

M E M O R A N D U M

TO: Tom Harmer, Town Manager
FROM: Isaac Brownman, Public Works Director
DATE: April 19, 2019
SUBJECT: Resolution 2019-07, Australian Pine Removal Program

Recommended Action

Pass Resolution 2019-07.

Background

As a result of impacts related to Hurricane Irma in September 2017, the Town Commission reached a consensus at the December 4, 2017, Regular Meeting to reinstate the Australian Pine Removal Program through Resolution 2017-26 which outlines the process by which property owners can apply for reimbursement for eligible Australian Pine tree removals.

The reinstatement of the program allowed for an annual maximum cap of \$60,000 and incentive provided for up to three (3) trees per property owner. Eligible Australian Pines posing threat or hazard to Gulf of Mexico Drive may reach a maximum incentive of \$1,500 for each tree and a maximum incentive of \$750 for each tree for those that pose threat or hazard to all other private or public roadways, facilities, and/or infrastructure.

Within the fund, there is a remaining balance of approximately \$40,000 available for incentive distribution. To date, the program has provided funding to eleven (11) qualifying applicants for a total of eighteen (18) trees. To provide further stimulation of the program and to provide for the utilization of remaining funds, staff recommends increasing all incentive amounts for eligible Australian Pines and also the amount of incentives a single property owner can receive.

In reviewing quotes from various vendors, the price to remove a single Australian Pine varies significantly based on tree height, trunk size, location for access to the tree and other factors, however, on average, the price for removal of a single Australian Pine is between \$1,700 and \$2,000. Therefore, staff requests approval of Resolution 2019-07 amending Resolution 2017-26 to reflect an increase in the maximum incentive for removal of Australian Pines impacting Gulf of Mexico Drive to \$1,800 and all other public or private roads \$1,250. In addition, based on past conversations with condominium managers, staff recommends increasing the number of allowable incentives by a single property owner/entity from three (3) to five (5).

Resolution 2019-07 is presented at the May 6, 2019, Regular Meeting for approval. Once approved, Public Works will advertise the revised program through local newspapers, condominium managers group, Town social media, and at the May 30, 2019, Disaster Preparedness Seminar.

Staff Recommendation

Pass Resolution 2019-07.

Attachments

Resolution 2019-07



Australian Pine Removal Program

Town Commission Regular Meeting
May 6, 2019



Incentive Program Criteria

- Specific to Australian Pines:
 - Shallow root systems and wind vulnerability impacts
- A-Pine must pose a threat to:
 - Buildings, roadway access, power lines, other above ground and/or underground utilities
- Assessment by Town Public Works:
 - To determine qualification and priority of incentives.



Current Program Provisions

- Maximum incentive \$1,500 per tree for GMD impacts
- Maximum incentive \$750 per tree for all others
- Maximum of 3 incentives per qualifying applicant

*Note: All funds are dispersed based on qualifying
first come, first served basis*



Average Price of Removal

In reviewing various quotes, the average price for removal is between \$1,700 and \$2,000 per Australian Pine

- **Factors that impact removal costs include:**
 - Location of tree (ease of access /hauling of material)
 - Diameter & height of tree
 - Stump treatment/removal
 - Hauling/tipping expenses
 - Use of special equipment



Current Program Use

Low Utilization since January 2018:

- Eleven (11) qualifying applicants have utilized incentives for removals
 - *An additional six (6) approved applications pending tree removal resulting in approximately \$40,000 remaining in the fund*
- A total of eighteen (18) A-Pines have been removed to date
 - *Of the eighteen (18), three (3) were removed by Public Works.*



Proposed Incentive Increases

- **Further stimulate use of remaining funds:**
 - Increase GMD incentive from \$1,500 to \$1,800.
 - Increase “all others” from \$750 to \$1,250.
 - Increase allowable number of tree removal incentives per property from three (3) to five (5).



Staff Recommendation and Next Steps

Pass Resolution 2019-07 allowing for an increase to the incentive amount for removal of Australian Pines.

Once approved, advertise the revised program through local newspapers, condominium managers group, Town social media, and at the May 30, 2019, Disaster Preparedness Seminar.

RESOLUTION 2019-07

A RESOLUTION OF THE TOWN OF LONGBOAT KEY, FLORIDA, RECOGNIZING THAT AUSTRALIAN PINES ON PRIVATE PROPERTY MAY CAUSE PUBLIC HAZARDS; PROVIDING FOR AN INCENTIVE PROGRAM FOR REMOVAL OF CERTAIN AUSTRALIAN PINES FROM PRIVATE PROPERTY WHICH POSE PARTICULAR HAZARDS; PROVIDING FOR FINANCIAL LIMITATIONS FOR SUCH PROGRAM; PROVIDING FOR THE TOWN'S SOVEREIGN IMMUNITY; AMENDING RESOLUTION 2017-26 AND PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission and Town Staff have been reviewing and assessing storm related concerns that resulted from recent experience with Hurricane Irma and other severe weather events; and

