

City of Coral Gables City Commission Meeting
Agenda Item H-2
January 9, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
Assistant City Manager, Peter Iglesias
Assistant City Manager, Frank Fernandez
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Public Services Division Director, Brook Dannemiller

Public Speaker(s)

Joyce Irving
Linda Robertson
Frank Eaton
Lisa Hammer

Agenda Item H-2 [10:32:49 a.m.]

A discussion regarding the fallen bombax ceiba tree on San Lorenzo Avenue.
(Sponsored by Commissioner Lago)

Mayor Valdes-Fauli: Okay, the bombax tree, Item H-2, San Lorenzo Avenue, the fallen tree.
Madam City Manager, you have...

City Manager Swanson-Rivenbark: Yes.

Mayor Valdes-Fauli: A report on this?

City Manager Swanson-Rivenbark: Commissioner Lago asked to have this item on the agenda. We do have our Public Works team, as well as our horticulture -- our outside consultant to answer any questions. And at this point, the Deputy City Clerk is passing out a report that was done October 9, 2017, and that report had also been disseminated to representatives at the neighborhood, and it was shared with you all electronically. I think just in case it is referenced, they're passing it out in advance, but it is something that you all have received electronically several weeks ago, and we also forwarded it to the neighbors.

Mayor Valdes-Fauli: Okay, I will call the -- do you have...

Commissioner Lago: No. My comments...

Mayor Valdes-Fauli: Do you want to introduce the item?

Commissioner Lago: My comments are really simple. I sent out a memo -- I think it was an email -- in reference to potentially doing some sort of Sunshine meeting, so I wanted you to become a little bit more aware. I've walked the site on two occasions, once with the residents and once without them to become a little bit more aware about exactly what's going on and the scope and what the residents are requesting, and also to balance out with Ms. Hammer's horticultural report and staff's recommendations and come to a consensus in regards to what is the City's plan and listen to the residents and give them that opportunity. I think that's important to us.

City Manager Swanson-Rivenbark: And Ms. Hammer is here in the audience as a resource to the Commission. Also, the Public Works Department is here, and they have studied this tree several times, personally, site visit and had formulated a recommendation. And once Commissioner Lago wanted to place it on the agenda, we postponed action on it until this Commission meeting could happen.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Thank you. I would like to call Joyce Irving, 540 San Lorenzo Avenue, to speak. Hi. Come in. Come. I mean, you are in. Come up. No, no, no.

City Manager Swanson-Rivenbark: Use the microphone.

Mayor Valdes-Fauli: The microphone there and bring it down to you.

Joyce Irving: Okay. I have lived on San Lorenzo since 1994. And during approximately half of that period, I have been out there during several months of the year with my broom and my rake removing the red flowers that fall from the kapok tree. I know it as the kapok tree. Those flowers, when -- as they decay, become like banana peels. And, I never thought of it in terms of the City's liability, but rather, I didn't want my neighbors to slip and fall on them. But, along came Hurricane Irma and felled the tree, and it has given us a unique opportunity to keep this beautiful tree in our neighborhood by moving it around the corner to a wide swale where there's no sidewalk for the blossoms to fall on, where it's not near a driveway, so that the flowers are no longer a problem. I think the tree should be given a chance to survive, and perhaps, retain some of the beauty that it has graced our community with.

Mayor Valdes-Fauli: Thank you, ma'am.

Ms. Irving: Thank you.

Mayor Valdes-Fauli: Thank you very much.

Commissioner Lago: Thank you very much.

Mayor Valdes-Fauli: Thank you. Linda Robertson, 548 San Lorenzo.

Linda Robertson: Hello, Mr. Mayor...

Mayor Valdes-Fauli: Good morning.

