

JACKSONVILLE TREE COMMISSION’S
Level 3
COMMUNITY ORGANIZATION TREE PLANTING PROGRAM
INSTRUCTIONS and PROCESS

I. Purpose.

This document sets forth the procedures and rules that must be followed for grant Applications for the Jacksonville Tree Commission’s Level 3 Community Organization Tree Planting Program (“Community Organization Tree Program” or “Level 3 Program”) utilizing the Tree Protection and Related Expenses Trust Fund. The purpose of the Level 3 Program is to provide grants to local community and not-for-profit organizations for the design, management and implementation of tree planting projects on publically owned land within Duval County for the conservation and enhancement of the City of Jacksonville’s (“City”) tree canopy.

The Tree Commission is an advisory body that encourages and coordinates the efforts of the various public and private entities that are concerned with the conservation and enhancement of the City’s tree canopy. The Tree Commission is the subject matter expert on the City’s tree canopy and is tasked with making recommendations to the City Council, Mayor’s Office, City Staff, and community stakeholders with respect to the planting of trees and the health of the City’s tree canopy. Pursuant to Sec. 94.106, *Ordinance Code*, the Tree Commission is charged with coordination of tree planting projects between public and private entities and to review expenditure proposals and plans for such planting projects. To that end, this Level 3 Program sets a framework for how the City might collaborate with community organizations through the funding of eligible, prioritized projects.

The Tree Protection and Related Expenses Trust Fund, as authorized by Sec.111.760, *Ordinance Code*, and Sec. 25.04, *City Charter* (“Tree Funds”), is comprised of funds that are required to be expended on the provision and maintenance of trees on all public lands in Duval County. In an effort to improve the County’s tree canopy, the City

will collaborate with not-for-profit, and other community organizations to achieve this goal through tree planting projects.

II. Definitions.

Applicant means an eligible not-for-profit or community organization that submits an Application for Tree Protection and Related Expenses Trust Fund funds through the Tree Commission.

Application means the Jacksonville Tree Commission's Level 3 Community Organization Tree Planting Program Application.

Award means a grant from the City pursuant to the procedures outlined in this document.

City means the City of Jacksonville.

City's Continuous Contract means the annual contract awarded by the City to a landscape contractor to provide countywide tree planting and maintenance services.

Construction Documents means the documents including, but not limited to, the professionally prepared Planting Plan and Plant Schedule for the Project that will become part of the Grant Agreement.

County means Duval County, Florida.

Department means the Department of Public Works.

Design Consultant means a qualified professional, such as a Florida Landscape Architect, Urban Forester, Certified Arborist, landscape designer, or other professional who has at least 5 years of experience in the design, administration, and inspection of public tree planting projects. Experience must include preparing design documents, Construction Documents and bid specifications, obtaining bids, providing contractor oversight, and inspecting the contractor's work. The Design Consultant may be an employee of the Applicant.

Grant Agreement means the agreement between the Applicant and the City setting forth the requirements and responsibilities for the design, coordination, and implementation of a Project.

Planting Plan means the Construction Document prepared by the Design Consultant and derived from the Schematic Planting Plan approved as part of the Application for grant funds. Existing conditions such as overhead and underground utilities, existing

vegetation to remain and to be removed, existing signage, existing hardscape such as roadways and sidewalks, and existing tree canopy adjacent to the Project site shall be shown on the drawing. Drawings shall be provided in electronic format.

Project means a tree planting effort, that may also include irrigation, provided by an entity not within the government of the City of Jacksonville, utilizing the Tree Fund as defined below, for the benefit of the citizens of Duval County by increasing the tree canopy.

Project Cost means the total of all eligible costs associated with the design, coordination, procurement of materials, planting, irrigation, warranty and maintenance of the Project in accordance with this Instructions document.

Project Design means the compilation of the Schematic Planting Plan drawings and the construction drawings and specifications for the irrigation and planting of the trees prepared by the Design Consultant.

Publicly owned property in Duval County means property owned by a governmental entity, including, but not limited to, land within the City or State right-of-way; local, state or federal parks and preserves; and Duval County School Board property.

Recipient means an applicant that has been approved for funding by the City Council and who has executed a Grant Agreement with the City for an Award.

Schematic Planting Plan means a scaled drawing showing all significant components by means of standard symbols, and includes basic information such as the site location map, the limits of the Project, property lines or right-of-way lines, plant legend, and master tree planting plan.

Tree Commission means the advisory body created in Chapter 94, *Ordinance Code*.

Tree Commission Staff means the Mowing and Landscape Maintenance Division of the Jacksonville Department of Public Works.