WHEREAS, based upon such experiences and concerns as well as information provided to the Town Commission, Australian Pine trees present a unique and potentially dangerous hazard to the persons and property within the Town due to the trees' root structure and growth patterns which causes these trees to topple with less wind force than other native and non-native trees; and

WHEREAS, Australian Pine trees that fall during storm events can create significant hazards by impairing evacuation routes, and damaging public and private facilities and infrastructure within the Town; and

WHEREAS, Australian Pine trees are particularly dense, heavy, and difficult to remove once they have fallen due to storm events; and

WHEREAS, it has been the Town's policy for many years that Australian Pine trees are to be removed in connection with site plans; and

WHEREAS, it has also been the Town's policy for many years that Australian Pine trees shall not be planted or allowed to mature; and

WHEREAS, the Town Commission, based upon its fact finding and the information presented to it from its Staff relating to the hazards from Australian Pine trees determines that it is in the best interest of the health, safety, and welfare of the Town to provide an incentive program for the removal of certain Australian Pine trees located upon private property; and

WHEREAS, the Town Commission previously adopted Resolution 2017-26 which provided for an Australian Pine tree removal program that provided certain financial incentives for property owners to seek reimbursement of a portion of the costs associated with such tree removal; and

WHEREAS, the Town Commission has determined that the development of further standards and financial incentives beyond those provided in Resolution 2017-26 is in the best interest of the Town for purposes of further encouraging private property owners to remove the Australian Pines located on private property located within the Town; and

WHEREAS, the Town wishes to limit its financial commitment for the removal of the Australian Pine trees based upon money budgeted for each fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAY KEY, FLORIDA, THAT:

SECTION 1. The above recitals are true and correct and are hereby incorporated fully by reference.

SECTION 2. The purpose of this Resolution is to amend Resolution 2017-26 to provide further guidelines and incentives for the implementation of a mitigation plan to address the potential damage and post-storm debris impact of Australian Pines located throughout Longboat Key. Australian Pine trees will continue to be assessed for their potential impact to road egress, damage to utilities, and for damage to critical facilities.

SECTION 3. The Town will receive benefits from the proactive removal of Australian Pine trees including the reduction of the quantitative amount of debris to be removed in a post-storm event.

SECTION 4. Prior to the removal of any Australian Pine, property owners who wish to avail themselves of the possibility of being reimbursed by the Town for Australian Pines removal, shall contact the Town Manager, or his designee, for determining what, if any, reimbursement the Town will provide for the removal of the tree.

SECTION 5. Effective upon adoption of this Resolution, the Town Manager, or his designee, shall be guided by the following criteria for determining what, if any, reimbursement and incentives the Town will pay for removal by the private property owner of the Australian Pine trees:

- A. If the tree could fall and block Gulf of Mexico Drive, remove primary power lines along Gulf of Mexico Drive, pose hazard or damage to other above or underground utilities or buildings, or its root structure would interrupt water and sewer lines along Gulf of Mexico Drive, the Town may reimburse the property owner for either the cost of removal of the tree or \$1,800, whichever is less.
- B. If the tree could fall and block any other public or private roads, damage buildings, impact power lines along public or private roads, pose hazard or damage to other above or underground utilities, or its root structure could interrupt water or sewer lines along these public or private roads, the Town may reimburse the property owner for either the cost of removal of the tree or \$1,250, whichever is less.
- C. The Town may reimburse the property owner for up to no more than five trees to be removed from the private property in accordance with established criteria.
- D. The Town Manager shall have the authority to modify this funding arrangement if in his opinion the additional expenditure would mitigate a particularly dangerous condition.

SECTION 6. To obtain reimbursement from the Town, the property owner must contact the Town prior to the removal of the tree(s). If determined to be appropriate, reimbursement will be made after removal of the tree. All monies paid hereunder shall be on a first-come, first-served basis, and shall be subject to appropriation.

SECTION 7. This policy is subject to appropriation of funds for each Fiscal Year.

During the time of budgeting, the Town will, in its complete discretion, determine whether, or to what degree, it will fund this program.

SECTION 8. Nothing contained herein shall be deemed as a waiver of sovereign immunity nor shall the Town incur any liability as a result of property owners removing any trees under this program.

SECTION 9. If any section, subsection, sentence, clause or provision of this Resolution is held invalid, the remainder of the Resolution shall not be affected.

SECTION 10. Effective upon adoption of this Resolution, the financial incentives and guidelines provided for in Resolution 2017-26 are hereby amended as provided herein. In the event of a conflict between Resolution 2017-26 and Resolution 2019-07, Resolution 2019-07 shall prevail.

SECTION 11. This Resolution shall become effective immediately upon adoption.

Passed at meeting of the Town Commission held the _____ day of _____, 2019.

ATTEST:

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

End of Agenda Item