Ms. Robertson: Vice Mayor, Commissioners. Thanks for allowing us to address you. I'm certain that you all got my email about the tree on San Lorenzo. We have had a series of discussions, meetings, lots of emails with the City over the course of the last three and a half months about this beautiful, spectacular, historic tree, which we consider iconic to our neighborhood. And, I know that the reports from the experts are going to list all the worst-case scenarios with the tree and all the negative possibilities, lots of speculation on how the tree could be a problem. However, we've talked to a number of experts who feel that there's a lot of positive scenarios to be considered with this tree, as well, and that it has every opportunity to thrive, especially in our subtropical environment. We've talked to a number of experts who say they've put up these trees before and they do fine. So, we're basically asking the City to consider the residents' point of view and consider the passion of the people who live in the neighborhood, not just the naysaying about what might or might not happen with the tree and give the tree a chance. We feel that it's incumbent on the City to help us preserve the character of our neighborhood and to help us preserve this iconic part of the City, and we would like the City's help in preserving it. So, please give the tree a chance. You have very little to lose by giving it a chance. If it does go into decline, we would be the first people to call Brook and tell

him about it. But it's going to be staked. It's going to be monitored. It's going to be nurtured. It's going to be trimmed. Give the tree a chance. Thank you very much.

Mayor Valdes-Fauli: Thank you. Next is Frank Eaton, 625 Altara.

Frank Eaton: Good morning, Mayor...

Mayor Valdes-Fauli: Good morning, sir.

Mr. Eaton: Vice Mayor, Commissioners. Take a look at the last page of the expert report that was just circulated. And, you see a PowerPoint rendition of what the tree will look like with proper trimming, staking, et cetera. It may not be the prettiest tree, but after some time, it will grow some leaves, sprouts, and turn into, hopefully, the beautiful tree that it once was. A number of you are lawyers on the Commission, and you know by experience, either through litigation or through hiring litigators, that you have expert reports from both sides. We don't have an expert, but Ms. Robertson has spoken to folks who are well versed in the rehabilitation of these trees. I'll further add that if you go down to the lobby of the Biltmore Hotel, there's a wonderful photo of Coral Gables circa 1925-26, looking north towards the airport. You see the Granada fountain. You see the Congregational Church. You see some new houses being built. But surprisingly, you see very few trees. One of the great things that George Merrick did was to incorporate trees into the City. We now have over 38,000 trees. That is part of what makes Coral Gables so special. And what makes this tree special is, one, it's historic; two, it's part of our community. And three, even after Irma, it has remarkably survived even on its side after almost four months, still sprouting leaves. We know that based upon the expert's report; there is a chance for it to survive. It's a pessimistic report, but it's an expert report for a particular point of view, which we disagree with. So, in conclusion, let's reiterate that this is a City that values its trees, and let's give this tree a fighting chance.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Eaton: Thank you.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Would you make a motion?

Commissioner Mena: Can I...

Mayor Valdes-Fauli: (INAUDIBLE)

City Manager Swanson-Rivenbark: I'm sorry, sir. The staff is here.

Mayor Valdes-Fauli: Yeah, I thought we had...

City Manager Swanson-Rivenbark: Our witness...

Mayor Valdes-Fauli: Yeah.

City Manager Swanson-Rivenbark: Is here. If you want additional...

Mayor Valdes-Fauli: Please. Please come. I thought...

City Manager Swanson-Rivenbark: I think you're -- Brook Dannemiller will come forward, and just to explain how -- at no point -- I need to say -- was any decision based on economics. It was -- we are -- what we're actually recommending, it costs more money than what another recommendation is. So, it's not that we're driven by how we're going to save money.

Commissioner Lago: Let me interject right there, because you're making a comment right now that shouldn't even be said because I've had multiple conversations with the Manager and that was never even discussed.

City Manager Swanson-Rivenbark: No. I just didn't want the public...

Commissioner Lago: No, no, no. I mean...

City Manager Swanson-Rivenbark: To think that...

Commissioner Lago: If somebody thinks that we even brought up or were considering shipping the tree out, because it was cheaper...

City Manager Swanson-Rivenbark: Right. I felt like just for the record, it was appropriate...

Commissioner Lago: No, okay. I mean...

City Manager Swanson-Rivenbark: To say that. So, Brook, if you can briefly review the relationship that you had with the tree and its review.

