

City of Newport Beach
Parks, Beaches & Recreation Commission
Tuesday, March 3, 2009- 7pm— City Council Chambers

AGENDA

ORDER AND ROLL CALL

ELECTION OF VICE CHAIR

INTRODUCTION & PRESENTATION OF CITY ATTORNEY - DAVID HUNT

PRESENTATION UPDATE OF MARINA PARK

DIRECTOR'S COMMENTS

- Director Detweiler
- Director Harmon
- City Council Actions

PUBLIC COMMENTS

Members of the public are invited to comment on non-agenda items of public interest. Speakers are limited to three minutes.

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar 1-3 are considered by the Commission to be routine and will all be enacted by one motion in the form listed below. The Commission Members have received detailed staff reports on each of the items recommending approval and there will be no separate discussion of these items prior to the time the Commission votes on the motion unless members of the Commission, staff, or the public request a specific item to be discussed and/or removed from the Consent Calendar for separate action. The City provides a yellow sign-in card for those wishing to address the Commission to assist in the preparation of the minutes. If you do fill out the card please place it in the box at the table.

CONSENT CALENDAR

1. Minutes of the February 3, 2009 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.

OLD / NEW BUSINESS

4. Special Tree Removal.

Recommendation: Review West Coast Arborist report; approve request to remove Tomlinsin Ash tree by Tom Neal at 2030 Leeward Avenue.

5. Bench Donation.

Recommendation: Consider replacement bench donation at Ensign View Park by Alan.

COMMITTEE REPORTS - Appointment (Recreation/Senior Services Committee)

- *Park Development* – Brown, Lugar, Marston
- *Recreation/Senior Activities* – Vacant, Brown, Lugar *Appoint*
- *Budget* – Garrett, Brown, Lugar
- *Ad Hoc*
 - Community Service Award – Garrett, Ruzicka
 - Youth Sports Liaison – Ruzicka
 - China Cove Volleyball Court– Brown, Lugar
- Other* -- Marina Park – Garrett

FUTURE AGENDA ITEMS – Matters which Commissioners may wish to place on a future agenda or raise for discussion.

Flag Pole at Castaways Park

Vandalism /Damage Report

Maintenance status & parking fees for CdM State Beach

ADJOURNED



Recreation & Senior Services Department

To: Parks, Beaches & Recreation Commission
From: Laura Detweiler, Recreation & Senior Services Director
Re: Marina Park Update

RECOMMENDATION

Receive and File.

BACKGROUND

The Marina Park project site is located on the Balboa Peninsula, along Balboa Boulevard, adjacent to the public beach and the Newport Bay, west of 15th Street, and east of 19th Street. The project conceptual plan was approved by both the City Council and the Parks, Beaches & Recreation Commission in November of 2007 with input from the Council-Citizen Committee.

The proposed project includes a public park and beach, a public short-term visiting vessel marina, playground, water attraction, tennis courts, a half-court basketball court, and the Balboa Center Complex, which includes a cafe', classrooms, and supporting offices. The project is being designed to provide a "Window on the Bay" from Balboa Boulevard.

The proposed project will provide for both passive and active areas. The passive area will include an open lawn area. While the active areas will include an interactive water play area, children's play area, tennis courts, and two half-court basketball courts. The public short-term visiting vessel marina is proposed to accommodate visiting vessels for up to 30 days. Utility hook-ups are proposed to be available for the marina. Bathrooms and laundry areas are proposed adjacent to the marina. The Balboa Center Complex will include rooms for educational classes as well as for sailing classes. The two tennis courts are proposed on the eastern portion of the site adjacent to 15th Street. In addition, an existing bathroom on the public beach adjacent to 19th Street may be reconstructed.

Amenities to the park include picnic tables, restrooms, showers, play areas, benches, and public beach access to the water. The existing healthy palm trees will be replanted in the park to frame the view to the Bay. Turf, groundcover, and shrubs will comprise the ground view. The Balboa Center Complex will be bordered with enhanced planting and paving. Trees selected for the site will be located so as to not obstruct the view to the Bay yet provide shade with broad, high canopies. Accent shrubs and flowering groundcover will be planted at intersections of paths, at gathering places, and adjacent to buildings.

The Marina

The visiting vessel marina is proposed to include 23 slips with full hook-ups (providing shore power and water) for short-term overnight use: 21 slips, 40 feet in length; and two slips, 57 feet in length. A 200-foot long dock will also be provided along the outside edge of the marina.

Concrete floating docks will be used throughout the proposed marina. The marina will also be fenced with controlled security. A marina building, containing an office, restrooms, and washing machines is proposed adjacent to the entry point in the parking area south of the main entry to the park.

The water-side facilities include an American Disabilities Act (ADA) accessible ramp (with a locking gate), and a floating dock structure that will provide on-water storage for sabots, CFJ's, 420's and other dingy-type craft that might be used by the sailing program. A floating system will be used in conjunction with floating concrete docks to provide safe on-water storage and access. Space is provided for 30 sabot (on deck) and 45 small sailboats. The docks are configured in an "H-shape" with the larger area accessible from the south. This will provide the most desirable orientation taking into account the direction of the late afternoon winds. The smaller area to the north could be used for temporary docking between classes, swim tests, and temporary tie-ups for coach boats. Coach boats and small keel boats (if introduced to the City sailing program in the future) could be stored at designated slips in the visiting vessel marina.

Multi-Purpose Building at the Balboa Center Complex

The proposed Multi-Purpose Building will include three flexible classrooms on the ground floor for use by the sailing programs as well as other City programs. These classrooms will open out to the Bay to provide an extension of activities to the outdoors. The second floor will provide administrative functions and a large room that accommodates up to 80 people. The room could be used as a large classroom, for banquets or be divided into three classrooms using moveable room dividers. This room will have 12-foot-tall operable windows leading to a large wrap-around dock-like deck and will provide a viewing deck with uninterrupted views of the proposed marina, park, the Bay, and Lido Isle. The City plans to offer an extensive program plan upon opening of the Multi-Purpose Building. The anticipated program plan, broken down by age level and program type, is as follows:

- **Pre-School** - Educational, day camp, arts and crafts, music, cooking, dance and sports-type classes.
- **Youth** - Afterschool, day camp, educational, enrichment, dance, cooking, arts, karate and music.
- **Adults** - Yoga, pilates, enrichment, dance, fitness, computers, cooking and music.
- **Seniors** - Bridge, fitness, enrichment, cooking, art and dance.
- **Classes for All Ages** - Tennis, family cooking, and dog obedience.

