



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, November 10, 2020

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

You may attend/participate virtually by telephoning 646-558-8656

Meeting ID: 920 3852 8066, Passcode: 831329 or online at

<https://zoom.us/j/92038528066> Passcode 831329

Call Meeting To Order - 5:00 P.M.

Roll Call

Absent 2 - Commissioner Cabanas, and Commissioner Pope

Present 5 - Commissioner Bravo, Commissioner Cunningham, Commissioner McRAE, Commissioner Stotts, and Chairman Jackson

Pledge of Allegiance to the Flag

Approval of Agenda - The Agenda was unanimously approved as changed to include the postponement of Item 7 to December 8, 2020.

Approval of Minutes

1 October 13, 2020 (Regular)

Attachments: [Minutes](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, that the Minutes be Approved. The motion passed by unanimous vote.

Action Items**- Old Business**

- 2 818 Elizabeth Street/T2020-0275/Allen's Apartments
Represented by: Kenneth King
Requesting approval to remove (1) Avocado tree.

Attachments: [Staff Report and Application](#)
 [Pictures Provided at Meeting](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with sec. 110-327 to approve the removal of one (1) Avocado Tree at 818 Elizabeth street to be replaced with 5.5 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 1 - Commissioner Stotts

Absent: 2 - Commissioner Cabanas, and Vice Chair Pope

Yes: 4 - Commissioner Bravo, Commissioner Cunningham, Commissioner McRAE, and Chairman Jackson

- New Business

- 3 Approving the Proposed 2021 Tree Commission Meeting Dates.

Attachments: [2021 Meeting Calendar](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, that the proposed 2021 Tree Commission Meeting Dates be Passed. The motion passed by unanimous vote.

- 4 409 William Street/T2020-0314/Kirk Thompson
Represented by: Native Landscape Design
Requesting approval to remove (4) Spanish Stopper, (1) Bulnesia, and (1) Seven Year Apple tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of four (4) Spanish Stopper trees, one (1) Bulnesia tree and one (1) Seven Year Apple tree, at 409 William Street to be replaced with 18.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 1 - Commissioner Stotts

Absent: 2 - Commissioner Cabanas, and Vice Chair Pope

Yes: 4 - Commissioner Bravo, Commissioner Cunningham, Commissioner McRAE, and Chairman Jackson

- 5 529 Caroline Street/T2020-0315/SVR 529 LLC
Represented by: John Cole-Shade Tree Inc
Requesting approval to remove (1) Woman's Tongue tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of one (1) Woman's Tongue tree, at 529 Caroline Street to be replaced with 2 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by unanimous vote.

- 6 808 Southard Street ROW/T2020-0323/City of Key West
Represented by: Karen DeMaria
Requesting approval to remove (1) Royal Poinciana tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec.110-327, to approve the removal of one (1) Royal Poinciana tree, at 808 Southard ROW to be replaced with 12 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on City property. The motion passed by unanimous vote.

- Administrative Appeals

- 7 3402 Eagle Avenue/TC2020-00031/RCJB Properties
Respondent: RCJB Properties-Richard Barthelemy
Removal of (1) Royal Poinciana and (1) Silver Buttonwood
without benefit of a tree removal permit and excavation in
the primary root zone of a Gumbo Limbo tree clump located
on the City right of way, for the placement of pool
equipment.

Attachments: [Administrative Notice](#)
 [Report and Information](#)
 [Renotice](#)

A motion was made by Commissioner Cunningham, seconded by Commissioner Bravo, under Approval of Agenda that Item 7 be Postponed to December 8, 2020. The motion passed by unanimous vote.

8 1119 White Street/TC2020-00019/Island Homes Key West LLC

Respondent: Brenda Donnelly

Requesting a change to the Settlement Agreement to be able to plant the remaining required replacement trees offsite or donate them to a not for profit or to the City.

Attachments: [Signed Agreement and Report](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, to amend the settlement agreement to donate to the City of Key West 23 caliper inches of dicot or fruit trees from the approved list, FL#1. The motion passed by unanimous vote.

9 1409 Whalton Street/TC2020-00036/Alfredo Gonzalez

Respondents: Alfredo & Ronald Gonzalez

Removal of a Green Buttonwood tree without benefit of a permit.

Attachments: [Notice and Report](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Stotts, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the property owner, Alfredo & Ronald Gonzalez, for the removal of a Green Buttonwood Tree at 1409 Whalton Street without benefit of a tree removal permit. The property owner agrees to donate 5 caliper inches of dicot or fruit trees from the approved list, FL#1, to the City of Key West. The motion passed by unanimous vote.

10 1500 Reynolds Street/TC2020-00035

Respondent: Blue Native of the Florida Keys

Improper trimming of numerous Coconut, Sabal, and Royal Palms at the Casa Marina Resort.

Attachments: [Notice and Report](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cunningham, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent, Blue Native of the Florida Keys for improper tree trimming of numerous Coconut, Sabal and Royal Palms at 1500 Reynolds Street and that they pay a fine of \$500.00. The motion passed by unanimous vote.

- 11 617 Front Street/TC2020-00034/Galleon Condominium Association Inc.
Respondent: Galleon Condominium Association Inc.
The improper trimming of (3) Mahogany trees without benefit of a trimming permit and the improper trimming of numerous Coconut Palms.
- Attachments:** [Notice and Report](#)
- A motion was made by Commissioner Bravo, seconded by Commissioner Stotts, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the Respondent, Galleon Condominium Association, Inc., for improper tree trimming. The agreement requires that the Association hire an arborist to maintain and trim the three Mahogany trees for a period of three (3) years. The motion passed by unanimous vote.
- 13 1017 Margaret Street/TC2020-00038
Respondent: Keys Top Construction, Inc
The cutting of roots on a Royal Poinciana tree without benefit of a permit.
- Attachments:** [Notice and Report](#)
- A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the contractor, Como Keys LLC/Como Keys Propane, for root cutting without benefit of a permit at 514 Frances Street and that they pay a fine of \$500.00. The motion passed by unanimous vote.
- 12 514 Frances Street/TC2020-00037
Respondent: Como Keys LLC/Como Keys Propane
The abuse of a Royal Poinciana tree during excavation at a construction site. Tree protection was not used and the tree trunk was damaged.
- Attachments:** [Notice and Report](#)
- A motion was made by Commissioner Cunningham, seconded by Commissioner Bravo to table the item to give the Respondent time to appear. The motion passed by unanimous vote.
- After Item 13 was heard a motion was made by Commissioner Bravo, seconded by Commissioner McRAE, that the Item be Postponed to December 8, 2020. The motion passed by unanimous vote.

Reports

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Urban Forestry Manager's Report

Attachments: [October Monthly Tree Report](#)
[ISA Trees Are Good-Benefits of Trees](#)
[ISA Trees Are Good-Tree Values](#)
[ISA Trees Are Good-Why Topping Hurts](#)
[ISA Trees Are Good-Pruning Young Trees](#)
[ISA Trees Are Good-Pruning Mature Trees](#)

Received and Filed

Assistant City Attorney's Report - No report was provided.

Public Comment

Commissioner Comments

Adjournment - 6:17 P.M.