Public Services Division Director Dannemiller: So, the tree, obviously, fell during Hurricane Irma and sustained some significant structural damage. When we went through after the storm, we evaluated trees. We re-braced over a thousand trees. Unfortunately, we lost over a thousand trees, too, or they had to be removed due to damage. When we -- when our experts evaluated this tree, they did not think it was a viable candidate for standing back up or keeping because of the structural issues. The residents reached out to use wanting us to save the tree, so we met with them. We had Lisa evaluate it back in October. She evaluated it again this week. The entire root ball of the tree snapped off when the tree fell, so it has been detached from the ground for over four months now. So, it's only declined in health since the storm. The main issues with

standing the tree back up is all the new growth of the tree will be structurally unsound and unsafe, because it'll be in loading from the -- where the sucker growth comes out and all that growth will basically have to be kept as a bonsai-type tree in order to survive. The residents had mentioned that they reached out to The Kampong, so we also reached out to them. They were willing to accept the tree, if we relocated it there. It costs about twice as much to do that, but we were willing to do that because they have a grassy field. It's away from any structures and parking, things like that. So, we looked at that option, but they wanted to keep it on the Segovia side of the 548 San Lorenzo property. So, we're just trying to find a solution to remove the -- get the tree off of its side and either relocate it at Kampong or remove it and plant whatever trees the community decides that they want to plant there. Because our goal is long-term health of the City canopy. We have over 38,000 trees, and so we look at the -- you know, we look at the forest, not just each individual tree, but we do look at each individual tree before we make these decisions.

City Manager Swanson-Rivenbark: And from the sapling standpoint, you all were explaining to me also that you collected -- can you explain it?

Public Services Division Director Dannemiller: Yeah, so the roots that are still in the ground are shooting up sucker growth, little saplings, so we can -- we want to try to save one of those and grow that into a tree in its current location. We also harvested some of the saplings and we're trying to grow those in our nursery out at the 72nd Avenue Public Works facility. So, if the neighborhood decides that they want the exact same tree back in that spot or in the neighborhood, we can use those saplings that were grown from that to plant, or we can just purchase a new tree of the same species.

Mayor Valdes-Fauli: How long would it take a sapling to grow to a significant...?

Public Services Division Director Dannemiller: It's the...

Mayor Valdes-Fauli: Not as big as that, but a significant...

Public Services Division Director Dannemiller: The bombax ceiba is a fast-growing tree. The sucker growth is already about four feet tall.

Mayor Valdes-Fauli: Oh.

Public Services Division Director Dannemiller: You know, within, you know, two, three years; it'll probably be ten feet. You know, in five years...

Vice Mayor Keon: How wide in diameter?

Public Services Division Director Dannemiller: It just depends -- if it has irrigation, it'll grow much faster. Any tree grows faster with irrigation and fertilizer.

Mayor Valdes-Fauli: So, what is the pleasure of the Commission?

Commissioner Mena: Is there -- you know, one of the statements -- here's the problem I'm having with this. And I'm curious whether the people who Mrs. Robertson spoke to, the experts, if they produced any sort of report or if they're available for discussion. But I -- what I do have is this report from Mrs. Hammer, and you know, it says that it presents a risk to the general public, and that's obviously something we need to be concerned with. And I'd like to understand what the risk is. In other words, if you put it up and you brace it, while it's got braces on, if you will, is it -- still present a risk, or is it only later, when you remove those, that it potentially could topple over? What's the risk that we're concerned about here?

Public Services Division Director Dannemiller: So, once the bracing's on there, the trunk itself isn't going to fall because it'll be braced significantly, some significant lumber, but that's going to have to stay on there for years. You know, we're talking, three, five years or longer. Once

that's removed, all of the root growth from that root ball is going to be weaker. So, the taller the tree gets, the more likely it is to topple. The main issue is going to be all the new growth that's going to be from the ends of those large cuts. And, they're so large that the tree doesn't have the ability to heal them before they start to rot. So, all the new branches are going to be growing out of -- you know, think of a glass where it's hollowing out over time, so that that log is getting -- the trunk is getting weaker and weaker as it's rotting out, and the branches are getting larger and larger. And so, we'll have to keep the tree trimmed, you know, probably 10 to 15 feet of growth maximum ever out of that tree in order to keep it safe from potentially just snapping off or splitting the whole trunk. It'll be rotting internally.

