

**Parks, Beaches & Recreation Commission
Regular Meeting
June 21, 2011 – 6pm**

Convened 6:01pm

ROLL CALL

Present: Marie Marston, Chair
Tom Anderson
Tim Brown
Ron Cole
Bill Garrett
Kathy Hamilton
Phil Lugar

Staff: Laura Detweiler, Recreation & Senior Services Director
Mark Harmon, Municipal Operations Director
Sean Levin, Recreation Superintendent
Teri Craig, Admin Assistant

COMMUNITY SERVICE AWARD – Presentation to Waterpolo Coach Ted Bandaruk

Superintendent Levin stated that this award had been given to many individuals but none more so than Coach Ted Bandaruk who has been working for and with the City since the 1960's and introduced Recreation Supervisor Leu who provided a brief background. He noted that Coach Ted has been involved since 1966 where he coached Flag Football for the City and then moved onto water polo when the Marian Bergeson Aquatic Center was opened. Coach Ted has become a community icon with his philosophy that everybody plays.

Chair Marston presented the award with the Commission's congratulations to Coach Ted Bandaruk.

Coach Ted thanked the Commission for this award as well as all the families in attendance.

DIRECTORS COMMENTS

- Director Detweiler announced that the Carroll Beek renovation was completed and hosted a barbeque on May 20th at the facility with close to 500 people in attendance. Staff worked very closely with the Balboa Island Improvement Association and new instructors were at the event to preview their classes. Staff will continue to offer classes that are of interest to that community. She went on to state that the Summer Navigator is out and with a flurry of activities in the front office and the CdM 5k with 225 participants went off without a hitch as always and congratulated staff and the CdM Chamber for a great job. Director Detweiler also noted that Chair Marston helped out at the awards stage. She also asked that the Commission note the statistics included in the staff report regarding the Fitness Center and now has over 1800 members and the rentals have increased as well. Director Detweiler stated that there were several documents at each Commissioners seat advertising the 4th of July parade at West Newport and Mariners and reminded them to let staff know if they would be attending.
- Director Harmon stated that he wanted to mention the behind the scenes work that the Operations Division does and specifically the 4th of July – the crews begin at 3am that morning for street closures and litter abatement and noted that these guys are not often seen but wanted to make sure that they are recognized for their work with Recreation and the Police Departments.
- City Council Actions – None

PUBLIC COMMENTS

Gary McCardle stated that he is aware that the Holly Lane tree removal is no longer being discussed by the PB&R Commission but wanted to make them aware that he and many of his neighbors would like to see the tree saved.

CONSENT CALENDAR

1. Minutes of the April 5, 2011 regular meeting.

Recommendation: Waive reading of subject minutes, approve and order filed.

2. Park & Operations Division Activity Report.

Recommendation: Receive/file monthly Activity Report for activities and upcoming projects.

3. Recreation & Senior Services Activity Report.

Recommendation: Receive/file monthly Activity Report for activities and upcoming projects.

4. Bench Donation.

Recommendation: Approve bench donation of Beth Farrell to be located at Galaxy View Park.

5. Reforestation Request.

Recommendation: Approve reforestation request from Irvine Terrace Community Association of two City Tipu Pepper parkway trees from 2000 Althura Drive.

Motion by Commissioner Brown to accept items 1 through 5 of the Consent Calendar. Motion carried by acclamation.

NEW / CONTINUED BUSINESS

6. Rules & Regulations for Parks, Park Facilities and Beaches. Director Detweiler stated this item requests review of multiple amendments to Chapter 11.04 pertaining to use of parks, facilities and beaches and requested a recommendation be forwarded to the City Council for their final approval. She noted that Chapter 11.04 was last reviewed in 2004 and staff is now recommending several updates to ensure effective programming and management of facilities. Director Detweiler reviewed the amendments, some general language clean-up, inclusion of definitions for beaches, instructional activity and smoking and the addition of prohibitive conduct to include smoking in the parks which was recommended by EQAC and forwarded to City Council who directed staff to examine the issue. She reviewed some additional changes with the Commission and asked that 11.04.080 Prohibitive Conduct; delete or *other public property* and F. delete the addition of *or remote controlled device* as staff believes that it will be covered under J. that refers to unsafe activities. She noted that recommendations to City Council will include a first and second reading and with changes becoming effective 30 days thereafter. She reminded the Commission that staff received two correspondences regarding this item and were placed at each Commissioners seat.

Chair Marston asked for the reasons behind these changes. Director Detweiler stated that some language needed to be updated; adding no smoking in the parks and strengthening language regarding necessary agreements for those wishing to teach recreational activities in the parks and at the beach for monetary gain. She also stated that beaches were added as staff programs recreational classes on the beach. Commissioner Garrett questioned agreements being required for all commercial activities and the cost to permit out park space being restrictive and problematic.