Tree Fund means the monies within the Tree Protection and Related Expenses Trust Fund, pursuant to Sec. 111.760, *Ordinance Code*, and Sec. 25.04, *Jacksonville Charter*.

III. General Requirements and Eligibility Standards

The following constitutes the general procedures for the Level 3 Program.

A. **Application Form.** The Application form for the Level 3 Program is entitled “Level 3 Community Organization Tree Planting Program” and is prescribed for use with these procedures. Applications for funding must be submitted on this form, and shall include the completed Exhibits to the Application. An applicant may only submit one Project per Application form.

B. **Eligible Applicants.**

1. **501(c) not-for-profit organizations:**

a) Attach a copy of the organization’s IRS determination letter.

b) Attach a status of good standing certificate issued by the Florida Division of Corporations evidencing that the Applicant is in good standing and has been in existence for one (1) year prior to applying for the Level 3 Program. The certificate must be dated within 60 days of filing a complete application and list the requesting agency as a Florida non-profit corporation (requested from Florida Division of Corporations here:

<http://dos.myflorida.com/sunbiz>).

c) In order to show that the applicant is currently operating in Duval County, attach a copy of the Florida Division of Corporations “Detail by Entity Name” webpage from <http://dos.myflorida.com/sunbiz>;

If proof of operation in Duval County cannot be determined by the “Detail by Entity Name”, attach evidence of current operations in Duval County by submitting at least one of the following:

1) A list of notable projects or work completed in Duval County by the Applicant; or

- 2) A copy of media publicity identifying work conducted in Duval County (i.e. news article or blog post)

2. **Community Organizations - Homeowners Association, Special District, or other unit of local government within Duval County:**

- a) For special districts or other unit of local government, attach a copy of the enacted ordinance establishing the district or local unit and provide documentation that the unit is currently in compliance with all state and local requirements.
- b) For Homeowners' Associations, control of the Homeowners' Association must have been obtained by members of the Association other than the developer.

IV. Submission of Application and Application Materials. Applications must be submitted by mail or delivery to the Tree Commission, care of the Mowing and Landscape Maintenance Division, Department of Public Works, 609 St. Johns Bluff Road North, Jacksonville, Florida 32225.

- A. Applications must be transmitted with an original signature cover letter on Applicant's letterhead, signed by the appropriate representative, official or administrator, binding the Applicant to fulfill the commitments made in the Application and identifying the person that will act as the key contact between the City and the Applicant.
- B. Applicants must submit two (2) complete and legible sets of Application materials. One set shall contain original text and non-text items, along with required signatures.
- C. All Applications must be submitted on the Level 3 Community Organization Tree Planting Program Application form.
- D. **Exhibit List.** The following Exhibits shall be provided with the Application:
Exhibit 1: Proof of Eligibility as described in Section III.B);
Exhibit 2: Corporate Resolution Certification (if applicable);
Exhibit 3: Acknowledgement of Intent to Plant Trees

Exhibit 4A-1: Location Map;

Exhibit 4A-2: Schematic Planting Plan;

Exhibit 4B-1: Project Scope Narrative;

Exhibit 4B-2: Plant Schedule;

Exhibit 4C: Project Performance Schedule;

Exhibit 5: Cost Breakdown;

Exhibit 6: Jacksonville Tree Commission's Level 3 Community Organization Tree Planting Program Affidavit;

E. **Explanation of Exhibits.**

1. **Exhibit 3: Acknowledgement of Intent to Plant Trees.** If information is needed regarding the property's ownership, contact the Real Estate Division at (904) 255-8700 for assistance:

a) If in the City Right-of-Way, must obtain a Right-of-Way Permit from the Development Services Division of the Planning and Development Department of the City of Jacksonville, along with the Acknowledgement of Intent to Plant Trees form;

b) If in a City Park, must obtain authorization from the Parks & Recreation Department of the City of Jacksonville;

c) If on School Board property, must obtain authorization from the Assistant Superintendent of Facilities; and

d) If on property controlled by any other governmental entity not described above, must obtain the appropriate authorization from that agency.

2. **Exhibit 4A-1: Project Location Map.** This map should show the entire Project boundary in context to the area of Jacksonville within which the Project will be located. It must be submitted in electronic format at a high resolution for purposes of printing, as it will become a part of Exhibit A of the Grant Agreement if the Project is approved.

3. **Exhibit 4A-2: Schematic Planting Plan.** The Plan must be submitted in electronic format, at a high resolution for purposes of printing, and must include the following information:

- a) North arrow and graphic scale (1" = 20', 30' or 50') shown on each sheet;
- b) Project boundaries and context;
- c) Location and identification of all plant material; and
- d) Boundaries of irrigation if that is included.

