees within public rights-of-way
26 and parks in Duval County. The Tree Replacement Program funds will
27 be expended in this way: When a tree within the public right-of-
28 way or park is damaged, dead, in impending decline, or becomes a
29 hazard to the public health, safety and welfare, the Department of
30 Public Works may use Subfund 15F to remove and replace said tree,
31 so long as

1 (1) the tree removed is replaced within six (6) months;

2 (2) the species of replacement tree is contained in the "Tree
3 Commission Approved Tree Planting List", as amended from time to
4 time, and approved by a City Arborist; and

5 (3) the location of the replacement tree is approved by a
6 City Arborist and is in close proximity to the tree removed.
7 "Close proximity" is defined as follows:

8 (a) as to replacement trees in rights-of-way, within the
9 right-of-way of the parcel abutting the tree removal site, or in
10 the right-of-way of an adjacent parcel abutting, or across the
11 street from, the tree removal site, but in no instance shall the
12 location of the replacement tree be more than 100 feet away from
13 the tree that was removed;

14 (b) as to replacement trees within parks, no more than
15 100 feet from the tree removed.

16 **Section 3. Oversight Department.** The Public Works
17 Department shall oversee the Programs described herein. The trees
18 that are removed and those that are planted shall be recorded
19 electronically on Plan-it GEO, or its equivalent, and shall note
20 the species and size of each, as well as the date of planting or
21 removal, and the Ordinance number, if applicable, appropriating the
22 funding.

23 **Section 4. Carryover.** The funds appropriated in this
24 ordinance shall not lapse but shall carryover to subsequent fiscal
25 years.

26 **Section 5. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

29 Form Approved:

30 /s/ Susan C. Grandin
31 Office of General Counsel
32 Legislation Prepared By: Susan C. Grandin

