

The City of Lake Worth Tree Board
City Hall Conference Room
Regular Meeting Minutes
October 13, 2022

Call to order: 6:08

Members Present: D. Kerner, G. Powell, D. Brown

Members Absent: G. Timor

The meeting was converted to a workshop due to the lack of quorum.

Agenda additions, deletions, reordering: None

Public Attendance: Susan Guyaux told the Board that she and a group of residents including Ted Johnson meet with the golf course manager to discuss ways to make the City's golf course more environmentally friendly. She stated that City is a member of Audubon International which is a certification for golf courses only and is not connected with the National Audubon Society. Resident T. Johnson wants to identify areas that are not in play that can be planted with Florida native wildflowers and could be maintained by volunteers. The group is looking for grants to fund the project and future maintenance. Board member G. Powell reported that Florida Department of Transportation plants wildflowers in medians and that she did not think that these areas needed much maintenance. Board member D. Kerner asked how the grant funding would be used. Susan stated that the group needs money to buy plants and stated that she hoped that the City could assist in preparing the planting areas. The plan is to have the maintenance done by volunteers.

Approval of minutes: None

Reports: G. Powell reported to the Board that the Tropical Ridge Neighborhood Association contacted the Palm Beach County Community Cooperative Extension Service to request that they present at an upcoming meeting. Since she works with the Cooperative Extension Service as a volunteer Master Gardener she agreed to do the presentation on Florida Friendly Landscape. Advisor D. McGrew volunteered to attend the meeting as a City representative.

New Business:

Tree Board's role in sustainability. Discussion with William Waters, Director of Community Sustainability.

W. Waters informed the Board that the City Commission is seeking regular updates from the Advisory Boards.

1. Tree protection, replacement and property rights:

W. Waters informed the Board on property rights in Florida and that the State oftentimes limits what ordinances municipalities can enact through preemptive legislation. He then told the Board about a lawsuit against the City for designating a tree on private property as a "Champion Tree" in which the City paid the developer \$250,000 to settle the lawsuit and gain a public access easement. He thinks the City is deficient in assessing trees on public and private properties as specimen or Champion trees. Once the assessment has been completed then there would be a public process in which the property owner agrees to have their tree designated. There may be funds available in the Sustainable Bonus Fund to do an inventory/assessment of significant trees on private and public properties. The advisor informed the Board and Mr. Waters that the City completed a tree inventory in 2014 for trees on public properties. Mr. Waters asked if the inventory included an evaluation on trees that could be designated as a landmark or champion tree. D. McGrew stated that the tree inventory was only for trees on City Property which included the species, location, height, Diameter at Breast Height (DBH) and general condition. Mr. Waters explained to the Board the process for tree preservation, relocation, and/or

removal. Trees that are proposed to be removed must be replaced in-kind based on the Diameter at Breast Height and/or mitigated by paying a fee. The City is looking to increase the fee. The developer for the Lake Worth Station project has redesigned the project to preserve some of the Slash Pine and Hackberry trees on site. The redesign includes a Tot Lot, Dog Park, increased landscape buffer and one of the significant trees (mango) on the west side now has an island. The building configuration has also been changed which will allow the building to be shifted to the north which will increase the landscape presence dramatically. The developer also owns the strip of land to the west adjacent to the railroad tracks where they will be doing parking. On the west side of the strip there will be a serpentine pathway with 3 recreations of native tree habitats such as a Hammock or other tree habitats in Florida with educational signage. The city owns the remainder of the property along the railroad tracks; the entire length of approximately 1,300 linear feet that could be a serpentine path with different tree installations. D. Kerner asked if there was a plan to change the density and mass. Mr. Waters informed the Board that the code allows for a building that is bigger than they proposed and more density than what is proposed and also included 48% of it being affordable housing which is a big push for the City Commission. The Board then discussed changing the code to increase the tree mitigation fee and to increase tree protection. Staff is working on researching what other City's charge for tree mitigation Mr. Waters informed the Board that the landscape code that was developed by a previous Board and City staff was very well written. Mr. Waters told the Board about the Major Thoroughfare Design Guideline which has a tree palette for all the major thoroughfares which are Federal Highway, 6th Ave South, 10th Ave North, Lake and Lucerne Avenues, Dixie Highway and Lake Worth Road. The zoning that was changed in 2013 did push a lot of the buildings away from the streets some in order to provide a greater public realm to put trees in. Mr. Waters told the Board about the mobility study which includes Complete Streets. Complete Streets in their perfect sense is probably not going to be possible in Lake Worth Beach for a variety of reasons the biggest one being that we have constrained rights of ways. The City is going to look at what complete streets can be done on the rights of way that we have. The City has some rights of way that are as narrow as 30 feet, most the other are 40 to 50 feet with a few that are 60 feet, Dixie Highway is not consistent through the corridor and neither are Lake and Lucerne. The City needs an open space recreation master plan which will include the City's parks and golf course. The Tree Board's advocacy to the City Commission as an advisory body as to activities that could be undertaken in furtherance to the Board's mission is important. When the Board give updates or reports the Board's priorities should be enumerated.