The Multi-Purpose Building will be available for private rentals (weddings, birthday parties, family reunions, and City events) during regular business hours and for after-hours use that could extend through 10:00 p.m. Anticipated year-round operating hours for the building are as follows:

Monday-Thursday	8 AM - 8 PM
Friday	8 AM - 6PM
Saturday	8 AM - 3 PM
Sunday	Available for Rentals

Sailing Center at the Balboa Center Complex

The Sailing Center will be accessible by a two-story gallery space leading to a medium-sized flexible meeting room and a reception area with views focused toward the park. Restrooms with lockers and showers will be located across the corridor from a day-lit indoor space for storage and maintenance of the boars and equipment used in the sailing program. The second floor will include a café and administrative offices, both having views of the park and the sailing facilities.

The Sailing Center will offer a range of ocean-based activities, such as sailing, windsurfing, rowing, canoeing, kayaking, marine science related programs, and boat safety/certification. Classes and camps will be offered year round. Private lessons will be offered year round. The Sailing Center will also be available for rental year round. Anticipated hours of operation for the Sailing Center for June to August are as follow:

Monday-Thursday	8 AM - 8 PM
Friday	8 AM - 6 PM
Saturday	8 AM - 3 PM
Sunday	Available for Rentals

Anticipated hours of operation for September to May are as follows:

Monday	3 PM - 8 PM
Saturday	7 AM - 5 PM
Sunday	Closed

The Sailing Center will also be used for special programs in the evening on weekends, holidays and summer months that could extend through 10 PM.

The Sailing Center is planned to include a café, serving a light menu for breakfast, lunch, and dinner daily. Seating will be for 56 customers (32 inside and 24 outside). Expected hours of operation for June to August are as follows:

Monday - Saturday	7 AM - 9 PM
Sunday	7 AM - 7 PM

Expected hours of operation for September to May are as follows:

Monday - Saturday	7 AM - 8 PM
Sunday	7 AM - 6 PM

The Girl Scout House

The replacement Girl Scout House will be a 5,500 square foot building located on the west side of the project site along 18th Street, adjacent to the beach and the Children's Play Area. Hours of operation and intended uses of the Girl Scout House will remain the same. The existing hours of operation and uses and are described as follows, divided between the school year (mid-September through early June) and the summer season (early to mid-June through early September). From mid-September through early to mid-June, the Girl Scout House would be used Monday through Thursday for troop meetings and adult leadership meetings from approximately 1:00 PM until 9:00 PM. Also during this period, troops would visit the facility for overnight stays Friday afternoon through Sunday afternoon. The current facility is normally booked every weekend from September through June. During the summer season (mid-June through early September), the facility is utilized 7 days per week for troop stays spanning 3 to 5 days.

The Children's Play Area

The children's play area will be divided between an active play area and a water play area. A bridge and pier will link the active and water play areas. The proposed playground design is inspired by Newport Harbor. The rubberized play surface will be shaped in waves in two colors of blue. The various play structures will be positioned in a similar layout to the islands in Newport Harbor. All of the structures will have a nautical theme. Canopies to provide shade will be provided over the younger children's play area and a separate seating area. The adjacent restroom and look-out area is designed with a theme to look like a lighthouse, and named the Lighthouse Restrooms. A ramp will spiral up the lighthouse to provide views of the harbor. Large rocks with grasses growing among them will form the base of the lighthouse.

Public Tennis Courts

Two tennis courts will be relocated to the existing American Legion Park site adjacent to 15th Street. The tennis courts will have a 10-foot high vinyl-coated chain-linked tennis enclosure with windscreen. The tennis courts will include light fixtures to accommodate nighttime activities until 10:00 PM. The light fixtures will be designed so that light would be directed down towards the court surface.