Discussion ensued regarding the process for obtaining agreements with the City for fee based instructional activity and the fee structure for reserving parks and facilities were meant to minimize commercialization of public facilities.

Commissioner Brown stated that the problem arises when personal trainers are making money on public property without remuneration to the City.

Commissioner Anderson stated as far as using the parks for personal gain he witnesses this with his involvement in youth sports and how it creates conflicts. Frequently permitted users who are paying fees for use of the park will notice a guy out in the field using their goals with kids and come to find out they are charging them \$75 an hour and never contribute to the maintenance of the fields and have no insurance in place like the youth organizations and club teams that reserve the fields for their use. He went on to say these permitted youth groups end up policing themselves as they have paid for the use of the field and are upset that they are

following the rules and these rogue groups don't they have to pay a dime. He explained that it is good to have the rules in place and because their use is for financial gain they should have to pay the same fees to the City to help maintain facilities. Commissioner Anderson asked if the correspondence that was received would be forward to the City Council as part of the staff report. Director Detweiler stated yes.

Discussion ensued regarding the use of the beach by large groups such as AA, their non-profit status and not being a commercial activity.

Chair Marston opened the public discussion.

Dan Purcell stated that he would encourage the Commission to support this ordinance. He noted that he and his neighbors see personal trainers at the beach one day with one person and the next with three people, money is exchanging hands, the extra traffic it brings, and parking. He went on to say that these changes in the ordinance will provide some teeth to get some of these rogue trainers under control and that of course it will require residents to observe and be participants in the enforcement. Mr. Purcell stated that he does not appreciate people commercializing the beach or parks and again urged the Commission to forward these changes to Council for approval.

Chair Marston closed the public discussion.

Motion by Commissioner Brown that the omnibus changes of Chapter 11.04 of the Newport Beach Municipal Code approved as presented and forward to City Council for their approval and first reading. Motion carried by acclamation.

7. **Reforestation Request.** Director Harmon stated that staff requests that the Commission consider for approval the reforestation request of Mr. Jon W. Myers, property owner at 321 Anade Avenue. He stated that Mr. Myers was required to obtain **16** signatures in favor of the reforestation request of which **22** were obtained and noted that he has complied with the requirements of Policy G-1, and has agreed to assume the full costs of the removal and replacement of the two 24" City trees.

Discussion ensued regarding the 24" box tree versus the 36" box tree.

Chair Marston opened the public discussion.

Jim Maloney stated that he is a neighbor and is probably in the minority but is concerned that by getting rid of these big and beautiful trees that their street will become more concrete like the Peninsula with not enough mature trees.

Jon Myers stated that the tree is indeed beautiful and it is a shame that they cannot be place in another location but the tree is too big for the space and believes that the Water Gum is a better fit.

Chair Marston closed the public discussion.

Commissioner Lugar asked the homeowner if he would be willing to put in a 36" box tree.

Director Harmon stated that he is uncomfortable with this discussion and noted that the applicant if following the G-1 Policy and that if the Commission would like to readdress that section of the policy that it should be discussed at a future meeting.

Chair Marston stated that the Commission will treat this request with the G-1 policy as written.

Motion by Commissioner Brown that approve the reforestation of two City parkway trees with all costs covered by property owner Jon Myers at 321 Anade Avenue. Motion carried by acclamation.

8. **City Street Tree Designation.** Director Harmon asked the Commission to consider the request to designate the King Palm Tree as the designated street tree on Buckingham. Director Harmon stated this helps with the uniformity of trees on a street, trimming schedules are the same and most people like the uniform look of the same tree throughout the street. He noted that the Commission will forward this request for a Street Tree Designation for approval by the City Council. He noted that this one is a little unusual as this request was made by a resident but reminded the Commission that they approved a reforestation in March by this same resident for Bedford Lane. He noted that this property owner who owns many multi-family complexes on Buckingham wishes to carry that theme of the King Palm onto Buckingham to have uniformity on those two streets. He stated that this is not asking for a reforestation but simply a street tree re-designation to the King Palm but the property owner could request a reforestation at a future meeting.

Chair Marston opened public discussion; hearing none the discussion was closed.

Motion by Commissioner Hamilton to approve the City Street Tree re-designation to the King Palm for Buckingham Lane requested by Boldea Bujor, Property Manager at 1728 Bedford Lane. Motion Carried by acclamation.

COMMITTEE REPORTS –

Parks – Nothing to report.

RSS – Nothing to report.

Budget – Nothing to report.

Community Service Award – Discussed above.

Youth Sports – *Nothing to report*

FUTURE AGENDA ITEMS

- G-1 Policy specifically the size of the replacement tree from 24" box to a 36

ADJOURNED @ 7:23pm

Submitted by: _____
Teri Craig, Admin Assistant