Commissioner Lago: Didn't you also say there was a concern with water infiltration in reference to the larger limbs that have been cut and the way -- the angle of the cut, correct?

Public Services Division Director Dannemiller: Yes. So, even though we cut at a slight angle, so the water heats off as it heals those large cuts will always gather water and the internal wood can't heal itself. It's the perimeter of the trunk that heals itself, so it'll just be rotting as the tree limbs grow out at the ends.

Commissioner Lago: I know that we've talked about this multiple times and we've got to move on to other items. I'm inclined to give the tree a shot. I would love to see it here locally, but I don't want to compromise safety. That's my number-one objective. And number two, I'm not asking for a crystal ball, but I kind of am. What do you think is the chance that this tree survives, and if we move it to that little bit of green space adjacent to where it currently is?

Public Services Division Director Dannemiller: Lisa could probably speak more to that. But basically, the -- it has stored energy...

Commissioner Lago: Call her up. Call her up.

Public Services Division Director Dannemiller: Do you want to -- but the tree has stored energy, which it's been using for the last four months, and that's why you see green growth. Once it's stood back up, it will take some time for it to re-root. It may survive for a short period of time, but if you're looking five, ten years down the line, it's not a viable tree.

Commissioner Lago: It's not viable.

Public Services Division Director Dannemiller: Five, ten years down the line, no.

Mayor Valdes-Fauli: Go ahead.

Commissioner Mena: (INAUDIBLE), Mrs. Hammer.

Lisa Hammer: Good morning. Good morning. My name is Lisa Hammer. Thank you for having me here today. When an arborist looks at a tree, we look at both health and structure of the tree, which may or may not be related to one another. This tree, I think, obviously, its structure is very significantly damaged. I'm very concerned about its structure and how it's going to survive in a safe condition ultimately with this structure. Health wise, this was a big tree with a lot of stored food energy, and it's going to continue producing shoots and new growth for a long time to come. However, that energy that it's using is stored energy in the trunks and the roots. It's not producing any new food at this point in time, because it's just trying to recover. It hardly has any leaves on it to do that. When that stored food runs out, this tree is going to start to decline. And it may be a while. You'll probably see a lot of new growth on that tree for a while, but it's going to be sucker growth that's not good, strongly-attached branching. So, I don't hesitate to say that there's going to be new growth on that tree. There is now. It's laying on its side and it's producing new growth. But, the long-term potential for this tree to really survive in a healthy and structurally sound condition, in my opinion, it's a slim chance. I'm very concerned about the cracking and the damage on the trunk. I went out there the other day and a vertical crack on the underside of the trunk -- it's hard to see. You pretty much have to

get on your hands and knees and look up. It's starting to split apart more now. It runs from the base of the trunk all the way up to where the cut is going to be made on that tree. Eventually, that bark is going to start peeling back and there's going to be decay back behind it on the main trunk. That's going to make the trunk prone to breakage and failure, and also lead to a decline in health.

Mayor Valdes-Fauli: Even if you did what you suggest here, which is cut it and then plant it, there's still that crack in the trunk.

Ms. Hammer: That crack is still there. Also, at the point of impact, when the tree hit the ground, one of its main leaders broke off and it left a large, large splintering wound all down the trunk. So, where those orange cut -- those orange lines were made, which I didn't make, but I agree that that's where they should be. That was -- that's where you would have to cut the tree to remove most of the damage. But, the damage on the main trunk from that point of impact is still there. It's hard to see because it's on the underside. But I think when you stand that tree up; you're going to see how severe that damage really is on that side. So, will it live? Yeah. It's going to live for a while. But will it actually thrive? Will it be vigorous? Will it be structurally sound? Highly doubtful.

Commissioner Mena: You mentioned these saplings or whatever that are growing and that could grow to be ten feet in a few years.

Ms. Hammer: Yeah.

Commissioner Mena: Is there -- have we investigated the option of whether or not there's another more mature tree somewhere that we could relocate there of the same species?