DISCUSSION

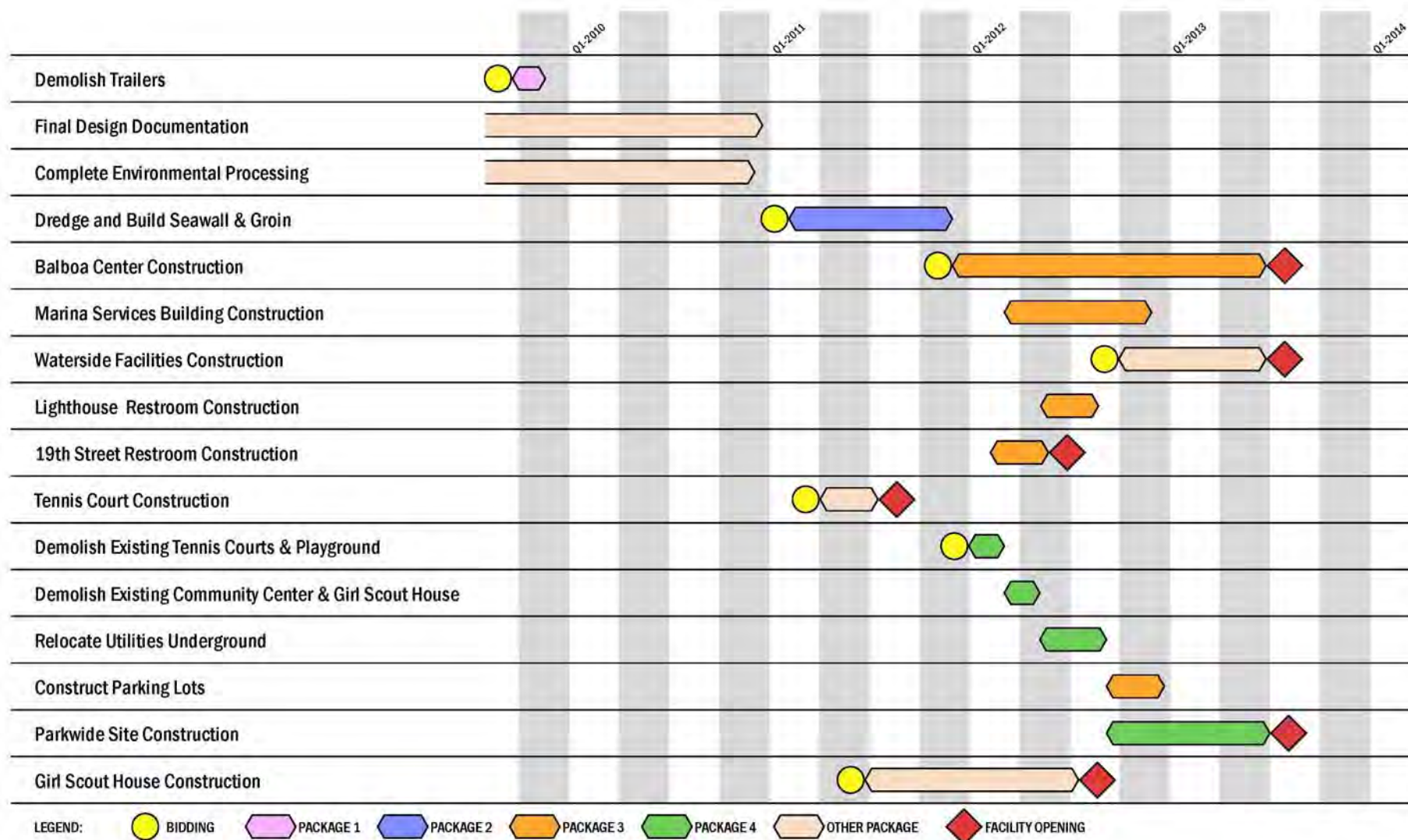
Since approval of the conceptual plan, the Marina Park Steering Committee and the project team has been working on schematic designs, technical studies, cost estimating and schedule, commencement of the Environmental Impact Report (EIR) and identifying utility work needed to complete the project. The draft Environment Impact Report is now ready to begin the 45 day public review period on February 27, 2009. The public is encouraged to review this document and provide comments to Rosalinh Ung, Associate Planner, City of Newport Beach Planning Department by April 13. Attachment A provides a site plan to illustrate the project scope. Attachment B provides a project schedule which outlines projected milestones of the project. It is the intent of the project team to tighten these assumptions and the span of the schedule where possible and as directed by the Council sub-committee as we work through phasing and finance options to complete the project as efficiently as possible.

Attachments: A. Site Plan
 B. Proposed Project Schedule

ATTACHMENT A



ATTACHMENT B



Marina Park Phasing Plan
October 13, 2008

CITY OF NEWPORT BEACH

Parks, Beaches & Recreation Commission
Regular Meeting
February 3, 2009- 7pm

Convened 7:10pm

ROLL CALL

Present: Marie Marston, Chair
Tim Brown
Bill Garrett
Kathy Hamilton
Phillip Lugar
Greg Ruzicka
Vacancy

Staff: Laura Detweiler, Recreation & Senior Services Director
Mark Harmon, General Services Director
Sean Levin, Recreation Superintendent
Teri Craig, Admin Asst

COMMUNITY SERVICES AWARD PRESENTATION TO LEWIS JONES

Superintendent Levin stated that the Community Services Award Committee had received 4 nominations for Lewis Jones to receive the award.

Commissioner Garrett presented the award to Lewis Jones for his beach cleaning efforts during the past several years.

DIRECTOR COMMENTS

Director Detweiler reported that the OASIS Senior Center building is now closed and that the Annex is in place in the parking lot on the corner of 5th & Marguerite where staff will be housed for the next two years during the OASIS rebuild. She noted that all OASIS programs are running throughout the City and commended staff for their diligent work for their scheduling. She went on to say that the construction bids for OASIS would be opened on February 12 and forwarded to City Council to award the bid on March 10. Director Detweiler also noted that on February 12 the first CYC construction meeting will be held with the project slated for completion by beginning of summer. She reported that Commissioner Trapp's replacement should be appointed at the February 24 City Council meeting in time for the March PB&R Commission meeting. She also noted that former Parks & Recreation Director Ron Whitley passed away on Sunday and asked that the meeting be adjourned in his honor.

Director Harmon reported that staff has begun the modification plans for the 38th Street Park and construction should be completed within the next couple of weeks. He noted that the neighborhood residents have voiced their appreciation for the change to his staff. He stated that the 2030 Leeward Lane Special Tree Removal from last week will come back to the Commission in March once a 3rd party arborist takes a look at the trees in the neighborhood. Director Harmon noted that a letter regarding a lit flag pole at Castaways should be going out in the next week or so. He thanked Commissioner Brown for his offer to review the letter before mailing. In answer to Commissioner Lugar's question; Director Harmon stated that a notice will go out to the entire neighborhood and HOA or at least 300 feet from the homes and back.

PUBLIC COMMENTS

None

CONSENT CALENDAR

1. Item removed by Chair Marston.
2. **Parks & Operations Division Activity Report.** Receive/file monthly Activity Report for activities and upcoming projects.
3. **Recreation & Senior Services Activity Report.** Receive/file monthly Activity Report for activities and upcoming projects.

Motion by Commissioner Ruzicka to accept 2 and 3 of the consent calendar. Motion carried by acclamation.

1. Minutes of January 5, 2009. Chair Marston stated that she had been absent at the last meeting but that her name appeared on page 5.

Motion by Commissioner Ruzicka to accept item 1 of the consent calendar as amended. Motion carried by acclamation.

ACTION

4. **Request for Removal or Relocation of China Cove Volleyball Court.** Superintendent Levin provided a PowerPoint presentation of the history of the China Cove volleyball court to the Commission. He stated that it was staff's recommendation to direct that an application for removal of the volleyball court be forwarded to the Coastal Commission for their approval.

Commissioner Garrett stated that the area seemed too small for beach goers and volleyball users.

Commissioner Lugar noted his concern regarding parking.

Commissioner Brown stated that the biggest issue is access; and as a proponent of volleyball that he felt that this location was not suited for a volleyball court.

Discussion ensued.

Chair Marston opened the public discussion.

Mary Ginear stated that there is illegal parking behind her house and that volleyballs constantly hit cars in her driveway.

