



City of Pensacola
ENVIRONMENTAL ADVISORY BOARD

Minutes

November 4, 2021	2:00 pm	Vince Whibbs, Sr. Conference Room, 1 st Floor
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Members Present: Kristin Bennett, Chair, Kelly Hagen, Vice Chair, Neil Richards, Kyle Kopytchak, Michael Lynch, Katie Fox, Blase Butts, Jay Massey

Members Absent: Alex Kozmon

Others Present: Don Kraher, Council Executive, Sonja Gaines, Council Assistant, Mark Jackson, Sustainability Coordinator, Bill Kimball, Parks and Recreation, Caitlin Cerame, Transportation Planner, Roger Williams, Public Works, David Anderson, Eve Herron, Betty Wilson, Stevenson, Christian Wagley, Carolyn Taylor, Adam Cayton, Duane Tant

CALL TO ORDER AND WELCOME

The meeting was called to order by Chair Bennett.

ROLL CALL AND DETERMINATION OF QUORUM

A quorum was established.

APPROVAL OF MINUTES

1. [21-00965](#) APPROVAL OF MINUTES - OCTOBER 7, 2021,
 ENVIRONMENTAL ADVISORY BOARD MEETING

Recommendation: That the EAB approve the minutes from the October 7, 2021, EAB meeting.

Member Kopytchak moved for approval of the minutes of October 7, 2021. Member Richards seconded the motion and it carried 8 – 0 with one member absent.

PRESENTATIONS

2. [21-00964](#) PRESENTATION FROM JONATHAN BILBY,
DIRECTOR OF INSPECTIONS - TREE REMOVAL PERMIT
PROCESS

Recommendation: That Jonathan Bilby, Director of Inspections, provide the Environmental Advisory Board (EAB) a presentation on the Tree Removal Permitting process.

Council Executive indicated that Mr. Bilby was unable to be present at the meeting and would hopefully be available for the next meeting.

SUSTAINABILITY COORDINATOR COMMUNICATIONS

Sustainability Coordinator indicated that next month, Solar United Neighbors will be making a presentation to the Board. The contractor has started working on the solar feasibility study. There are two staff people available for the leaf blower discussion.

3. [21-00994](#) EAST PENSACOLA HEIGHTS NEIGHBORHOOD ASSOCIATION
TREE TRUST FUND GRANT REQUEST

Recommendation: That the EAB consider a Tree Trust Fund Grant request from the East Pensacola Heights Neighborhood Association. Further, that the EAB consider a recommendation to City Council.

Mr. Adam Cayton, President of the East Pensacola Heights Neighborhood Association addressed the proposal for a grant from the Tree Trust Fund to do some canopy restoration in the neighborhood. Their initial request is for funding to plant 25 trees. They would like to have in place to celebrate Florida Arbor Day on January 22, 2022. Their plan would be to recruit residents in the neighborhood to plant a tree on their right-of-way or within 20 feet of the right of way. They will work with the residents to identify the appropriate species and the appropriate location on their property. They will also supply a criteria for the residents to consider to insure that the tree is not going to cause any problems down the road. The neighborhood association will supply labor and mulch as well as regular follow up after to make sure the tree is being watered and taken care of. The tree trust fund would match their contribution of labor with funding to purchase the trees from panhandle growers.

Another one of the neighborhood's goals is to help the City develop a process with the tree trust fund grants, to figure out how the tree trust fund could be used for canopy restoration grants and to use as a template for other neighborhood associations to use for grant requests.

He mentioned the cooperation the association is receiving from other cities with planting programs, ECUA for donating compost, the Boy Scouts of America for help with planting, the UF/IFAS extension office, and members of the Florida Native Plant Society.

Board members had questions regarding the number of volunteers per tree, when the trees need to be planted, not having a City arborist, does the tree fund have a moratorium, and as the board is addressing the tree ordinance as a whole, is this part of it. There is no formal application process at this point. Should the Board address this process sooner than the tree ordinance as a whole.

Sustainability Coordinator indicated that the process is still being worked on at present. He has a draft application and agreement based on several successful tree planting programs in other cities in Florida, but it has not been finalized.

Council Executive indicated what Mark handed out is not to be considered for this project. It has not been approved, it has not come before this Board, it has not gone before Council. Because it is in Chapter 12 of the Land Development Code, it has to have a public hearing, it has a number of different steps. For the purpose of East Pensacola Heights, please disregard that. There is a portion of the code 12-6-10 that talks about a process for a grant application. What East Pensacola Heights submitted, meets that process. He cautioned the Board to be very deliberate on their recommendation to City Council that includes language that allows City staff to direct the location and proper placement of the trees, that wouldn't necessarily preclude private property. Staff will be able to determine the right place. Staff will have to approve the trees. He further cautioned the Board in sending City Council piece by piece items that are amending 12-6 of the code. That is a bad idea. City Council tasked the Board with a comprehensive review of the tree ordinance. What Mark is developing is a process that is easier to follow and hits some of the points that are not currently included. The moratorium is still in place; however, City Council can act upon a grant request if they so choose.