4. **Exhibit 4B-1: Project Scope Narrative/Scope of Work.**

- a) Background. Give an overall brief description of the Project and the purpose.
- b) List the people and entities involved in the Project, including but not limited to the Applicant (which will become the "Contractor" as reflected in the Grant Agreement), the City, any volunteers, the Design Consultant, and the landscape contractor (the "Participants").
- c) Roles, responsibilities and tasks for each Participant, such as who will:
 - 1) engage the Design Consultant for preparation of the construction drawings and specifications;
 - 2) obtain final approval of the design from the City Landscape Architect;
 - 3) prepare the bid documents using the City's specifications as well as site specific specifications for the Project, and bid out the implementation to a minimum of three qualified bidders;
 - 4) coordinate with the City for approval to use the selected bidder (City may use the City Continuous Contractor at the City's discretion); and
 - 5) provide project management for the implementation, maintenance, and warranty.

5. **Exhibit 4B-2: Plant Schedule.** The Plant Schedule should include a listing of:

- a) The common name, the botanical name (genus and species) of the trees,

- b) The size, including height, spread, number of trunks, caliper, or clear trunk (“C.T.”) if a palm tree;
 - c) Associated notes for each tree, such as balled and burlapped (“B&B”), container grown, etc.; and
 - d) Plant quality (Florida Fancy or Florida #1).
6. **Exhibit 4C: Project Performance Schedule.** State when each phase of work will begin and end. The phases should include: design and preparation of construction documents; bidding out of final construction documents; selection of landscape contractor; planting; and maintenance of planting, and irrigation if any.
7. **Exhibit 5: Project Cost breakdown.**
- a) Estimated administrative/contract management fees including, but not limited to: construction coordination, community outreach and/or programs, volunteer coordination, meetings, Project coordination, and billing;
 - b) Estimated Design Consultant Services Fee, with detailed scope of service;
 - c) Estimated construction cost based on the Schematic Design, including, but not limited to purchase and installation of plant material, site preparation, maintenance of traffic, and guarantee of plant material. The cost to warranty the plant material shall be provided for each of the following: 3 months, 1 year, and 2 years;
 - d) The applicant may provide a cost for both irrigating the plantings and for non-irrigated planting Projects. If irrigation is planned, then provide the cost of the installation and for the three lengths of warranty and maintenance for the irrigation system; and
 - e) Cost of performance and payment bond, if required.
8. **Exhibit 6:** An executed Jacksonville Tree Commission’s Level 3 Community Organization Tree Planting Program Affidavit.

The Grant Agreement template shall be included as part of the Affidavit in order to insure that the Applicant understands the requirements of the Grant.

- E. Applications must be complete, as determined by the Tree Commission staff. More specifically:
1. Applications are deemed complete if all requested and necessary information and documentary proof is provided, as outlined in this document and on the Application.
 2. Prior to the final submission of an Application, and in order for the Application to be deemed complete, Applicants are required to meet with the Tree Commission staff to discuss their conceptual and preliminary ideas for all phases of the Project.
 3. It is intended that the communications between the Applicant and the Tree Commission staff be an iterative process with the goal of determining the best solution for enhancing the City's tree canopy

V. Application Review and Process.

- A. **Staff Review.** The Tree Commission staff will review the Project and prepare a report and recommendation ("Staff Report") for (1) approval, (2) approval with conditions, or (3) denial. The Staff Report will be sent to the Tree Commission, the District Council Member, and the Applicant at least fourteen (14) calendar days prior to the Tree Commission meeting at which the Project will be presented for an opinion of the Commission. The Staff Report shall be based upon the Application and exhibits, and shall include an analysis of each of the Project Evaluation Criteria in Section VI, below.
- B. **Application Presentation.** All Applications shall be presented at a scheduled public meeting held by the Tree Commission, for review, deliberation, and final recommendation. Special meetings may be held if needed at the discretion of the Tree Commission. Each Applicant shall have 10 minutes to present their Application to the Tree Commission at the scheduled public meeting.

- C. **Tree Commission Review.** Each Application will be evaluated by the Tree Commission based on the Project Evaluation Criteria. When evaluating each Application, the Tree Commissioners shall utilize the information contained in the Application, including the Exhibits, Staff Report and all information obtained during the Applicant's presentation. The Tree Commission will recommend either (1) Approval, (2) Approval with Conditions, or (3) Denial of the Project.