Bryan Erart stated that he has played volleyball at China Cove for over 15 years and has never heard of anyone or anything getting hit by a volleyball. He stated that this court is a gem because it is protected from the wind and noted that the courts at CdM State Beach are too busy and not one of them is 50 feet away from the sidewalks. He stated that the park is there for everyone not just the select few that live there. He urged the Commission to retain the court.

Dave Beauchamp stated that he feels that the court is just too close to the homes and that there has been some damage in the past. He stated that the exuberance from the players can sometimes be unpleasant and believes that the court should be moved.

Commissioner Garrett asked about the use of the court.

Mr. Beauchamp stated that since 1988 it is used more and more but for the most part summer and weekends and holidays are extremely busy.

Chris Reedy stated that he has been playing volleyball there for over 15 years and asked the Commission to remember that it is a public beach. He also noted that the players have a sense of community and leave the beach better then when they get there. He asked that the City begin to enforce the rules from 1988.

Art Kisch stated that most players bring their families and that they set a good tone while on the beach and is sympathetic to the residents. He suggested that the court be moved 10-12 feet and promised to limit the enthusiasm. He urged the Commission to keep the court.

Bruce Enzley stated that for the most part that beach is not crowded and that the use of the court does not infringe their use on other beach goers. He asked the Commission to be fair and consider a compromise of moving the court and enforcing the rules.

Sandy MacDougal reminded the Commission that when these people bought their houses that the beach was there for the public to use but noted that this court is farther away than most courts in Newport Beach. She also stated that there are not enough courts at CdM State Beach.

James Morrison stated that it is mostly the beach goers that cause the parking problem because the volleyball players have learned the rules. He asked that the court be moved and that the rules be enforced.

Harold Parker stated that safety is his big issue due to cars backing down the streets. He noted that the court takes up a lot of the sand on a relatively small beach. He noted that Mother's Beach is almost gone because of the tides. He asked that the court be removed.

Peter Bergen stated that most of the play during the week is after 5pm and that the beach is usually deserted. He believes that a compromise can be made with the homeowners and the players.

Steve Vrebalovich stated that all eight of the courts at CdM State Beach are less than 50 feet from the sidewalk and in fact there is one that is only 36 feet. He noted that it would be ok to move the court 10-20 feet as long as it stays in the same format. He stated that he is unaware of any injuries sustained at China Cove and that the Commission should remember that volleyball is now an Olympic Sport and is very popular with the young kids of today. If you are going to allow the exceptions of the 50 foot rule at CdM then the same should be given at China Cove.

Russ Henderson stated that this court is very unique and that the Commission should remember that the beach is for the public and is not a private beach. The residents will still have the same type of problems regardless of the court.

Regina Hollis stated that she would be open to moving the court and that most of the volleyball players are professional business people.

Robert Ganier stated that he believes the best option is to move the court so that his house is not the target. The most part the players are very nice and that he loves the beach and enjoys it seeing it being used. He does not believe that a volleyball is going to hurt anyone. He urged that the sand at the beach at Fernleaf be replenished.

S. Giravich stated that she often sits on the beach about 10 feet away from the court and has never been struck by a volleyball.

Brian Ramer stated that 20 years ago the Commission approved the court and that precedent has been set. The Commission should keep the court.

Dave Donenberg stated that since the court has been down that he has noticed more people using the beach and that his home life has been extremely peaceful.

Joe McCarthy stated that problems will exist regardless of the fact that the volleyball court is there the real problem at that beach is dogs and being off leash.

Chair Marston closed the public discussion.

Commissioner Brown asked if there were other locations for the court.

Superintendent Levin stated that the real issue is that the volleyball court just does not fit in that specific location.

Discussion ensued regarding Park Patrol, rules, vegetation and the Coastal Commission.

Commissioner Brown suggested that the Recreation Committee get together with homeowners and players to discuss options.

Motion by Commissioner Ruzicka to table this item until appropriate and that Commissioner Lugar and Brown meet with a sub-committee representing residents and volleyball players to discuss other options. Motion carried by acclamation.

5. **Tree Donation.** Director Harmon stated that staff had received a request from Mary Kirtland to donate a tree at Old School Park.

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

Motion by Commissioner Brown to approve the the tree donation by Mary Kirtland at Old School Park. Motion carried by acclamation.

6. **Revision of Council Policy B-17 - Parks, Facilities & Recreation Program Donations.** Director Harmon reminded the Commission that at the October 7, 2008 that the Commission approved changes to the wording on the donor plaque. He noted that the staff report incorporates the change and forwards to City Council for their review and approval.

Discussion ensued regarding types of donations at specific parks.

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

Motion by Commissioner Brown to forward the revision of Council Policy B-17 to City Council for their review and approval. Motion carried by acclamation.

COMMITTEE REPORTS -

Parks - Nothing to report.

RSS - Nothing to report

AD- Hoc

—**Youth Sports Liaison** - Nothing to report

—**Community Services Award** - Award presented to Lewis Jones.

Other

—**Marina Park** - Director Detweiler stated that a presentation will be made at the March meeting regarding Marina Park.

FUTURE AGENDA ITEMS

Commissioner Hamilton requested staff to compile information on the status of maintenance at Pirates Cove and Big Corona and asked if some of the parking fees could be used for better enforcement.

ADJOURNED IN MEMORY OF RON WHITLEY - 9:02PM

Submitted by: _____
Teri Craig, Admin Assistant



General Services Department

PB&R Commission Agenda

Item No. _____

March 3, 2009

TO: Parks, Beaches and Recreation Commission

FROM: Parks and Trees Maintenance Superintendent and Operations Support Superintendent

SUBJECT: *February Parks, Trees, and Operations Division Activity Report*

Parks Maintenance Division Activities

1. Parks Maintenance Division staff continues working with the Public Works Department on numerous projects in planning and construction phases. The contractor for the Upper Bay View Park is currently performing the required 90 day Maintenance Period.

Projects currently underway:

- Coastal Peak Park has experienced delays due to weather, but is nearing completion.
- The Irvine Avenue Median Project south of Bristol Street.
- The installation of new sidewalk, boardwalk, and native plantings on Dover Drive adjacent to Castaways Park.
- The Grant Howald Community Center Renovation Project was kicked off with a pre-construction meeting on February 12, 2009, which also includes new landscape and irrigation.
- Bids for the Oasis Senior Citizen Center were received on February 12, 2009.

