

**TREE AND BEAUTIFICATION COMMISSION ORGANIZATIONAL MINUTES
THURSDAY, MARCH 17, 2022 - 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Fran Robinson, Rebeca Siplak, Opal Nelson, Cindy Roberts, and Katherine Booth **Also Present:** City Clerk, Tammy Bursick; Assistant City Attorney, Jenny Flanigan; Grounds Maintenance Manager, Nanette Haynes; Public Works Director, Matthew Mitts; and Senior Administrative Assistant, Rita Chartier

1. SWEARING IN OF NEW MEMBERS – CITY CLERK

Mrs. Tammy Bursick, City Clerk, welcomed the new members and thanked them for volunteering to serve on this Commission. She performed the Oath of Office en masse.

2. ELECTION OF OFFICERS

Mrs. Bursick stated that the next order of business is to hold the Election of Officers. At this time she opened the floor for nominations for Chairman.

A) Chairman

Mrs. Booth nominated herself for Chairman.

Mrs. Bursick asked if there were any other nominations.

Mrs. Siplak nominated Mrs. Fran Robinson for Chairman.

Mrs. Bursick asked if there were any other nominations for Chairman. There were no other nominations made. She said they would first take the vote for the nomination for Mrs. Katherine Booth. She asked if there was a second.

Mrs. Siplak seconded the nomination.

On a roll call vote the nomination for Mrs. Katherine Booth for Chairman of the Tree and Beautification Commission passed 4-1 with Ms. Nelson voting yes, Mrs. Siplak yes, Mrs. Roberts yes, Mrs. Robinson no, and Mrs. Booth yes.

B) Vice Chairman

Mrs. Booth opened the floor for nominations for Vice Chairman.

Mrs. Siplak nominated Mrs. Fran Robinson for Vice Chairman of the Tree and Beautification Commission. Ms. Nelson seconded the nomination. With no other nominations, Mrs. Fran Robinson was unanimously appointed as Vice Chairman of the Tree and Beautification Commission.

3. NEW BUSINESS

A) Jenny Flanigan, Assistant City Attorney, to give a briefing of the Sunshine Law

Ms. Jenny Flanigan, Assistant City Attorney, congratulated them for being members of the Tree and Beautification Commission. She explained that she will go over an important part of their duties as a

member of the Commission. She continued by giving a Power Point presentation on the Sunshine Law (on file in the City Clerk's office). She asked if there were any questions.

Mrs. Siplak said it was mentioned that the Commission members cannot discuss anything that might conceivably come before their Commission, so she asked Ms. Flanigan if she could clarify some of those items so she has a sense of what those subjects might be.

Ms. Flanigan explained it would include anything that they would be making recommendations to City Council pertaining to trees and beautification of the City, tree Ordinances and such. She read the duties of the Tree and Beautification Commission and explained that previously the Commission would hear and decide applications for dedicatory trees, but that is going to change. They will still be updated by staff on dedicatory trees as they are approved.

Mrs. Siplak stated that she understands that if they want to communicate with the other Tree and Beautification Commission members they should contact the City Clerk's office. She asked how do they contact that office.

Ms. Flanigan replied that the members will receive correspondences from the City Clerk's office so they will have the email address for the secretary to contact.

Mrs. Booth explained that in the past, if a member had information they wanted to share such as an article or an item of interest they would send it to the City Clerk's office so it can be shared with the other members.

Mrs. Booth asked if they speak with members of other Boards or Commissions, does that still fall under the Sunshine Law.

Ms. Flanigan replied that it only applies to members of the same Commission or Board. She explained that if there were two (2) of their members speaking with staff, City Council, or other Board or Commission members about Tree and Beautification Commission matters then the Sunshine Law would fall into play. However, if they are speaking one (1) on one (1) with others that are not on their Commission they are perfectly fine.

