

Jacksonville Tree Commission

Amended Minutes

Wednesday February 21, 2024, - 9:30 AM

Via Zoom Platform & In Person

[Recording of Meeting can be obtained by sending request to  
Charles Hayes kennethh@coj.net]

For approval May 15, 2024

**Commissioners:**

Chris Miller, Council Liaison  
Nina Sickler, Director of Public Works  
Curtis L. Hart, Chair (Council Appointee; 2012-0033-A)  
Susan Fraser (Council Appointee; 2022-0063-A)  
John Moscarillo (Mayor Appointee; 2023-0696-A)  
William Burke (Mayor Appointee; 2023-0695-A)  
[vacant] (Council Appointee; 2021-0027-A)

**Advisors:**

Jonathan Colburn - Urban Forestry Manager  
Justin Gearhart - City Arborist  
Susan Grandin - Office of General Counsel  
Jose Regueiro - Accounting

**Staff:** Charles Hayes

**1. Call to Order**

Conducted by Chair

**2. Roll Call and Verification of Quorum**

Conducted by Chair

Commissioners present:

Curtis Hart, Chair  
Susan Fraser  
Chris Miller  
Nina Sickler  
John Moscarillo  
William Burke

**Quorum present** (4, in person): yes

**3. Call for Public Speakers (online & card):** none

**Action Items:**

**4. January 17, 2024 Minutes**

**Issue:** The January 17, 2024 Minutes were offered for approval.

**Motion:** to approve the Minutes of January 17, 2024, as distributed.

**Moved by:** Susan Fraser

**Second:** Nina Sickler

**Discussion:** none

**Vote:** none

**5. Election of Chairperson of Tree Commission**

**Issue:** Current Tree Commission Chair Curtis Hart stated that his term has ended but could remain in the position until the Council President appoints someone for the position and replaces him. Hart explained that he discussed the seat with C.P. Salem and was advised by Salem that Salem was not ready to replace Hart (leaving Hart in the seat at Commission)

**Motion:** to re-elect current Tree Commission Chair Curtis Hart to remain as Chair until the Council President appoints someone for Hart's position on Commission.

**Moved by:** Susan Fraser

**Second:** Nina Sickler

**Discussion:**

Members discussed the requirements of the position for the Chair and the fact that the Commission had previously voted on Hart as Chair. **Hart:** stated if someone else would like to serve he had no problem.

**Vote:** Approved, unanimous.

**6. Vacant position on Tree Commission**

**Issue:** Rhodes Robinson, appointed by the City Council, resigned from his position on the Tree Commission and with no nominations put forward, the seat remains a vacant seat on the Commission. The Chair asked General Counsel and the city Arborist to reach out to Ron Salem about an appointment.

**7. (Agenda Item taken out of order): Financial Report for Ordinance Tree Fund, Charter Tree Fund, and BJP**

**Jose Regueiro** - Accounting: noted that he had been asked previous to provide the current return rates on fund accounts. He noted that November 2022-2023 rates are 2.33% and this year they are at 2.61% (APR 3.13). He also briefed combined revenue for January YTD compared to January 2023 was down 3.3M. January 2024 YTD 2.4million, spent. Revenues are down. The Charter portion of the Tree Fund is completely unused. Also, total unallocated funds increased by \$8.8 million.

[Near end of the meeting, as scheduled on agenda:]

**Justin Gearhart** - City Arborist: in the three Tree Fund-type accounts (Charter, Ordinance, BJP) collectively is nearly \$22million.

There were no questions; no motion.

**8. Tree Commission Presentation**

**Issue:** It has been a goal for the Tree Commission to present an overview to the City Council. This would define what the Commission does and can do within each Council member's districts. The City Arborist had been assigned this task in November 2023. City Arborist Justin Gearhart presented each slide and Commission offered edits to include the addition of particular charts, Level 2 and 3 explanation, current projects, and handouts.

**Susan Grandin** General Counsel: stated she would work on a plan to schedule which council meetings needed to be attended.

**Justin Gearhart** asked for a vote for approval prior to the corrections of the presentation being done because if the Commission waited it would be another month before the City Council could be briefed.

**Motion:** for Justin Gearhart to make the discussed edits to the presentation, and to distribute the final to each member to approve prior to presentation to the City Council.

**Moved by:** Susan Fraser

**Second:** Nina Sickler

**Discussion:** none

**Vote:** Approved, unanimous

## **9. Tree Fund Appropriation Request**

**Justin Gearhart** - City Arborist: pointed out the timeline of certain Level 3 projects, including the fact of the reworking of Level 3 guidelines, which the Commission should expect for an increase in use of Tree Fund funds. Fund Status of 630-CITY, Remove and Replace (\$3m used), and Level 2 Programs (\$5m used): Justin Gearhart briefed that 22M was the current amount. Asked that the entirety of the Better Jacksonville Plan set aside for Tree Planting be appropriated to Remove and Replace.