Projects that are in the planning phases: Sunset Ridge Park, and Marina Park. Due to the current state of the City budget, the installation of new irrigation and plantings on the Westcliff and Avocado medians, as well as the roadside of Bristol Street North from Jamboree Road to Irvine Avenue are temporarily deferred, pending further funding.

2. Park Maintenance Supervisors, Randy Kearns and Kevin Pekar, and Park Maintenance Crew Chief, Paul Ramirez, are attending a City sponsored Supervisory Training Academy. This training entails four hour class sessions. Topics covered are "Qualities of Becoming a Successful Supervisor", "Supervising for Improved Employee Performance", "Building Strong Customer Service Teams", and "Key to Supervisory Visibility and Promotability".

3. Parks Division staff assisted the Public Works Department regarding an undergrounding project on the Balboa Peninsula. Due to the required placement of an Edison unit behind the Balboa Library, a multi-trunk pygmy date palm had to be relocated. Pictured is the palm in its new location adjacent to the Corona Del Mar State Beach picnic area.



4. The three built-in wooden benches at Kings Road Park were renovated. This project involved removing and replacing the old wooden seat boards, painting the boards and mounting hardware.



5. Recently, Parks Maintenance Crew Chief Kim Pederson and Groundswoker Ricardo Trevino completed a set of classes in the California Friendly Landscape Training Program offered by the Municipal Water District of Orange County. The classes focused on areas of irrigation management, which includes: adjustments and repairs, troubleshooting, controller programming, and irrigation scheduling. Landscape irrigation classes such as these provide our staff with industry techniques to complement staff's water conservation efforts.

Trees Division Activities

During the month of January, 656 trees were trimmed, 6 trees removed that were dead and potential liability, 17 trees were removed for the approved reforestation submitted by the Broadmoor Hills Community Association and crews responded to 3 emergency tree calls. The City's tree services contractor, West Coast Arborists, is currently pruning trees within the Newport Coast, Newport Heights, and Balboa Peninsula areas, as part of the City's overall grid trimming schedule. Additionally, 455 City Ficus and 120 Eucalyptus trees were completed for pruning throughout the City to discourage nesting of nuisance birds and severe fruit drop and to mitigate potential limb failure.

1. On February 9, the City's Urban Forester requested the removal of a dead City Cork Oak tree at L Street Park. The tree was creating an imminent danger of tree failure with potential harm to pedestrians. The tree is listed as a Special Tree,

Neighborhood Tree, based on Council Policy G-1, Retention or Removal of City Trees, page 2, paragraph 3, which allows removal of a Special Tree that is considered hazardous and necessitates an emergency removal.



2. On January 15, Parks and Trees Superintendent Dan Sereno and Urban Forester John Conway attended the annual Western Tree Management Symposium at the Los Angeles County Arboretum sponsored by the Street Tree Seminar. John Conway is currently on the Board of Directors as the Treasurer for the organization. The symposium, entitled "What's Going On With Our Trees", included the following topics:

- Shade Tree Disease Update
- Maintenance of Mature Trees
- Diseases/Insect Pests Affecting Coast Live Oaks
- Tool Kit for the Municipal Arborist
- A new canker disease of Alder Trees
- Update on Xylella fastidiosa - Bacterial Scorch of Oleanders
- New Insect Pests and What to Expect From Some Old Ones

Attendance to the symposium provided staff with industry updates, as well as continuing education units for required industry certificates.

3. The City has been awarded three urban forestry awards from the Arbor Day Foundation.



Tree City USA Award – Tree City USA recognizes communities that have proven their commitment to an effective, ongoing community forestry program. Newport Beach is being recognized for the 19th consecutive year for this award.

Growth Award – Newport Beach is being recognized for the 14th consecutive year for its efforts in strengthening local tree care programs. Newport Beach is one of the few California cities receiving this award for 10 or more consecutive years.

Sterling Community – The National Arbor Day Foundation uses this distinction to recognize a city that has gone beyond the standards set by the Tree City USA award. There are three cities in the County (Anaheim, Garden Grove, and Newport Beach) and only eight cities in the State that are recognized as Sterling Communities.

The attached Tree Activity Report summarizes requests and field activities performed during the past month.

Beach Maintenance Activities

1. The Harbor Resources Division is contracting for the replacement of the decaying retaining wall at China Cove beach that abuts Cove Street. On January 21st the Beach Maintenance Crew provided assistance by delivering 24 cubic yards of clean beach sand in preparation for the replacement of the old rubble wall. The new wall is scheduled for completion before the summer season arrives. Until then, the area will be protected with plastic and sandbags.



2. Department Crews were busy dealing with the combination of high tides and heavy rainfall from Thursday, February 5th through Monday, February 9th. Crews installed 19 portable and stationary pumps in the low lying areas of the Newport Peninsula and Balboa Island during the early morning hours when the highest tides occurred. These efforts proved to be effective with no major flooding reported. The recent rainfall recorded at the Corporation Yard totaled 1.95" of precipitation, which brings the season total to 7.25".

The last series of extreme high tides of the winter passed without incident. High tides reached 7.7" the weekend of February 7th and 8th, which is 9" above the tidal chart predictions. The next high tide series of 7'+ is expected to occur during the last week of June.

See attached General Services Department, Activities Reports for January 2009.

