

1 Introduced by Council Member Salem:
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4 **ORDINANCE 2021-144-E**

5 AN ORDINANCE APPROPRIATING \$2,000,000.00 FROM
6 THE TREE PROTECTION AND RELATED EXPENSES TRUST
7 FUND, FUND 15304, FOR THE COUNTY-WIDE "REMOVE
8 AND REPLACE" PROGRAM; APPROVING, AND
9 REQUESTING THE MAYOR, OR HIS DESIGNEE, TO
10 DIRECT THE DEPARTMENT OF PUBLIC WORKS TO
11 ADMINISTER THE PROGRAM IN ACCORDANCE WITH THE
12 CRITERIA HEREIN PROVIDED; PROVIDING A
13 CARRYOVER OF FUNDS INTO SUBSEQUENT FISCAL
14 YEARS; PROVIDING AN EFFECTIVE DATE.
15

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

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

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

28 **WHEREAS**, due to the popularity of the Program all of the funds
29 appropriated to the Program have been expended or allocated to
30 ongoing projects to replace trees within the rights-of-way in Duval

1 County; now therefore

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

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

4 For the 2020-2021 fiscal year, within the City's budget, there
5 are hereby appropriated the indicated sum(s) from the account(s)
6 listed in subsection (a) to the account(s) listed in subsection
7 (b):

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

10 (a) Appropriated from:

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

12 (b) Appropriated to:

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

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

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

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

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

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

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

10 (b) as to replacement trees within parks, no more than
11 100 feet from the tree removed.

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

19 **Section 4. Carryover.** The funds appropriated in this
20 ordinance shall not lapse but shall carryover to subsequent fiscal
21 years.

22 **Section 5. Effective Date.** This ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

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26 Form Approved:

27
28 /s/ Susan C. Grandin

29 Office of General Counsel

30 Legislation Prepared By: Susan C. Grandin

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