If the recommendation is Approval with Conditions and the Applicant agrees with the recommendation, the Applicant is responsible for revising all the documents necessary to convey the intent of the recommendation for inclusion in the Grant Agreement exhibits. If the recommendation is Approval with Conditions and the Applicant does not agree with the recommendation, then the result will be a recommendation for Denial. The recommendation of the Tree Commission will be forwarded to the Mayor's Office for processing through the Mayor's Budget Review Committee ("MBRC") for award of Tree Funds for the respective Projects, with no action required by the City Council. . .

- E. **MBRC Review.** At the earliest MBRC meeting following the evaluation of the proposed Project(s) by the Tree Commission, the Tree Commission staff will submit the Project(s) for review and approval through the MBRC process. Like the Tree Commission, MBRC shall either Approve the Project, Approve with Conditions, or Deny the Project. If MBRC approves any or all of the Projects as presented, or as modified, the Office of General Counsel will prepare the Grant Agreement(s) as directed by MBRC. In the alternative, MBRC can decide to delay the funding of a proposed Project to a later date or decide not to fund a certain Project. If a proposed project is denied by MBRC, no further action on it shall be taken on the Project through the Level 3 Program, however, this does not limit the ability of a Council Member to file legislation to implement a Project utilizing the Tree Fund.

If the MBRC decision is Approval with Conditions and the Applicant agrees with the decision, the Applicant is responsible for revising all the documents necessary to convey the intent of the decision for inclusion in the Grant Agreement exhibits. If the decision is Approval with Conditions and the

Applicant does not agree with the decision, then the result will be a Denial of the Project.

- F. **Contract Award.** Upon execution of the completed Grant Agreement by all parties, the Applicant will be eligible for payment of funds approved as part of the Project Cost.

VI. Project Evaluation Criteria.

A. Design Review -

1. The species of trees are appropriately located.
2. The number and placement of trees are appropriately located.
3. Trees being planted are approved pursuant to the “Tree Commission Approved Tree Planting List,” and as that document is amended from time to time. The list is available on the Tree Commission webpage of the Public Works Department of the City of Jacksonville.
4. Shade trees are preferred. If non-shade trees are proposed, the use of those trees versus the use of shade trees in terms of the overall Project must be acceptable.
5. Less than 25% of the total species of trees being planted are palms.
6. The planting will not interfere with utilities or sight line requirements.

B. Cost Review -

1. Administrative costs are reasonable.
2. Design Consultant fees are reasonable.
3. Construction costs, including an itemized amount for the payment and performance bond, if required, are reasonable.
4. Irrigation costs are reasonable.
5. The cost of the species of trees selected do not outweigh the benefit of the trees

C. Maintenance and Impacts Review -

1. Low maintenance plants are utilized, that will require minimum maintenance after the period of mandatory maintenance by the Applicant.

2. The location of plant material and irrigation have a minimum adverse impact over time on infrastructure such as sidewalks and roadbeds.

D. Public Benefit Review -

1. The species of trees being planted are beneficial to the City's tree canopy.
2. The Project provides a unique benefit to the neighborhood, Council District, or City.
3. The Project serves high visibility areas.
4. The Project engages the Community through volunteers or education or other public engagement.
5. The Project is aesthetically pleasing and/or combats blight in blighted areas.

E. Plan-It Geo Objective Criteria Review - conducted by staff. Staff will utilize the Plan-It Geo Web Tool to evaluate the existing conditions of the proposed planting Project location. This tool is not based upon and does not include or require uploading the Schematic Design, but rather identifying the geographic boundaries of the Project.

1. The location will be evaluated based on the Census Block ranking (1- 488) developed by Plan-It Geo for the five (5) categories listed below:
 - a) Urban Tree Canopy Percentage
 - b) Stormwater Benefits
 - c) Urban Heat Island
 - d) Socio-Economic Benefits
 - e) Overall-equally weighted criteria, as stated below:

If a Project is on the border of two or more Census Blocks, then the average of the census blocks will be applied to determine a "score." The ranking is as follows:

- (1) 1st-25th percentile (1-122)
- (2) 26th- 50th percentile (123-244)
- (3) 51st-100th percentile (245-366)
- (4) 76th-100th percentile (367-488)

VII. Application Schedule. The Tree Commission will review and render an advisory recommendation for submission to the MBRC for Project funding at any time during the year, utilizing the Tree Protection and Related Expenses Trust Fund.

VIII. Certain Communications Prohibited.

- A. After the initial consultation with the Tree Commission staff regarding the Project, an Applicant shall be prohibited from communicating with Tree Commission members.

Note: Revisions on March 26, 2020 pertain to cross references between the Application and Grant Agreement Exhibits, definitions, removal of scoring requirement, and change in process in that MBRC is the final approval for the Project.

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