

# City of Gainesville

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Minutes - Final**

**September 11, 2019**

**4:00 PM**

**405 NW 39th AVE, Room 108**

## **Tree Advisory Board**

*E.J. Bulduc (Member)  
Ivor Kincaide (Member)  
Jason Smith (Member)  
Marc Frank (Member)  
Erick Smith (Chair)  
Franchesca Carrera (Student Seat)*

**1 Call to Order - 4:03 PM****2 Roll Call**

**Present** 4 - Member Smith, Chair Smith, Member Kincaide, and Member Bolduc III

**Absent** 2 - Member Frank, and Student Seat Carrera

**3 Public Comment**

Meg commented on how glad she was to see the new arborist, discussed her perspective as City Arborist and offered her assistance.

**4 Approve Minutes from 7/10/2019**

**A motion was made by Member Bolduc, III, seconded by Member Kincaide, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 4 - Member Smith, Chair Smith, Member Kincaide, and Member Bolduc III

**Absent:** 2 - Member Frank, and Student Seat Carrera

**5 New Business****6 Member Comment**

Ivor was approached by Commissioner Warren at the grocery store. She wanted to see if the Tree Advisory Board would be interested in reviewing tree related issues regarding the comprehensive plan. The LDC was changed, the Comp Plan was not. EJ felt the TAB needs to be involved. He made a motion to reach out to Commissioner Warren to see if the TAB can be of assistance to Comp Plan review as related to trees and code. (Ivor seconded, unanimous)

Erick and Lili attended the recent CBB meeting and discussed the annual December Urban Forestry Workshop. The CBB was pleased to have a CBB/TAB partnership in setting up this workshop and asked for the TAB to locate speakers. Topics discussed included utility forestry, House Bill 1159, diseases//palm issues, right tree/right place. Erick suggested contacting speakers and getting any ideas to Staff, letting them firm up the agenda. Agenda needs finalized for CEU approval. Jason is on the ISA board and can assist with having them approve CEU's in a timely manner. Brian mentioned the ISA topic of "Healthy Forests, Healthy Communities" for an overarching theme, which may be pertinent and appropriate. Board agreed.

Emily suggested moving the next meeting up so the Board can focus on the workshop and have a representative attend the following CBB meeting with their results. Board agreed and a motion was made to have

the next meeting on 10/2 @ 4:30PM (motion, EJ, second, Ivor; unanimous).  
Another motion was made to start future meetings at 4:30PM (motion, Jason Smith, second, EJ; unanimous)

**A motion was made by Member Bolduc, III, seconded by Member Kincaide, that this Matter be Adopted. The motion carried by the following vote:**

**Aye:** 4 - Member Smith, Chair Smith, Member Kincaide, and Member Bolduc III

**Absent:** 2 - Member Frank, and Student Seat Carrera

#### 190355.

#### **Tree Board of Appeals Vacancy and Reappointments**

Emily discussed requirements for the Tree Board of Appeals; it must have three current members from the Tree Advisory Board, no alternates. Meetings are as needed. Ivor made a motion to appoint Erick Smith, EJ Bolduc and Jason Smith as new Tree Board of Appeals. (Jason Smith, second; unanimous).

##### RECOMMENDATION

*The board appoints fill the required positions on the Tree Board of Appeals.*

**A motion was made by Member Kincaide, seconded by Member Smith, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 4 - Member Smith, Chair Smith, Member Kincaide, and Member Bolduc III

**Absent:** 2 - Member Frank, and Student Seat Carrera

#### 190356.

#### **Tree Advisory Board By-Laws - Attendance**

The City Attorney review showed all Advisory Boards have an attendance policy. A member can be removed when they are not present at 50% of the last meetings where voting occurred. Staff was unsure of how enforced this is on other boards. Jason asked if a member can be in attendance through conference call, staff will check with the Attorney.

##### RECOMMENDATION

*The Tree Advisory Board By-Laws are reviewed and properly communicated to each board member.*

#### 190357.

#### **Ordinance Review Discussion and Potential Committee**

Emily and Chelsea have noticed inconsistencies and things to improve with regards to code and ordinance interpretation. For example, Code Enforcement doesn't align with replanting requirements when trees are removed (not codified). A specific example follows: A laurel oak was removed without a permit. The only way to determine size is to measure the stump diameter. What code states must be enforced - replacement trees must be replanted inch for inch, regardless of the species. This doesn't make sense as laurel oaks have a limited lifespan and are not a

preferred species. EJ commented if you remove a tree without a permit there is no means for appeal (to describe why it was removed - tree condition, etc) to avoid penalties. How should this be documented? By owner or tree surgeon who removed it? Jason advocated putting in a requirement that only an ISA certified arborist document the removal and the City could regulate only a Certified Arborist provide documentation and require it the same day the tree is removed. What if you are dealing with a renter or an absentee landowner who needs the tree removed because it is a hazard. Board came to a conclusion that it comes down to what the City Attorney thinks is enforceable. In a prior meeting, the City Attorney mentioned this will be a dynamic situation as HB1159 gets challenged and potentially changed. They will follow the progress and adjust if needed. Board agreed this topic would be best suited to be on a single agenda item for a future meeting.

Other inconsistencies include size of trees required for replanting (15 vs 30 gallons). Staff canvassed nurseries. There is a lack of availability in 15 and 30 gallon trees. However, if the size requirement was dropped to a 3 or 7 gallon tree it would help in the following ways: Homeowners would replant on their property in more instances, size allows for ease of transport by typical homeowner who doesn't have a pickup truck, ease of finding a tree at the nursery, better selection of tree species (diversity and quality) and improved survivability.

**RECOMMENDATION**

*The board review and discuss the current tree ordinances and consider changes where necessary.*

**10 Public Works Update**

Public Works Update was covered in the above agenda items.

**11 GRU Update**

Joe discussed Hurricane Dorian storm prep, tree crews came from Kentucky and Massachusetts for mutual aid assistance. The Tree Trimming contract was successfully re-bid (a 6 year contract initially bid in 2013). Out of 201 solicitors, 2 qualified vendors bid. The lowest bidder was a 30% increase (next lowest 54% increase), requiring a presentation to the Commission where the TAB motion of support from 2/13 was read. Commission approved the contract.

**Adjournment - 6:15 PM**