2. Brochures, Publications and webpage:

Staff has difficulties with the webpage when it is updated and links don't work, items or missing and are not even searchable. Community Sustainability staff will work with the Board to get the landscape webpage up and running. G. Powell asked what is the best way to work with staff. Does the Board present their ideas or a template? Is there somebody the Board could work with directly? Mr. Waters responded that staff does not have control how the webpage looks. The Tree Board has more links available such as the Mounts Botanical Garden, the Cooperative Extension Service, and University of Florida. We want to keep it to a page that is not overwhelming and is easily navigated. Board to give staff suggested content and staff can work with the Board to edit it down. Staff will then work with the Webmaster to get the content online to be beta tested. There is a limit to what the City can put on as items on the web because it takes up space which is why the City prefers to use hyperlinks to another organization's server. That funnels into brochures and publications; we do not have a lot of money to print brochures and publications. There are funds to work with a graphic designer to create brochures however because we have a limited printing budget what we are doing is to create what looks like a brochure but it sits on the webpage that can be downloaded and printed. And it also needs to meet ADA requirements. The Board may not get a brochure in the traditional sense but we can give access to a brochure if somebody wanted to print it they could or they could view it on the webpage. D. Kerner asked how do we explain things to people in a digestible format and what is our ability as the Tree Board to get these code compliance issues ameliorated. Could the Board have a direct line to Public Works? Do we have a direct line to Yolonda? Can we get updates on a monthly basis? The Board would like to be more proactive. Mr. Waters asked what would you like to be updated on from Code Compliance? D Kerner: we give her Code Compliance issues; Dave could put them in. The Mango Groves Neighborhood Association President told members that he would report code compliance

issues so residents would not have to use their own names. Mr. Waters stated that staff has really pushed that every Neighborhood Association have a compliance representative to give the priorities for the neighborhood to tackle first. We have struggled and know that the Mayor and Commission are unhappy that we are not able to be more proactive in educating people, but there are going to be people that are going to do what ever that want to do no matter what and they are not going to avail themselves to be educated. The City adopted a vacant property registry ordinance in 2009 or 2010. In that ordinance vacant properties could have artificial turf. We haven't gone back and fixed that code but subsequent ordinances don't allow artificial turf and how the code works is that anything in conflict when a new ordinance is adopted is repealed. Mr. Waters explained that the City has an "inclusionary code" where unless it is expressly permitted it is by default prohibited. D. McGrew reported to the Board that Artificial Turf is being actively enforced. D. Kerner asked about a pilot program that describes how things work in the City. Mr. Waters responded that the Mayor has asked him to work on a "Welcome to Lake Worth Beach" brochure to be given to new residents and businesses. And that his neighborhood does a "Welcome Wagon Basket" to new owners that have City contact numbers. G. Powell commented that the Board has started to gather content for the webpage and mentioned a template that she came up with. Mr. Waters responded that the content needs to be in a word document and to not try to design the page, pictures must be a minimum of 600 DPI and the pictures must be TIFF or JPEG formats. G. Powell agreed that a PDF document of the brochure was a good idea. The Board reviewed the existing outdated brochure and made some edits and corrections and that it is ready for a Graphic Designer. Mr. Waters responded that the city has a Graphic Designer that is familiar with the City's template, color scheme and format. G. Powell mentioned that the cost of the brochure design and printing could be paid utilizing the Tree Canopy Restoration Fund and that if we had the brochure on the web it could be printed to hand out at Neighborhood Association meetings. Powell also mentioned that it is big and is an odd size. Mr. Waters responded that the designer that the City uses will look at the efficacy and efficiency of what size paper works best and the City has some brochures that are more than just a tri-fold. The future Planning intern could type the verbiage into a Word document. G Powell asked about graphic design programs. Mr. Waters responded that the City sends the verbiage that we want and other content and the designer will do the layout. Mr. Waters, D. McGrew and the Board discussed moving the Tree Canopy Restoration fund to Community Sustainability and the use and budgeting of the fund, the fund balance and expected upcoming fund payments. G. Powell asked about how code complaints were tracked if complaints can be sorted by violation type. Mr. Waters responded that the system does not allow for tracking by violation type but that anyone can check a property using Click to Gov on the website. D. McGrew asked about the tree preservation condition of approval for the Gulfstream Hotel project. Mr. Waters responded that condition of approval was written that they would work with the City to get as many trees as possible though there is consternation on where the trees should go. They are trying to preserve two on site that were originally proposed to be removed because the building gas shifted to the north. The thought that they should go into Bryant park is not agreed by everybody. D. McGrew asked Mr. Waters about the code violation process as to who gets the violation. For instance, does the property owner get the violation or the worker who improperly pruned the trees. Mr. Waters responded that the violation sits with the property itself; code compliance is not against the person. It's against the property. D. McGrew asked for clarification on licensing of tree trimmers; if a tree trimmer has an occupational license for another municipality are they required to get an occupational license in the City. Mr. Waters responded no if they had a license in another municipality they are not required to get a Lake Worth license. D. McGrew mentioned that a Board member G. Timor asked about licensing of tree trimmers like Broward County does. D. McGrew explained that Broward County requires that all tree trimmers take a course and get licensed. Mr. Waters suggested that staff check with the City Attorney to see if that is something that the City can implement. D. Kerner brought up Board updates to the commission. Mr. Waters responded that staff is waiting for direction from the Commission on Board updates. D. McGrew asked the Board if they had any other questions for Mr. Waters. The Board responded that they were good. M. Waters asked the Board for input about the Detroit Apartments; Commissioner McVoy brought up getting more shade for parking lots with a somewhat limited palette of native trees they were open to looking at other types of non-native trees that could provide shade. D. McGrew responded that the code allows for 25% of the required trees could be non-native. The Commission may be open to the 25% being higher through a waiver or variance process. Mr. Waters asked for the Tree Board's help on determining what

appropriate non-native trees that we can give some preference to and for the Tree Board assist in developing a palette of non-native trees that are appropriate Florida and our environment with examples of small, medium and large trees.

Adjourned: 7:57 PM