Public Services Division Director Dannemiller: Yeah. We reached out to various nurseries. We found one that has that same species. They weren't flowering and the trees kind of got mixed up

in the storm. So, once they flower, they'll be able to figure out which ones are the correct color flower to match that one. There's...

Commissioner Lago: And let me ask a question of...

Public Services Division Director Dannemiller: Different species of them.

Commissioner Lago: Just exactly whatever you're saying. If we're going to spend double the money to relocate it, what can we get? What size tree -- caliper tree can we get, you know, for that amount of money?

Public Services Division Director Dannemiller: Currently, the -- what we were able to find was only in the ten- to twelve-foot range. That was looking back in October/November. So, we continued to look for those options. But, the reason we harvested the saplings to grow them was in case that we couldn't find an exact match. It was for growing some that could replace it. So, just all the nurseries were kind of impacted by the storms, so they're just now bouncing back. So, we'll be able to do a more exhaustive search, but we know we can at least get a ten- to twelve-foot one at this point.

Vice Mayor Keon: And how wide?

Ms. Hammer: They usually bloom in about February also, so we should know pretty soon about those.

Vice Mayor Keon: Yeah. How wide is a 12-foot tree? What's...

Public Services Division Director Dannemiller: Probably...

Vice Mayor Keon: The diameter?

Public Services Division Director Dannemiller: Three or four inches in diameter at that point.

Commissioner Lago: Yeah, but the cost for a tree would be \$1,500, \$2,000.

Public Services Division Director Dannemiller: That size would be less.

Commissioner Lago: Less.

Mayor Valdes-Fauli: What's the pleasure of the Commission?

Commissioner Lago: But, moving the tree would be -- how -- well, what is the cost we're looking at right now?

Public Services Division Director Dannemiller: The estimates that we got from the contractor that's been doing all the other bracing, to move it to the Kampong was between 4 and \$5,000. And if it went to the Segovia side, it would be around \$2,800.

City Manager Swanson-Rivenbark: Commissioner, we really appreciated your convening -- Commissioner Lago convened a meeting with the neighborhood that was really well attended, and it was like the coldest day in December, December 12.

Ms. Hammer: At 7:30 in the morning.

City Manager Swanson-Rivenbark: And, you also asked for Lisa Hammer to attend so that she could speak directly, and Brook attended, as well as Ed Santamaria. And, I think that was helpful in terms of exchange -- respectful exchange of information.

Mayor Valdes-Fauli: The tree is damaged. There's no way -- and that crack is -- this tree is not going to survive. And unfortunately, if we move it -- it's not a matter of cost. If we move it, it really isn't going to survive, and it's going to be a danger if we keep it in Segovia. Why don't we buy a good tree and plant it there and replace it?

Commissioner Lago: Can we hear from Miss...

Vice Mayor Keon: I mean, I know that the neighbors have a great attract...

Mayor Valdes-Fauli: Yeah.

Vice Mayor Keon: A great love of and a strong feeling toward this particular tree, but my inclination is that everything has a time and everything has a cycle.

Mayor Valdes-Fauli: And we had a hurricane come through.

Vice Mayor Keon: But, you have a time and you have a cycle. And, things live for a certain period of time and they're healthy and vigorous and grow and present no risk to the public. And, then a time comes when they are a risk to the public and they are damaged, and they no longer grow and we miss that beauty and we miss what we have felt and seen and heard. It isn't a rare tree. It's a pretty common tree. We have a number of them in the traffic circles along Hardy.

Public Services Division Director Dannemiller: That's a slightly different ceiba. That's a...

Ms. Hammer: It's a baobab.

Public Services Division Director Dannemiller: What was that one?

Ms. Hammer: Baobab.

Public Services Division Director Dannemiller: The baobab...

Mayor Valdes-Fauli: Baobab.

Public Services Division Director Dannemiller: And the silk floss tree.

Vice Mayor Keon: The silk floss tree.

Public Services Division Director Dannemiller: And this one is a silk floss.