Chair Bennett reviewed the current process as presently exists in the tree ordinance. The request would come to the EAB. The EAB would make a

recommendation to the City Council. City Council makes the ultimate decision. The EAB is vetting the process.

Member Richards brought up several points about the type of tree to be planted and that staff should bring a complete proposal to the Board, that included the type of tree that is the right tree for the right soil. Just because a tree is on the approved list, doesn't mean that it is the right tree for that location. He also questioned if it would be permissible to plant trees on private property that is not in the right-of-way.

Council Executive indicated that legal's opinion is that the City may very well be able to plant on private property because it is for the public good. It will be up to City Council to say whether or not the trees can be planted on private property.

Further discussion occurred on the timeline of the proposal and if it would be possible to meet the ideal tree planting timeframe of January or February of 2022.

Member Hagen stated that they would be making a motion to allow the East Pensacola Heights Neighborhood Association to move forward, to approve their application that they submitted to the Environmental Advisory Board and recommend that it be forwarded to City Council, with City staff overseeing the placement of trees.

Member Fox made a motion that the Environmental Advisory Board make a recommendation to City Council that they consider the request made by the East Pensacola Heights Neighborhood Association with the understanding that the right tree right process will be conducted in direct coordination and approved by qualified City personnel, arborist or otherwise.

Discussion occurred on whether or not to include a dollar amount in the recommendation and what that should be.

Member Fox made a motion that the Environmental Advisory Board make a recommendation to City Council that they consider the request made by the East Pensacola Heights Neighborhood Association with the understanding that the right tree right place concept will be conducted in direct coordination and approved by qualified City personnel, arborist or otherwise. The EAB understands the total project cost to be \$8,537. The ordinance allows for approval up to 50% of the total project cost. That equals \$4,268.50.

Member Kopytchak seconded the motion for discussion. He is very much in favor of this project. However, right after this project, the Board is going to address the

tree ordinance as a whole and the draft process document. The Board will set some type of precedent by approving this grant request and the process could be different from what is being done now. This is a stand alone project that opens the door for the remainder if things change. One of the problems is on private property, especially if you get into back yards and things with planting 100 year trees.

Member Richards expressed concerns about the size of the trees being requested to plant.

Member Hagen indicated that this program would be a good starting point for the Board to follow the process to see what works, what may need to be changed, as they work through the review of the tree ordinance.

Chair Bennett expressed her reservations with the project. She felt like the plan was not developed enough to forward to the City Council.

Member Butts asked if it could be considered as a “pilot” program. He doesn’t have the expertise to know what tree goes where. But if it is a pilot program, run by people who do know what tree goes where, run it and see what happens and learn from it to see what the Board needs to address in the tree ordinance.

Member Hagen thought this neighborhood association’s proposal was pretty well organized. The more difficult the Board makes the process, the Board should not set the bar so high that it would preclude other neighborhood associations that are not as well organized as some to be able to apply and utilize the tree money going forward.

Bill Kimball indicated that if the proposal came to him, he would have the County Arborist review and if she approves, would go back to the neighborhood association and say yes, let’s move forward.

Member Kopytchak relayed his issue with the use of private property. It opens up Pandora’s box, liability, longevity and other issues.

Member Lynch brought up the maintenance of the trees and whether the City would be responsible for the maintenance. Previously there has been a lack of staff to maintain trees,

Adam Cayton from East Pensacola Heights Neighborhood Association indicated that their intention is to get commitments from the private homeowners to take care of

the tree, whether it is on the right of way or their private property. They are only going to plant trees if the homeowner wants them and will take care of them. They are in no position to tell the City what to do on City property, whether they will maintain it or not. Ultimately, it is up to the EAB and the City Council to approve this proposal.

Vote on the motion passed 8 – 0 with one Board Member absent.

Board took a five minute recess.

ACTION ITEMS:

4. [21-00974](#) ANALYZING THE IMPACT OF LAWN MANAGEMENT PRACTICES OF CITY PROPERTY AND THE USE OF TWO-STROKE GAS LEAF BLOWERS ON GREENHOUSE GAS EMISSIONS IN THE CITY AND SUGGESTIONS FOR LOWERING ANY EMISSIONS ASSOCIATED WITH TWO-STROKE BLOWERS.