B) Matt Mitts, Public Works Director, to discuss the Mission of the Tree and Beautification Commission

Mr. Matthew Mitts, Public Works Director, stated that he was asked to explain the mission of the Tree and Beautification Commission. He said that Ms. Flanigan read the duties of the Tree and Beautification Commission, but he would like to read it again and explain it further. He read the duties of the Tree and Beautification Commission. He explained that they just changed some procedures concerning dedicatory trees. In the past, if a customer wanted to dedicate a tree they would fill out an application and the Grounds Maintenance Manager would work with them to select the type of tree and the location. The issue they were having is that the Tree and Beautification Commission only meets as needed and they do not want to keep the customer waiting for the Tree Commission to approve the application. The Tree and Beautification Commission will still be informed of dedications that have taken place, but they will not have to be approved by the Tree and Beautification Commission. Part of the wording of their duties was revised to read "The Commission may also periodically receive updates on applications for dedication trees to be planted in the City." He said the City does a very good job of doing planting projects and every

year they fit in as many as their budget will allow. City Hall is a shining example of that and they just won an award for it. He introduced Mr. Jason Jeffries, Planning and Development Director, and said that his staff works hand in hand with that department. The Public Works department is the operation and execution side and the Planning Department is responsible for the Ordinances and City Codes on how trees are handled for site development and such. These are the two (2) City departments that their Commission will probably deal with the most.

Mrs. Booth said as she understands it, the duties of the Tree and Beautification Commission are not just to make recommendations on the public property owned by the City, but on the beautification needs of all of the City. She asked if that was correct.

Ms. Flanigan replied yes, that is correct.

Mrs. Robinson asked what was the award for that Mr. Mitts mentioned.

Ms. Nanette Haynes, Grounds Maintenance Manager, explained that when she took a webinar off the University of Florida's website, she found where they had awards for different Florida-Friendly projects and they were accepting applications. She thought it would be interesting to submit the City Hall project, so she did and they won. She said about a month ago the people with the Florida-Friendly landscaping program came to City Hall and presented them with a beautiful plaque and took a lot of pictures. They also received a Proclamation at the City Council meeting for receiving that award. She is currently working with the Agricultural Extension to get an in ground sign for the property recognizing that award. She said the award was very nice because her staff worked very hard on the rain garden, the parking lot, and all of the planting around the building.

Mrs. Robinson said they need more ways to inform the public, because she did not hear about it. She said she hopes that they will announce this at the next meeting of the Master Gardeners, because Florida-Friendly is their program.

Mrs. Bursick announced that she submitted it to the Florida League of Cities and they will have it in their next Quality City magazine.

Mr. Mitts explained that there are four (4) standards for being in the Tree City USA program. First they need to have a Tree Board or department responsible for the trees and they need a tree care Ordinance, which the City has. They also need a Community Forestry program with an annual budget of at least \$2 per capita. He stated that the City's budget for the Grounds Maintenance division well exceeds that. The last requirement is to have an Arbor Day celebration and tree planting. He said the Tree and Beautification Commission has also been promoting a Beautification Weekend. He said the staff is not really involved with those events and they appreciate what the Tree and Beautification Commission does to raise community awareness and promote the Florida-Friendly landscaping. The City tries to do projects as examples of what the community can do, but the events that the Commission does to raise awareness is a big benefit to everybody.

Ms. Nelson asked what is the website for that tree program.

Mr. Mitts said they can find it by searching the web for "Tree City USA." When they enter the Vero Beach City limits they will also see the Arbor Day signs showing the number of years they have been a Tree City USA member.

Mrs. Siplak asked if their Commission has a budget to use to hold events for raising awareness.

Ms. Haynes explained that when they do a tree dedication there is a \$100 application or planting fee that goes into the Tree and Beautification Commission's account. They usually receive an account balance update at their meetings. They can ask permission from City Council to utilize the tree mitigation funds to plant trees and for any necessary irrigation pertaining to the tree planting.

Mrs. Siplak asked if the trees can be planted on private property.

Ms. Haynes replied that they have no interaction with private property, so it has to be on City property.

Mrs. Booth asked Ms. Haynes if she would be the person taking a matter to City Council if they were asking to spend funds from the tree mitigation account if there is not enough money in the dedicatory tree account for a project.

Ms. Haynes replied that it would usually be the Chairman of the Tree and Beautification Commission who would go to City Council or submit the request to use the funds.