Vice Mayor Keon: And this is a bombax tree. I mean, but, you know, if we can provide -- grow the saplings or, you know, find an exact -- the same tree, you know, I think you can say goodbye to a tree that presents a -- that no longer benefits the public or could be dangerous to the public. I mean, I think it's -- you know, I don't -- my inclination would be to replace the tree with another tree. You know, if, you know, the attachment to that tree is that strong, then you know, brace it and, you know, let it continue to deteriorate and die and you'll have no choice. I mean, it's whether you do it now or you do it later.

Ms. Robertson: (COMMENTS MADE OFF THE RECORD)

Mayor Valdes-Fauli: Come on. Yeah, say something. But, we have to get...

Ms. Robertson: I understand. I just want to add that, you know, we also have spoken to experts. And I know that this report is designed to give you the worst case, very pessimistic, okay. I spoke to the director of the Kampong. He said this tree would be very easy to save. He's actually put up trees three and four times after hurricanes, and this particular species is extremely hearty. The Kampong is willing to take this tree, okay. Leonard Avis, who's a UM trustee and a nature conservationist is willing to take this tree. Phillip Frost is willing to take this tree. Okay,

if it was a dud tree with no change, why would all these people want it? So, I guess I continue to make the point that, yes, we have a lot of -- there's a lot of flaws to the tree. There's a lot of possibilities that this might happen or that might happen, but we don't know that. Nobody knows that this tree is a goner. Nobody can guarantee that this tree is going to die. And, if you make your way around Coral Gables and look at all the thousands of trees that have undergone damage over the years, that have survived the storms, that have come down and been put back up, they're all growing and standing and thriving. Why not give it a chance? This is an iconic tree in a historic neighborhood. This is what the residents would like the City to do. Give it a chance. What do you have to lose?

Mayor Valdes-Fauli: Yeah, but...

Ms. Robertson: If there's a problem later...

Mayor Valdes-Fauli: There's a question here. I would give the tree a chance if -- I would consider giving the tree a chance in Coral Gables. But, why should we provide ICU care for a tree in The Kampong with Coral Gables residents'...

Ms. Robertson: No, I -- we don't want...

Mayor Valdes-Fauli: Money.

Commissioner Mena: No. They want it in the swale.

Ms. Robertson: Yeah, we don't want it to be sent to The Kampong.

Commissioner Lago: They want it in the swale, on Segovia.

Vice Mayor Keon: Yeah.

Mayor Valdes-Fauli: Yeah, but you're talking about The Kampong.

Ms. Robertson: Right. He -- but I'm just giving that as an example as I spoke to the director, and his assessment of this tree is much different than...

Mayor Valdes-Fauli: Okay, let me...

Vice Mayor Keon: But, did he come out and look...

Mayor Valdes-Fauli: Let's finish this. I will entertain a motion.

Commissioner Mena: Can I ask a...

Mayor Valdes-Fauli: Yeah, please.

Commissioner Mena: Question briefly?

Mayor Valdes-Fauli: Let's get through this.

Commissioner Mena: I mean, what -- I understand what you're saying. The challenge I have with it is you're -- I don't dispute the accuracy of what you're saying, but that person's not here. I don't have a report from them. You know, I have a report from a certified arborist telling me that it presents a general risk to the public. And so, I guess my question is, what is the -- when I balance that with the objection to replacing this tree with the same species, find one, you know, and replace it in the same spot or in the swale, whatever the residents' preference is, I would hope you can see the position that that puts us in.

Ms. Robertson: Yeah, I understand your position.

Commissioner Mena: And so, what is the objection to replacing the tree with the same species and a tree that's more viable long term?

Ms. Robertson: Well, it's going to be a tiny sapling. It's going to have no resemblance to this...

Mayor Valdes-Fauli: As opposed to...

Ms. Robertson: Historic tree.

Mayor Valdes-Fauli: A stump, ma'am.

Commissioner Mena: But I mean, does this have a resemblance? This -- I mean, the...

Ms. Robertson: We think it's a...

Commissioner Mena: I'm just -- I'm asking. I'm not...

Ms. Robertson: We think it's a really cool tree that, you know, was a landmark in our neighborhood, you know, iconic to our neighborhood.

Mayor Valdes-Fauli: Of course it was.

