



AGENDA
ENVIRONMENTAL ADVISORY BOARD
CITY OF PORT ORANGE

Meeting Date: Monday, July 25, 2022

Time: 5:15 PM

Type of Meeting: Regular

Location: 2nd Floor Conference Room
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Roll Call

B. DISCUSSION/ACTION

2. Consideration of Minutes - April 25, 2022
3. Discussion on Obtaining a Watergoat Trash Barrier Deployment System
4. Railroad Trestle Dredging Project Plan
5. City Center irrigation, trees, landscaping, parking lot, sidewalk, shoreline stabilization project update from Public Works
6. Items for Next Agenda

C. PUBLIC COMMENTS

D. BOARD COMMENTS

7. Update from Member Pompei on the new law on property rights relating to trees

E. ADJOURNMENT

8. Next Meeting Date: September 12, 2022 @ 4pm
9. Board Report to City Council: August 16, 2022

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UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

ENVIRONMENTAL ADVISORY BOARD
MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE – CITY HALL
2nd FLOOR CONFERENCE ROOM
PORT ORANGE, FLORIDA
APRIL 25, 2022 AT 5:15 P.M.

A Regular Meeting of the Environmental Advisory Board was called to order by Chair Kristine Cunningham at 5:16 p.m.

Present: Kristine Cunningham, Chair
Philip Klema
Kat Atwood
Nancy Vaughn
John Macaluso
Michael Anderson
Daniel Pompei

Also Present: Margaret Tomlinson, Construction & Engineering Manager
Shelby Field, Assistant City Clerk
Geri Petraglia, Administrative Assistant

A. DISCUSSION/ACTION

1. Consideration of Minutes - February 21, 2022

Motion to approve the February 21, 2022 minutes as presented was made by Vice Chair Macaluso and Seconded by Member Atwood. Motion carried unanimously by voice vote.

2. Code Options for Tree Planting for Single Family Homes

Margaret Tomlinson, Construction & Engineering Manager, provided a handout with information about the soil requirements for planting trees based on their size at maturity and answered questions from the Board.

Member Vaughn believes educational outreach to the community is important, so citizens are buying trees that are the correct size for their property.

Chair Cunningham reminded the Board about the previous conversation regarding new developments planting shade trees and making sure the builders are aware of the requirements/setbacks as well.

Steve Edgar, City Forester, offered to order *Right Tree Right Place* posters to provide to builders when they come into the City.

Member Vaughn would like native plants to be part of the discussion when educating builders.

Ms. Tomlinson informed the Board in order to change the language in the code to require native plants it would need to go before Planning Commission and City Council twice.

Chair Cunningham would like to provide educational information to HOAs to include in their newsletters regarding trees to plant.

3. Discussion on ECHO Options for City Projects

Member Vaughn discussed the funding being provided to the Down Under project. Ms. Tomlinson provided information on the plans for the project such as updated lighting, additional parking, and murals under the bridge to make the area more vibrant.

Ms. Tomlinson suggested the Board put together a demonstration project in the area for planting mangroves. The only funding allocated to the project so far is for survey work, parking optimization, and TPO project.

Chair Cunningham asked if fundraising for the project is an option. Ms. Tomlinson will look into inviting Penelope Cruz, Planning Manager, to a meeting to provide further information about possible options for the area.

4. Items for Next Agenda

Discussion on Obtaining a Watergoat Trash Barrier Deployment System
Discussion on how to Begin Railroad Trestle Dredging Project
Irrigation Funding for Trees in Parking Areas at City Center

B. PUBLIC COMMENTS

There were none.

C. BOARD COMMENTS

Chair Cunningham informed the Board there will be a table for the Environmental Advisory Board at the Arbor Day event at Riverwalk Friday night April 29, 2022 and there will be a tree give away of 50 trees.

Ms. Tomlinson informed the Board the giveaway consists of 3 gallon, 3-4 feet high trees and anyone interested must have proof of residency in order to qualify to receive a tree, with each address being eligible for 2 trees. Per the code amendment everyone who gets a tree needs to be educated so pamphlets will be provided as well. 10% of the tree bank funds are earmarked for tree giveaways each year.

Chair Cunningham informed the Board she met with the City Manager and staff to discuss the priorities for the Board. The City Manager assured her Council has faith in what they are doing and trusts them to continue with the direction they are headed. She has received direction to pick 1-2 projects and see them from start to finish. The Board will begin with the project to dredge the railroad trestle at Spruce Creek and look into a Watergoat trash barrier deployment device.

Member Anderson provided information on the railroad trestle at Spruce Creek including how it has gotten so bad and the steps that need to be taken to clear the area. It is no longer a navigable waterway.

Mr. Edgar requested support from the Board to bring attention to the issues with trees in the parking areas at City Center.

Member Atwood informed the Board that as she is running for City Council she may need to resign from her position on the Board in the near future.

D. ADJOURNMENT – 6:15 p.m.

5. Next Meeting Date: July 25, 2022
7. Board Report to City Council - May 17, 2022

Chair Kristine Cunningham

2022518er

1
2 An act relating to private property rights to prune,
3 trim, and remove trees; amending s. 163.045, F.S.;
4 defining terms; revising conditions under which a
5 local government may not require a notice,
6 application, approval, permit, fee, or mitigation for
7 the pruning, trimming, or removal of a tree on
8 residential property; specifying when a tree poses an
9 unacceptable risk; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 163.045, Florida Statutes, is amended to
14 read:

15 163.045 Tree pruning, trimming, or removal on residential
16 property.—

17 (1) For purposes of this section, the term:

18 (a) "Documentation" means an onsite assessment performed in
19 accordance with the tree risk assessment procedures outlined in
20 Best Management Practices - Tree Risk Assessment, Second Edition
21 (2017) by an arborist certified by the International Society of
22 Arboriculture (ISA) or a Florida licensed landscape architect
23 and signed by the certified arborist or licensed landscape
24 architect.

25 (b) "Residential property" means a single-family, detached
26 building located on a lot that is actively used for single-
27 family residential purposes and that is either a conforming use
28 or a legally recognized nonconforming use in accordance with the
29 local jurisdiction's applicable land development regulations.

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(2) A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses ~~obtains~~ documentation from an arborist certified by the ISA International Society of Arboriculture or a Florida licensed landscape architect that the tree poses an unacceptable risk ~~presents a danger~~ to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017).

~~(3)(2)~~ A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

~~(4)(3)~~ This section does not apply to the exercise of specifically delegated authority for mangrove protection pursuant to ss. 403.9321-403.9333.

Section 2. This act shall take effect July 1, 2022.