Mrs. Robinson asked how do they obtain the Arbor Day trees.

Ms. Haynes replied that she normally gets them donated by a local nursery.

Mrs. Booth asked if the Commission could see the budget or the cost for maintaining their participation in Tree City USA.

Ms. Haynes explained that she provides the information on how many tree trimmings, how many plantings, costs for watering, fertilizing, etc., to Ms. Gayle Lafferty in Planning and Development. Ms. Lafferty adds her information along with information from the City Clerk's office about the Tree and Beautification Commission and then she submits that report every year.

Mrs. Booth asked to have that report added to their agenda for April.

4. PUBLIC COMMENT

None

5. MEMBER'S MATTERS

Mrs. Robinson stated that Arbor Day is coming up.

Ms. Haynes replied yes, it is April 29, 2022.

Mrs. Booth said she thought it might be difficult to accomplish since they are just starting to meet again. She asked Ms. Haynes if she would be ready with a donated tree and have a location picked out.

Ms. Haynes asked if they would like to plant another Pine Tree along the 20th Avenue canal like they did last year. She is hesitant to plant a tree at Leisure Square because they are getting ready to do an addition to a building there.

Mrs. Siplak asked if it will be a Slash Pine Tree.

Ms. Haynes replied yes.

The Commission member were all in favor of planting a Slash Pine Tree along the 20th Avenue canal.

Mrs. Siplak said please plant more Slash Pines because they provide an incredible ecological benefit to the birds and wildlife. It is a historical tree in Florida and it has adapted to this climate and soil.

Ms. Haynes asked to confirm that they want to have the tree planting on Friday, April 29th along the 20th Avenue canal near 24th Street. She asked what time do they want to have it.

Mrs. Booth said whatever time is convenient for staff.

Ms. Haynes explained that she will already have the tree in the ground and then they can shovel dirt in around it.

Ms. Nelson said what about 1:00 p.m.

Mrs. Robinson said it could be quite hot at that time.

Ms. Haynes asked if 10:00 a.m. would be an option. The Commission members were in favor of 10:00 a.m.

Mrs. Siplak stated that a couple of years ago, she heard that the Tree and Beautification Commission could make nominations for Florida-Friendly accreditations. She was not sure if they have ever done that, so she would like to put this forward for something the Commission could possibly look into doing.

Mrs. Booth said that would be very good. She suggested that she send what information she has to the City Clerk's office to be placed on their next agenda.

Mrs. Siplak asked if the Commission members could introduce themselves at next month's meeting to give each other a little background on themselves. She also asked if the Commission can learn more about the tree mitigation, what trees are mitigated for construction sites, and how much money goes into the tree mitigation fund for that.

Mr. Jason Jeffries, Planning and Development Director, stated that tree mitigation is regulated through the Land Development Codes. Any tree over three (3) inches in diameter and Palm Trees over 12 feet in height are protected. There are other species called specimen trees, which are listed in a chart in the City Code. They are also mitigated with different costs when they are over a certain calculated size. During development, trees can only be removed from the building site and then they have to mitigate by replanting trees on the property. If they cannot replant on site then they pay into the mitigation account based on the cost of the tree being removed. The calculations are provided by the Public Works department based on the going rate for trees. He explained that they are working on improvements to the Code. They will add another level of protection for Oak Trees. An Oak Tree over a certain size will become a historic tree. The goal is to create more of an incentive for developers to work around the trees instead of cutting them down and paying the mitigation fee. Any removal of a historic tree will also need approval at a hearing of the Planning and Zoning Board. He reminded them that with tree preservation they have to keep in mind there are certain constitutional protections that people have. They have to balance the City's desire to protect the trees, the public's interest, and the private development rights that people have to develop their property.

Mrs. Robinson stated that there have been a lot of tree removals in the Central Beach area.

Mr. Jeffries replied that they are all permitted and the properties are being developed for new homes. However, if they see a tree being removed and they don't know if it is permitted they can call the City's Planning office or the Code Enforcement office to check. He explained that any tree being removed has

to be permitted through the Planning Department. If a tree is dying or is damaging a structure it can be removed, but the Planning Department inspects the tree before a permit is issued. When developing land there has to be an approved site plan showing the location of the structure. What they are seeing is that people are not really designing homes around the existing trees. They are going to place stricter standards on the Oak Tree canopy to try to deter them from removing them.