Ms. Robertson: And by the way, I will point out that the City initially hired a contractor and was ready to go -- I have emails from Bob Boberman -- that this was going to be done, okay. And then, again, after another conversation, it was going to be done. So, at some point, it was, you know, considered to be perfectly viable and a good idea. We don't really know why all this reversal and, you know...

Commissioner Lago: And I think the...

Ms. Robertson: Why the reneging on the plan.

Commissioner Lago: Part of the idea also -- and I welcome you, when you get a chance, to drive by there -- was the fact that moving it over to Segovia basically provided for a swale that's probably about, you know -- correct me, if I'm wrong -- two to three times deeper than what's existing.

Ms. Robertson: It's 26 feet wide.

Commissioner Lago: Twenty-six-foot swale, so...

Ms. Robertson: Yeah.

Commissioner Lago: There was a little bit more room if, again, the tree was to fall over.

Ms. Robertson: Right. It's not going to hit anything.

Commissioner Lago: It's not going to hit a home. It's not going to hit a wall.

Ms. Robertson: Yeah. There are no targets there.

Commissioner Lago: Yeah.

Mayor Valdes-Fauli: Okay. I would like to...

Commissioner Mena: (INAUDIBLE), right?

Mayor Valdes-Fauli: Call for a motion, please.

Unidentified Speaker: And the City agreed to do this.

Commissioner Lago: Yeah, but it's...

Mayor Valdes-Fauli: And if not, I'm going to end the discussion.

Commissioner Mena: It's this location right here.

Vice Mayor Keon: No. That's to...

Mayor Valdes-Fauli: Let's call for a motion. What is the Commission's pleasure?

Vice Mayor Keon: Replace it in a location that it is currently existing.

Commissioner Lago: I think what we're doing is a little bit of clarity in regards to this issue right now.

Vice Mayor Keon: Yeah.

City Manager Swanson-Rivenbark: If there's -- there's a very limited swale in the current location.

Commissioner Lago: Current location, yeah.

Vice Mayor Keon: Right.

City Manager Swanson-Rivenbark: I think what Ms. Robertson is saying is in the -- if they go around the corner and they go to Segovia, that swale is much larger.

Vice Mayor Keon: And we don't -- we have no other use for that swale. There is no -- you're not thinking about putting in a sidewalk. You're not thinking about doing anything that you're going to take from that swale. So, you're comfortable that that swale is going to remain that swale for a long time. Is that right?

Public Services Division Director Dannemiller: So, currently, there's no plans for a sidewalk there. There is one storm utility closer to the asphalt. The -- to -- we originally discussed that we were -- the first meeting that we left, we went back to look at the different alternatives. We had to call for utilities, get them marked to see where it was viable. Across the street was discussed as well, but there's a gas line there, so we couldn't move it there. Once the contractor went out to assess the tree, that's when we discovered the crack on the underneath side. We didn't -- we hadn't seen that initially. When we saw that it went all the way to the base, then we realized the structural issues were even more than what we had expected. This was in the middle of -- this was October. We were still in the middle of all the hurricane cleanup. There was a lot going on. So, you know, we may not have communicated as well as we could have, which we apologize for, but you know, we never meant to say we were going to do one thing and not do it. We were just trying to do what was safe and best for the City.

Commissioner Mena: Let me repose my question to Ms. Hammer. The risk -- if we put the tree -- if we brace it, how much of a risk does it really present to somebody? I understand this is not - - you know, there's no sidewalk or whatever, but if somebody's walking by that tree, what sort of risk is presented? And is it a risk that once you've braced it, see how the tree reacts, you can sort of reassess before removing the braces or, you know, whatever you would do subsequently?