Recommendation: To be determined by motion and majority body approval.

Attachments: [Referral to EAB -- GHG Emissions & two-Stroke Gas Leaf Blowers.do](#)
[CoP 2 Stroke Leaf Blowers](#)

Chair Bennett indicated there was public comment for this item, both in the room as well as on the phone, and asked that the sustainability coordinator review the data he provided to the Board.

Sustainability Coordinator reviewed the data he provided to the board, included with the agenda. Public Works department only uses their blowers when they need to patch a road. They do not use them on stormwater pond maintenance. Parks and Recreation uses their blowers about 2 hours per day. The percentages are very low referencing back to 2018. He did not have contractor's usage available.

Member Butts asked what the impact would be if contractors were directed to use electric leaf blowers. Would it lower the potential bidders? Would it increase their bids?

Bill Kimball indicated that most of them do not use electric blowers. It would be a financial impact to them to have to purchase them. They would just pass that cost on to the City in the bids and he didn't know how many would choose not to bid. This past year there were only three contractors who actually submitted quotes for some of the landscaping projects and they contracted with two of them. They were one year contracts.

Further discussion occurred on the number of parks that are contracted out for maintenance, one blower is used at the golf course to blow off equipment, and the concerns that Bill Kimball has on the transfer over to electric blowers, figuring out the number of batteries it would take per day, how to keep the batteries charged, what the cost is for batteries, disposal of batteries once they become bad. As part of the landscaping contracts, they are required to blow off the sidewalks of every park that is mowed.

Public comments were made by Eve Herron strongly encouraging the Board to urge the City Council to begin transitioning to battery powered leaf blowers and to amend the noise ordinance to address commercial gas leaf blowers in residential neighborhoods.

Mr. David Anderson and Carolyn Taylor commented on the particulate matter dispersed by leaf blowers, the health effects of the particulate matter being absorbed in the lungs and encouraged the board to consider the particulate matter as well as emissions of gas leaf blowers into the environment.

Addressing the Board by phone via on-line speaker requests were Sarah Randolph, John Herron, and Rosemary Bishop. Their comments included concerns for public health, effects of particulate matter, phasing out gas leaf blowers with battery operated blowers, City's data did not include usage by contractors hired by the City or the 157 licensed landscape companies in the City, reducing the carbon footprint, including public health research and agency data in the report back to City Council, surveying landscaping companies and engaging workers on usage, amending the noise ordinance.

Member Hagen relayed that there were a couple of experts on the topic that are willing to come and speak to the Board that would help the Board make a better, informed decision.

Chair Bennett reiterated the deadline that was in front of the Board and restated the specific referral from City Council for review was for city property only. The Board needs to act on the referral. If the Board wants that to be broadened, then the Board could ask Council if they wanted to broaden their recommendation to the Board. There was a City Council workshop and then a meeting where they came up with the recommendation that they did. The referral was not for the Board to deal with the noise.

Member Fox suggested the Board could consider applying a goal to transition on city property, similar to what the Board set as a goal for 30% reduction. If on the bid

tabulations, there could be points or incentives given to companies that propose to use electric as opposed to gas powered leaf blowers.

Bill Kimball indicated that it was something he could get with the purchasing department and look at putting language in the bid proposals.

Other points raised included when needed blowers be replaced with electric, the cost to the city having the contracted areas maintained by companies using electric blowers, having to buy the equipment, if it would affect the number of bidders, the impact on the parks and recreation budget.

Member Richards indicated the board was discussing before having any motions on the floor. He indicated that he had a two part motion. **He moved that the Environmental Advisory Board recommends that the City of Pensacola discontinue the use of two stroke gas blowers as of January 1, 2022.** That would mean that the City's parks and recreation would have to purchase them by then and have to use them.

Member Fox seconded for discussion.

Council Executive indicated that there is no money in the current budget that just passed. It would have to go into the next year's budget to consider that, without cutting out something else.

Member Richards amended his motion to change the date to January 1, 2023. Member Fox seconded the amendment for discussion.

Discussion occurred on phasing out the equipment, life expectancy of the equipment, speed of getting the job done, going to phase mode where you buy one or two and get their feedback from employees on how they work, the benefit of no mixing gas or oil, the need to be progressive and moving forward at the same time. It is unreasonable to say throw the old equipment away and buy new.

Member Fox made a suggestion that the motion be to have the parks and recreation department come up with a phase out plan or transition plan. They need to analyze the financial impact and how it gets incorporated into their budget.

(Member Lynch had to leave the meeting)

Vote on the motion as amended, changing the date to January 1, 2023 failed 1 – 6, with Member Richards in favor, Members Bennett, Fox, Massey, Butts, Hagen, Kopytchak dissenting and two members absent.