Very respectfully,

Dan P. Sereno
Parks and Trees Maintenance Superintendent

Jim Auger
Operations Support Superintendent

Attachments: (A) Tree Activity Report 2007-2008
(C) General Services Department January 2009 Activities Report



General Services Department

Parks and Trees Division
Reforestation and Tree Removal Activity Report
Fiscal Year 2008-2009

	July	August	September	October	November	December	January	February	March	April	May	June	Total
Tree Removals	*12	*47	*2	*29	0	0	*6						96
Emergency Tree Removals	0	0	0	0	**2	**4	0						6
Claim Related Tree Removals	0	0	0	0	0	0	0						0
Reforestation Tree Removals	0	0	0	0	0	0	***17						17
Problem Tree Removals	0	0	0	0	0	0	0						0
Total Removals													<u>119</u>

Trees Planted	28	0	20	11	25	0	32						116
Reforestation Requests	0	0	0	0	0	***1	0						1
Reforestation Approved	0	0	0	0	0	***1	0						1
Removal Requests	0	0	0	0	0	0	0						0

* Dead trees & potential liability

** Immediate and imminent danger

*** Broadmoor Hills Community Association Reforestation approved by Commission



General Services Department

Parks and Trees Division
Fiscal Year 2008-2009

Claim Removals

Month	# Trees	Location
July-08	0	
August-08	0	
September-08	0	
October-08	0	
November-08	0	
December-08	0	
January-09	0	

Problem Tree Removals

Month	# Trees	Location
July-08	0	
August-08	0	
September-08	0	
October-08	0	
November-08	0	
December-08	0	
January-09	0	

Recreation Services Monthly Activities Report

To: Parks, Beaches & Recreation Commission

From: Sean Levin, Recreation Superintendent

Re: Recreation Division Monthly Activities Report

ADULT SPORTS

ADULT SOFTBALL - Sixty-eight teams began their spring league season the week of February 2. Unfortunately, many games were cancelled due to rain and wet field conditions, but will be rescheduled in late April due to a planned gap in the spring/summer schedule that allows for rainouts. As a result of individual players' abuses in the past, a new policy was implemented, which requires all adult softball team managers to sign a no-alcohol policy/contract before each season begins. This policy makes the team manager responsible for the conduct of his/her team's players and audience, with game forfeiture as the penalty if the policy is disregarded. This signed policy will be on file and available to Park Patrol.

ADULT BASKETBALL - Seventy-three teams continued their winter season play through February. Their game schedule is complex, since it deals with working around school activities in the Ensign gym, gymnastic classes and other activities in the Newport Coast Community Center gym, and other activities at Lincoln gym. When the winter season concludes on March 23, over 375 games will have been played. Registration for the 2009 spring season will close on March 6, with games beginning the week of March 30.

ADULT SOCCER - Forty-Five 11 v 11 coed teams are playing in 4 league divisions. Their spring schedule allows for 19 games played weekly from February 17 through May 8. After May 11, the schedule changes as the league continues through its playoffs, concluding by June 30. In addition to starting their spring season; adult soccer finally played their fall 2008 league playoffs after rain and field renovations interruptions. The adult soccer playoffs resumed on February 10, after a 55-day break for field renovations. The playoffs concluded on February 13, just in time for the spring season to begin.

YOUTH SPORTS / YOUTH PROGRAMS

YOUTH BASKETBALL AT NEWPORT COAST - Games are underway for 55 young basketball stars! The youth basketball season commenced on February 9 after three initial weeks of practices. At that time the 8-12 year old boys and girls were ready to show their skills on the full size court and scoreboard. Recreation Leaders have been busy coaching and refereeing three games on Monday nights. The program will conclude on Monday, March 16. All participants will receive a medal for their teamwork during a great season!

GIRLS HOOPS - Youth Girls basketball arrived in Newport Beach! Beginning February 17, approximately 50 5th and 6th grade girls began practices for the season ahead, with games March 4 in the Lincoln gym. This 6-team league representing Andersen, Newport Coast, Newport El, Newport Heights, Lincoln and Eastbluff elementary schools. The new Girls Hoops program will conclude its inaugural season on May 1.

ACTIVE KIDZ AT CYC - The ACTIVE Kidz program at CYC has been relocated to Harbor View Elementary School, due to the planned renovation of the CYC. Staff was busy cleaning out and transferring program supplies to their temporary storage unit at the school at the end of January in anticipation of the big move at the beginning of February. ACTIVE Kidz will remain at the school until mid-June, the end of the school year. A big thank you to the NMUSD for allowing ACTIVE Kidz on campus, thus keeping the after school program going during the CYC renovation.

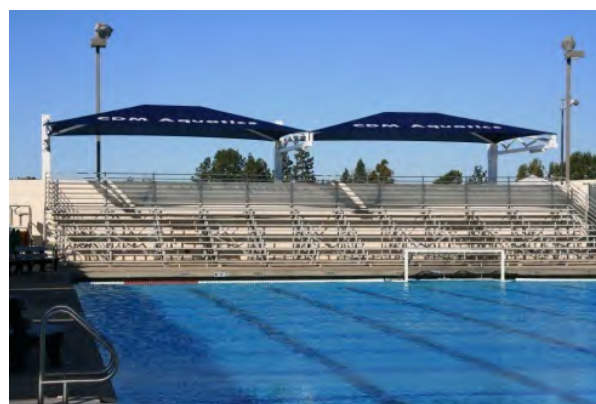
TEENS - At press time, Youth Council and City staff were preparing for Youth Government Day scheduled for February 26, 2009. This day is a great opportunity for local high school students to learn about the various functions of local government, participate in an internship, run a mock City Council meeting and enjoy lunch on the City Hall lawn. Pictures of the event will be posted in next month's report.

AQUATICS

CDM JR. WATER POLO - This past weekend the CdM Waterpolo Club competed in the Winterfest Waterpolo Tournament at the Marian Bergeson Aquatic Center. All teams did exceptionally well, including the 12yr old boys finishing 2nd in a sudden death shoot-out in overtime by one goal, the girls losing by one goal in regular match play and the 14yr old boys finishing 1st in the A division! Head Coach Ted Bandaruk is taking this program into its 20th exciting year with his winning philosophy of "everyone plays." Recreation is proud to support this program that is open to all 3rd through 8th graders.



MBAC SHADE STRUCTURES - The long awaited shade structures at the Marian Bergeson Aquatic Center (MBAC) have been installed. The lights underneath the canopies should be operational by the end of the month to offer additional lighting during evening games. The Recreation Department is looking forward to summer programming at MBAC so families can sit in the shade and play in the pool this summer while under the supervision of lifeguards beginning June 22, 2009.



The pool office at MBAC will be under construction at the end of May. The office will be gutted and transformed into two private offices for water polo coaches with two open work stations for City programs and assistant coaches to use year round. NMUSD and the City are also remodeling storage closets on the pool deck for shared use

between the two entities. The MBAC is looking forward to a bright new look this summer! A special thanks to Council Member Daigle and City Manager Bludau for working with NMUSD and the CdM Gold Non-Profit Group for funding for this project.