Ms. Hammer: Well, I think some people will tell you that the stakes alone are a risk because people could trip over those or whatever, and you're going to have to tighten them and make sure

-- you know, you're going to have to maintain them and replace them if they start rotting, which they may do from the base, especially where they stay moist. So, there's that level of risk. The tree itself, in it's -- once it's cut back, it's pretty bottom heavy at that point. I mean, it doesn't have a lot going on there. But, if we are going to try to water it and fertilize it and encourage a lot of new growth to come on it, the new growth is going to be denser and heavier, and it could topple at that point. Toppling, to me, is not that great of a risk in this situation. I don't see that as being huge. To me, it's just over time this tree is not going to get better. We may see a sort of -- an initial response with some new growth and this sort of thing, but over time, its structure is going to decline and its health will probably decline as well. And so, over time -- let's just say we did nurture it, we did fertilize it, we pruned it. We did everything we wanted to do in order to get nice, big branching -- a nice, big branching structure back. That branching structure will be prone to breakage, because it's going to be attached to big decaying leaders or trunks. So, I mean, we can try all we want, but it's -- over time...

Vice Mayor Keon: It's going to go.

Ms. Hammer: Die or break, fall apart.

Commissioner Mena: So, I -- I mean, I know you'd be speculating, but why then would the Kampong want it?

Ms. Hammer: I don't know.

Vice Mayor Keon: I don't think that they want it. I think they're willing to accept it. I mean, I think there's a difference between wanting it and being willing to accept it, because it's in an...

Commissioner Mena: I know.

Vice Mayor Keon: Open field that is going to be irrigated and whatever. And if it falls over, it falls over, and if it doesn't, it doesn't. It's in an open space.

City Manager Swanson-Rivenbark: So, Brook spoke specifically to The Kampong.

Public Services Division Director Dannemiller: Yeah, so I met with the director of The Kampong. He came out and also looked at the tree. So, we met onsite and we met at The Kampong. And he commented that he, from a municipal standpoint, that being on the right-of-way was not a good option. And, the reason they're willing to take it is because they're -- it's private property. They have a place where they can put it where if it does fall apart and break, that it's not going to hurt anybody, because it's a landscaped area with nobody around. They also can control access to it. The only time people are at The Kampong is when they have -- they allow people in there. In the City right-of-way, City property, we can't limit access, so it's public property. So, the risk is far greater to the public than it is on private property. They're also collectors, so, you know, if a tree is falling apart and, you know, disintegrating, it's less of an issue for them. They have the staff and the maintenance to also maintain it. They have irrigation and they have a staff. So, they were willing to work with the City to accept it, to give the tree a home, because the public right-of-way isn't a safe place to put it.

Commissioner Mena: Is there an option to do both?

Mayor Valdes-Fauli: Please.

Commissioner Mena: Send it to the -- send this tree to The Kampong and put a replacement where it currently is? I mean...

Commissioner Lago: I think that's what'll end up happening no matter what, because you have to put a tree on that swale. If not one, probably several.

Vice Mayor Keon: I think it's clear that that tree does not belong on the swale.

Mayor Valdes-Fauli: Please make a motion, somebody.

Vice Mayor Keon: I'll make the motion that the tree be removed from the swale. Now, if you want to send it to The Kampong, it's fine. We can send it to The Kampong. But, I think that it's clear that from the report -- and we have a report from a certified arborist that the City hired that tells us it's dangerous, which we can't ignore.

Commissioner Lago: I mean, personally, I would give it a shot on Segovia for the cost...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: Of \$2,800, I think it's worth it. And again, if the tree dies, the tree dies.

Mayor Valdes-Fauli: Okay. Commissioner -- I mean, Vice Mayor, you made a motion to send the tree to The Kampong and replace -- put a replacement in, you know, where the tree is now. Is there a second to that? Okay, motion dies for lack of a second. Is there another motion, Commissioner...?

Commissioner Lago: I make the motion to move the tree over to Segovia street and see the results from the move, brace it, using Ms. Hammer as a consultant to make sure that the tree is put in the best position to, hopefully, thrive in that location, along with planting replacement trees in the location where this tree fell.

Mayor Valdes-Fauli: Okay. Is there a second to that motion? Okay, motion dies...

Commissioner Mena: I'll second it.

Mayor Valdes-Fauli: Okay, you second it. Okay, will you call the roll, please?

Vice Mayor Keon: Sure, yes.

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 4-0)

Mayor Valdes-Fauli: Thank you very much. Alright.

Ms. Robertson: Thank you very much.

Mayor Valdes-Fauli: Let's take a five-minute break, please.