**Justin Gearhart** - City Arborist presented the following proposed appropriations:

**2.5 million** from the Ordinance Tree Fund to be moved into Remove and Replace [previous appropriation to current request: \$1.2 to \$5.4]

**2 million** from the Charter Fund moved to Remove and Replace, which would allow live oaks and particular species of trees to be planted through that program. [previous appropriation to current request: \$0 to \$2m]

**3 million** from Charter Fund to Level 2 [previous appropriation to current request: \$0 to \$3m]

**6 million** from Ordinance into Level 3 for upcoming projects [previous appropriation to current request: \$1.5m to \$7.5m]

These requests would leave the Ordinance Fund at 2.1m; and the Charter Fund 4.2m and the BJP to \$0.

### **Highlights of the ensuing discussion include:**

**Justin Gearhart** - City Arborist: offered the prepared material for the meeting details how each project under Remove and Replace is tracked, including Parks, Right-of-way, and how the program intersects with the general Removal program (general fund).

**Susan Fraser:** in light of the expected Management Plan, should the appropriations be for 1 year instead of 2.

**C.M. Miller:** noted that the function of the Tree Commission is to vet the planning projects and those decisions should rest

with the Commission. Miller emphasized that the Management Plan will likely serve as a guide for future projects, at present all the current potential projects should be vetted by the Commission with a view of the overall mission of improving the City. Miller noted that he did not yet fully understand the rationale for the specific numbers within the appropriations request but that the Commission, with their overall mission view, should be the ones to decide the amounts to request for appropriation.

**Justin Gearhart** - City Arborist: advised that the numbers were from looking at the spending from last year and making the amount cover a two-year period of the same. Gearhart noted that using Charter Funds was going to be first time.

**Chair Hart:** noted that Charter Fund money limits by specification which species of trees can be used for planning and requires more documentation.

**Susan Grandin** General Counsel: Grandin noted that the Tree Fund money can be spend on planting, as part of planting is the removal of obstructions which may include removing a dead tree, the percentages of use of the funds on remove versus the replacement planning should be appropriate.

The Commission generally discussed and concluded that the request appropriation amount was 2 years of funding and agreed that 1 year of funding should be moved rather than 2 years.

**Chair Hart:** asked why should 6 million go to Level 3 when nothing has been spent.

**Justin Gearhart** - City Arborist: explained that the Level 3 program had been reworked so it was easier to understand to request project funding so there will be more projects in the future.

The Commission generally discussed that the RiversEdge project was a unique situation and noted that the project will be presenting their request in the next commission meeting.

**Nina Sickler:** suggested that Level 3 should be funded generally, recognizing that Tree Commission is the entity to assess and vet planting projects not City Council. Tree Commission is the body of experts designed to vet major projects.

**Susan Fraser:** questioned if appropriation of funds for Level 3 should not happen until there is a project and then goes to the City Council for approval.

**Dave McDaniel:** McDaniel and noted that Council had previously expressed that Tree Commission should not be coming to Council repeatedly.

**Susan Grandin General Counsel:** reminded the Commission that they are the "body of experts", and Council recognizes that. Grandin suggested that the funding amount for Level 3 should not be considered RiversEdge project as that is unique and must pass through MBRC per Level 3 protocol.

**Motion:**

\$1M from Charter to Remove and Replace;  
\$1.7M from BJP to Remove and Replace;  
\$1.5M from Charter to Level 2;  
\$6M from Ordinance to Level 3.

**Moved by:** Susan Fraser  
**Second:** Nina Sickler

**Discussion:** none further.

**Vote:** Approved, unanimous

**10. Potential Trees to Add to Approved Species List**

**Justin Gearhart - City Arborist:** gave a presentation of new species of trees to be added based on the Mayor's directive. The Commission discussed the various fruit trees that have not worked in the past, maintenance, and irrigation systems that would be needed. [List can be found at [Jacksonville.gov - Tree Commission](https://www.jacksonville.gov), January 17, 2024 Meeting]

Generally: The Commission stated would be a good idea for some of the fruit trees to be planted at community centers so they could care for them. The Commission members emphasized that fruit trees take a lot of maintenance and will the support be available. Also noted is the increased requirement of irrigation for fruit trees; stated that the Parks and Recreation Division should be part of this discussion because of the operation cost.

**Jonathan Colburn - Urban Forestry Manager:** reminded that "right tree, right place" is the guiding principle.

**Motion:** To table new species list to be added to the planning list based on the Mayor's directive - with the condition that ~~Parks need to be in discussion to see if they desire a program with fruit trees~~ make a presentation regarding fruit trees.

**Moved by:** Susan Fraser

**Second:** Nina Sickler

*Competing Motion:* To table the discussion until consult with Parks.

**Moved by:** William Burke

**Seconded:** Nina Sickler

**11. New Business:**

**Charles Hayes** gave an update on the Tree Commission website which included the public announcement, agenda, minutes, and event link that would be posted. As well, meeting material is posted and available electronically (which cut down on physical copies).

**12. Online Comment card** regarding Zoo Parkway and development of warehouses.

END OF MEETING