Mrs. Robinson said they really appreciate their efforts.

Mrs. Siplak said they would like to know about the workshop he mentioned.

Mr. Jeffries replied that he will let them know about the workshop and when it is scheduled with the Planning and Zoning Board. He explained that there will be changes to the City's Land Development Regulations, but that responsibility is in the hands of the Planning and Zoning Board and City Council. They have already received input from the Tree and Beautification Commission and now they are moving onto the amendment process, which is mandated by State Statutes and City Codes. With all of the hearings and a workshop with the Planning and Zoning Board there will be several opportunities to hear what is being discussed.

Mrs. Siplak said she was curious to know how much money is available in the mitigation account.

Ms. Haynes replied that it was over \$100,000 when she last checked.

Mrs. Siplak stated that she is curious about the downtown beautification efforts. She said she sees signs on the cement planters that say they are being maintained by Main Street. She asked if that is part of their Commission's duties.

Ms. Haynes explained that this goes back a long time ago when the Tree and Beautification Commission did a partnership with Main Street. The cement planters were placed in the bulb outs, which the City's Grounds Maintenance department takes care of. Main Street had sponsors to take care of planting and maintaining the planters, but like many other volunteer projects it went by the wayside. She explained that last year when she redid the areas downtown that the City takes care of, she took out all of the pots. She believes the planters that are outside of the businesses on the pavers might be taken care of by the businesses, but that would be a Main Street question. She stated that the hanging baskets are also the responsibility of Main Street.

Ms. Nelson stated that Main Street is responsible for replanting the hanging baskets and they do that with a group of volunteers.

Mrs. Booth asked how do they redevelop that connection, because she knows it is difficult to have partnerships with other entities.

Ms. Haynes explained that when it started, the Tree and Beautification Chairman invited the Main Street Director to their meeting and the discussions started there. The hanging baskets were also part of that project. The City purchased the baskets and brackets, installed them, and ran the irrigation lines up the poles. Main Street agreed to maintain them by changing out the plants.

Mrs. Robinson said that one (1) of the Rotary Clubs did them a couple of times.

Ms. Haynes suggested they contact Mrs. Sue Gromis, Main Street Executive Director.

Ms. Nelson said they can also talk with Mrs. Elaine Jones. She said she will reach out to both of them to see what they can accomplish.

Mrs. Booth asked her to set up a date to invite them to a Tree and Beautification Commission meeting. She said the April meeting might be full, but maybe invite them in May.

Mrs. Robinson stated that meeting date would be May 19th.

Ms. Flanigan stated that the City has many public/private partnerships and this is what this would be. It is completely fine for Main Street to come make a presentation to see if there is a collaboration.

6. CHAIRMAN'S MATTERS

Mrs. Booth said she would like to get everyone updated on important work the Commission did previously. She asked to have the recommendations that the Tree and Beautification Commission sent to the Planning Director on tree protection.

Mrs. Bursick explained that this is a brand new Commission and they are starting fresh from today.

Mrs. Booth replied that she feels they did a tremendous amount of work in the past, but they can always start again. She would like to place the recommendations they made to City council on their next agenda under new business.

Mr. Jeffries stated that the Tree and Beautification Commission did make recommendations to City Council that went through the process of going before the Planning and Zoning Board. It did go to City Council and they deferred to the recommendations from the Planning and Zoning Board. He said he will provide the Tree and Beautification Commission with the memo and backup materials that was given to City Council.

Mrs. Booth asked the Commission members to study the City's Comprehensive Plan. She feels that it is Florida and Lagoon friendly and they can certainly work within the limitations of the Comprehensive Plan.

7. NEXT MEETING DATE

A) April 21, 2022

The next meeting of the Tree and Beautification Commission is scheduled for April 21, 2022 at 9:30 a.m.

8. ADJOURNMENT

Today's meeting adjourned at 10:28 a.m.

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