Member Kopytchak moved that the Environmental Advisory Board request City Council to purchase two battery operated commercial leaf blowers at the choice of parks and recreation, put them on two different crews and come back to the Board with a report and analyze the effects. Member Richards seconded the motion.

Bill Kimball pointed out that they are going into the non-mowing season of January, February and March so the machines will not be used as much.

Chair Bennett inquired that if the focus is on greenhouse gas emissions of the blowers, what are the greenhouse gas emissions on the batteries. How do you dispose of the batteries, what's the impact for charging the batteries.

Sustainability Coordinator stated that is something that is not easy to do, unless some company publishes something on their product. You would have to take them at their word. Everything produced has some type of waste, even if you produce it from electrical, solar, or how the silicate was mined. Everything is going to have a carbon footprint.

Public comments were made by David Anderson and Eve Herron.

Board discussion included cost of battery operated commercial leaf blowers, backpack, batteries, the purchasing process, the impact on the budget, the purpose of purchasing two blowers, other alternatives, the impact of not blowing at all on the stormwater vaults, the cost of manpower in sweeping up leaf clippings and bagging them.

Vote on the motion passed 7 – 0, with 2 members absent.

Member Richards mentioned his two part motion and offered his second motion: **That the EAB recommends to the City Council that they consider the annual contract for landscaping on city property include the use of cordless leaf blowers. Member Kopytchak seconded for discussion.**

As the person in charge of administering these contracts for the City, Bill Kimball wanted to know what is the penalty if they do not use these battery operated leaf blowers? The contracts are scheduled to go out shortly, since they run from March to November.

Council Executive indicated it would need to be put in the contract that they bid it with the use of battery operated blowers. With the motion that was just approved, does the Board want to put it in as a requirement of a contract before the Board gets the results back from the motion that was just approved. What if the study comes back and says, we hate these things, we don't want to use them.

Further discussion on the motion included not being a good idea to require something but to have parks and recreation consider ways to incentivize, give additional scoring criteria, especially when required to take low bid, how to police that the contractors are using battery operated equipment since the contractors are not just doing city projects and will have other equipment on their trucks, being progressive in the hopes of encouraging contractors to become involved and educated on the use of battery operated equipment.

Member Butts suggested tabling the motion until the Board gets the results of the study.

Bill Kimball indicated that he liked the idea of the incentive to not require that they use but to actually purchase and have electric blowers, it gets the City moving and the contractors transitioning to using electric blowers.

Vote on the motion failed 2 – 5, with Members Richards and Kopytchak in favor, Members Bennett, Hagen, Fox, Butts, and Massey dissenting and two Board members absent.

Chair Bennett suggested that the remaining discussion items on the agenda be moved to the next meeting. There is still a lot of discussion to take place on the Tree Ordinance and the Board has six sections in front of them to review.

There was discussion on the inclusion and relevance of the power point presentation as it relates to the tree ordinance review and Member Kopytchak indicated that it was relevant to the full force and scope related to the mitigation process and requested that it remain as a discussion item for the next meeting.

DISCUSSION ITEMS

These items will be discussed at the next meeting.

5. [21-00966](#) REVIEW OF SECTION 12-6-1 TO 12-6-6 OF THE TREE AND LANDSCAPE ORDINANCE
6. [21-00975](#) TREE ORDINANCES AFTER SECTION 163.045; CONTROVERSIES AND STRATEGIES - POWERPOINT

Attachments: [Lindsay Tree Ordinances PPT - corrected](#)

7. [21-00949](#) SINGLE USE PRODUCTS ON PUBLIC PROPERTY

Attachments: [Reduction-Removal of styrofoam, plastic bottles & Non-environmenta](#)
[Single-Use Products Policy briefing sheet FINAL](#)
[Single-use products policy FINAL](#)
[Green Works Foam Bags Straws](#)
[Plastic Products Ban in Other Cities](#)
[Webstaurant price comparison](#)
[Single Use Info](#)

8. [21-00976](#) INTEGRATED PEST MANAGEMENT (IPM) PROGRAM

Attachments: [City's IPM Plan](#)
[IPM Plan For Athletic Fields KF](#)
[Kozman Comments COP IPM Plan](#)

BOARD MEMBER COMMENTS:

Member Butts reminded Board of the Carpenter Creek Clean-up on Saturday from 9 - 11, behind the Mellow Mushroom. Information about the clean-up can be found on the Pensacola/Perdido Bays Estuary Program webpage.

PUBLIC COMMENT:

No further public comments.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 4:50 p.m.