CONTRACT CLASSES

The Spring *Newport Navigator* was mailed to residents the last week of February, concurrently, the Spring 09 Edition of "Navigator News" aired on NBTv the second week of February and will continue through April. Registration for spring (April through June) classes will begin on March 4. With summer just around the corner, staff has been working diligently on planning summer camps.

Due to the OASIS remodel, camps have been relocated to Newport Beach school sites. While this has been a lengthy process developing a good working relationship with the school district and principals, staff is excited to offer over 20 camps at the school sites, as last year's camps held at the schools were deemed a success by the principals and the neighboring residents.



The annual *Camp Newport Summer Special* Brochure will be mailed out to all Newport Beach households the second week of March and for those parents who use the world of technology in search of camp information, campnewport.com went live on March 3. To encourage online registration, camp registration opened online March 11 and all other means to register begins on March 18. To continue our marketing efforts for "Camp Newport," staff has been working closely with the instructors to develop a consortium of funds, where each instructor contributes 1% of their total earnings to the City for the use of additional marketing outside of Newport Beach.

New summer camps include:

- FreshiFilms, offering youth and teen digital photography and digital music camps
- Challenger Sports, offering preschool and youth soccer camps

After reviewing fall and winter revenue, staff found that the contract class revenue was roughly the same as 09 and has forecasted the overall revenue from contract classes to be neutral, with no growth or loss in revenue from the 09 fiscal year. Furthermore, summer camp instructors will be offering camps at a discounted rate through May 6.

NEWPORT COAST COMMUNITY CENTER



OASIS MONTHLY EVENTS HELD AT NCCC - High winds and rain did not stop the Friend's of OASIS General Membership Meeting last Friday from taking place. Over 170 seniors braved the stormy weather to socialize with friends, have lunch and enjoy the entertainment. NCCC and OASIS staff joined forces to set-up the gymnasium for the luncheon. These monthly events will continue at NCCC until OASIS re-opens in winter 2010. Attendance should increase even more next month as the seniors become more familiar with NCCC.

OASIS CLASS RELOCATION - The relocation of the OASIS Senior Center classes has been smoother than expected, with many “displaced” seniors finding a new home here at NCCC. The NCCC now offers a multitude of classes for seniors, including Spanish, Bridge, and a variety of community support meetings. By offering free coffee service, and a friendly face at the front desk, seniors are warming up to one of their temporary homes.

The NCCC will host the monthly Friend’s of OASIS General Membership Meeting on February 6 in the gymnasium. Over 150 members of the community are expected to participate in the meeting with an agenda that will include entertainment, lunch and discussion. NCCC staff has worked closely with the Friends to assure a smooth transition of the monthly meeting from OASIS to NCCC. Monthly events will continue at NCCC until OASIS re-opens.

FACILITY RENTALS

During the period of Jan 16, 2009 –Feb 15, 2009 there were:

- 15 Picnic/Park Area Rentals
- 18 Room Rentals
- 12 Field Rentals
- 13 Gym Rentals

There were total of (0) wedding reservation rentals for this period

PARK PATROL

Requested calls are assigned visits by staff or schedule or phone requests. Customer Contacts are the number of times they stopped and spoke to customers other than requested calls. Due to the timing of the meeting, these monthly summaries will be two months behind (i.e. in June you will receive April summary)

During the month of **JAN** Park Patrol had the following contacts:

1. Requested Calls

- **65 with Youth Sports Groups**
- **74 Field related issues/checks-** monitored use of fields by Youth Sports organizations and club teams, turned on/off field lights, reminded a youth sports group that they had not been allocated Buffalo Hills Field, advised group to stay off closed field at Bonita Canyon Park, reported unauthorized banners at Bonita Creek Field, stopped private instruction at Irvine Terrace Field, closed fields due to excessive rain, stopped a group using Peninsula Field during the rain.
- **9 Park/Picnic/reservation issues/checks:** monitored scheduled picnic reservations at various parks, checked Mariners for lost medication, stopped golfing at Begonia Park, checked on a birthday reservation at Irvine Terrace, advised owners to leash their dogs at Grant Howald, Irvine Terrace, San Miguel, Arroyo, Buffalo Hills, Balboa Island Park, and Cliff Drive Park, removed garage sale signs at West Newport Park, reported clogged water fountain and paintball marks at Bob Henry park, checked statue at Castaways Park, stopped a man golfing at Channel Place Park, checked on reservations at Cliff Drive and Mariners Park, stopped kids skateboarding down a dirt hill at Cliff Drive Park.

- **164 Community Center issues/checks:** unlocked and locked various community center rooms/gyms, checked on weekly meetings at community rooms, advised a man not to smoke near the West Newport CC, reported unlocked door at West Newport CC, found a lost bible at West Newport CC and returned it to City Hall, checked on afterschool programs, took photographs of karate class at CYC for staff, reported a break-in at CYC, reported a broken lock at Lincoln Gym, assisted with a double booked room at Bonita Creek.
- **25 Playground checks** - checked all playgrounds for safety issues and vandalism.
- **19 other-** attended customer service training at the Central library enforced no barbequing/fires outside of fire pits at CDM Beach.
- 1 Pre-event check
- 0 Post-event checks

2. Public Contacts

- 34 education
- 0 alcohol
- 2 dog related

Written Warnings Issued- 1 for a suitcase left at Mariners Park

Citations Issued- 1 for an unpermitted business/class at Bob Henry Park

Additional Info: During January, we received large amounts of rain requiring us to close many of the athletic fields. Our Park Patrol Officers monitored the fields during the closures to keep groups from damaging the fields and to prevent injuries.

SPECIAL EVENT PERMITS

As of Feb 15, 2009, there were 32 Special Event Permits processed and issued for the year. Those events of note for this period are:

NSSA Surf Contest- 54th Street Beach, Feb 7-8, 2009 Attendance:100
(Event was cancelled due to rain)

PARK & CAPITAL IMPROVEMENT PROJECTS

COMMUNITY YOUTH CENTER @ GRANT HOWALD PARK - Renovation of the Community Youth Center has begun! Weekly meetings will be held with Public Works, D + D Architects, TBC Construction and Recreation Staff to keep the project on track with the Center reopening prior to summer programming. The contractor worked on demo of the facility the week of February 17th.



