Introduced by Council Member Salem:

## ORDINANCE 2021-144

AN ORDINANCE APPROPRIATING \$2,000,000.00 FROM THE TREE PROTECTION AND RELATED EXPENSES TRUST FUND, FUND 15304, FOR THE COUNTY-WIDE "REMOVE AND REPLACE" PROGRAM; APPROVING, AND REQUESTING THE MAYOR, OR HIS DESIGNEE, TO DIRECT THE DEPARTMENT OF PUBLIC WORKS TO ADMINISTER THE PROGRAM IN ACCORDANCE WITH THE CRITERIA HEREIN PROVIDED; PROVIDING A CARRYOVER OF FUNDS INTO SUBSEQUENT FISCAL YEARS; PROVIDING AN EFFECTIVE DATE.

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16 WHEREAS, the Tree Commission, an advisory body of the City of 17 Jacksonville formed to encourage and coordinate the efforts of the 18 various public and private entities that are concerned with the 19 conservation and enhancement of the City's Tree Canopy, voted to 20 recommend two types of tree replacement programs to be administered 21 by Public Works; and

WHEREAS, pursuant to Ordinance 2018-775-E, the City appropriated \$300,000.00 as an initial amount into the "County-Wide Remove and Replace" account for the Tree Replacement Program (the "Program"); and

26 WHEREAS, pursuant to Ordinance 2019-745-E, the City appropriated 27 an additional \$2,000,000.00 for the Program; and

WHEREAS, due to the popularity of the Program all of the funds appropriated to the Program have been expended or allocated to ongoing projects to replace trees within the rights-of-way in Duval County; now therefore BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Appropriation for Tree Replacement Program.
For the 2020-2021 fiscal year, within the City's budget, there
are hereby appropriated the indicated sum(s) from the account(s)
listed in subsection (a) to the account(s) listed in subsection (b):
(The account information is attached hereto as Exhibit 1, and
incorporated herein by this reference)

(a) Appropriated from:

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

(b) Appropriated to:

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

12 (c) Explanation of the appropriation - The funding above is to
13 provide \$2,000,000.00 from the Tree Protection and Related
14 Expenses Trust Fund, Fund 15304, to the County-Wide Remove
15 and Replace Program, to be administered by the Department
16 of Public Works.

17 Section 2. Purpose. The purpose of the appropriation in Section 1 is to provide an additional \$2,000,000.00 for the Program 18 19 initiated by Ordinance 2018-775-E, to plant trees within public 20 rights-of-way and parks in Duval County. The Program funds will be 21 expended in this way: When a tree within the public right-of-way or 22 park is damaged, dead, in impending decline, or becomes a hazard to 23 the public health, safety and welfare, the Department of Public Works 24 may use Fund 15304 to remove and replace said tree, so long as

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

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

(3) the location of the replacement tree is approved by a City Arborist and is in close proximity to the tree removed. "Close proximity" is defined as follows: (a) as to replacement trees in rights-of-way, within the right-of-way of the parcel abutting the tree removal site, or in the right-of-way of an adjacent parcel abutting, or across the street from, the tree removal site, but in no instance shall the location of the replacement tree be more than 100 feet away from the tree that was removed;

7 (b) as to replacement trees within parks, no more than8 100 feet from the tree removed.

9 Section 3. Oversight Department. The Public Works 10 Department shall oversee the Programs described herein. The trees that are removed and those that are planted shall be recorded 11 12 electronically on Plan-it GEO, or its equivalent, and shall note the species and size of each, as well as the date of planting or removal, 13 14 and the Ordinance number, if applicable, appropriating the funding.

15 Section 4. Carryover. The funds appropriated in this 16 ordinance shall not lapse but shall carryover to subsequent fiscal 17 years.

18 Section 5. Effective Date. This ordinance shall become 19 effective upon signature by the Mayor or upon becoming effective 20 without the Mayor's signature.

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22 Form Approved:

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24 /s/ Susan C. Grandin

25 Office of General Counsel

26 Legislation Prepared By: Susan C. Grandin

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