COASTAL PEAK PARK - Construction is nearing completion at Coastal Peak Park. The park is graded and the soil amended. Testing and adjustments to the sprinkling system are underway, and after that comes the grass seeding, which is scheduled for the second week of March. We're hoping for a long, sunny days throughout spring and summer in order to establish the grass. The final construction phase will occur in late July-early August, when the user-friendly touches are applied: surfacing the basketball courts, adding the rubberized playground surfacing, and installing the bases on the fields.

PLAYGROUND REPAIRS - Highlights for the past month of ongoing playground inspection and maintenance included repair of bushings in an overhead swing at West Newport Community Center pictured below. Also Groundworker II Eric Foley took a three day seminar and passed the test to renew his status as a certified playground inspector. Congratulations to Eric for passing this difficult test and keeping our playgrounds in Newport safe and well maintained!



BACKSTOP UPGRADE - The backstop at San Miguel Park was recently renovated from wood planks that were in a state of disrepair to trex recycled plastic planks. The new planks are maintenance dream! They do not require repainting and are tough as nails!



SPECIAL EVENTS

FLASHLIGHT EGG HUNT - The 5th Annual Flashlight Egg Hunt will be held at Bonita Creek Part on Friday, April 3rd from 6:30 to 9pm at the Bonita Creek Park. This all-ages event will feature five separate egg hunts for children ages two thru 14, holiday crafts, carnival games, bouncers, photos with Freckles the Bunny, and will serve food. All proceeds will benefit Newport Beach Youth Council.



Senior Services Monthly Activities Report

To: Parks, Beaches & Recreation Commission

From: Celeste Jardine-Haug, Senior Services Manager

Re: Senior Services Division Monthly Activities Report

TAX ASSISTANCE - The OASIS is once again started offering free income tax assistance to people who earn \$60,000 or less. This program is offered through the AARP. The 10 income tax counselors were trained by the IRS and Vicki Chin in our office coordinates the program. Because we will not be in our facility, St. Michaels Episcopal Church has graciously offered their community room for us every Monday. The counselors take 3 appointments a day which means that 30 people each Monday have their taxes completed. The taxes are all completed on line through the AARP tax program. This program will run through April 13th.

OASIS TRANSPORTATION - Coastline College spring semester began greatly challenging OASIS Transportation Services to meet the heavy demand of ride requests. Instead of transporting the City's senior clientele to one location (previously the OASIS Senior Center), the transportation team is now taking seniors to six different locations throughout the City.

These locations include: the West Newport Community Center, Bonita Creek Community Center, Newport Coast Community Center, Eastbluff Boys & Girls Club, Newport Theater Arts Center and St. Michael & All Angels Church. This undertaking has required a tremendous team effort in the area of resource coordination; involving not only the input of our van drivers and transportation supervisor, but the entire OASIS staff.

The OASIS staff is committed to making this transition and construction period as smooth as possible and to ensure that the older adults in Newport Beach who don't drive and want to participate in our programs, will be able to do so.

GENERAL MEMBERSHIP MEETING - The Friends of OASIS held their General Membership Meeting for the first time at the Newport Coast Community Center. Staff from both Newport Coast and the OASIS worked together to make sure that this event was a success. It was a good opportunity for cross-training of staff. The event was well attended with 180 participants while it was pouring rain.

TRANSITIONING - It has been one month now that the seniors have been relocated to the offsite locations. Things have settled down and staff is getting used to being in a different location every day. We have worked out a great phone system so everyone is accessible for our clients' needs.

MOVING DAY!! - Moving day finally arrived at the OASIS Center! The Senior Division staff showed team spirit and moved the Center within a 6 hour period. Kudos to all involved. The job was completed 10 minutes before the rain came down. I guess Friday the 13th is a lucky day after all. Thanks to the Utilities Department, two large storage bins are being housed at the reservoir on Pacific View Dr. Staff is still dispersing items to non-profit groups around the community which should be complete in the next week or so.



PARTICIPANTS ATTENDING**6,091 CUSTOMERS****RECREATIONAL CLASSES****951 CUSTOMERS****PERSONALIZED SERVICES PROVIDED****1,835 CUSTOMERS****Includes:**

Blood Pressure	39	Information/Referral	985
Counseling-persons	70	Legal Assistance	5
Eldercare	6	Senior Assessment (hrs)	30
Employment	15	Telephone Reassurance	384
HICAP	6	Visual Screening	5
Housing counseling	40	Transportation Info	250
		Taxes	0

SENIORS RECEIVING TRANSPORTATION SERVICES

Care-A-Van/Shuttle

1,048 CUSTOMERS**CUSTOMERS RECEIVING NOON MEALS AT THE CENTER*****1,741 CUSTOMERS**

*includes home delivered meals

VOLUNTEER HRS. OF SERVICES PROVIDED AT THE CENTER**784.00 HOURS**

Includes:	Kitchen & Home Delivered Meals	(*equiv. to 9 full-time employees)
Front Office	Travel Office	
Gift Shop	Library	
Instructors	President	
Treasurer	Vice President	
Bookkeeper	Taxes	

PARTICIPANTS IN FRIENDS OF OASIS TRAVEL/ SAILING CLUB**232 CUSTOMERS****Day Trips**

Union Station	25
Harrahs	57

Sailing Club- Sailors

OASIS III	61
OASIS IV	62

Long Trips

Monarch Magic	27
---------------	----

SPECIAL EVENTS/SCREENINGS/LECTURES**284 PERSONS**

Big Band Seminar	84
Tail Trekkies	26
OASIS Golfers	134
Computer Friends	25
UCI Lecture	15



General Services Department

Item 4

PB&R Commission Agenda

Item No. _____

March 3, 2009

TO: Parks, Beaches and Recreation Commission
FROM: General Services Director
SUBJECT: *Special Tree Removal Request- 2030 Leeward Lane*

Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission review the attached report from West Coast Arborists (WCA), and approve the removal of the Tomlinson Ash tree located at 2030 Leeward Lane.

Discussion/Background

At the January 6th meeting of the Commission, staff presented a Special Tree Removal Request report recommending that the Commission consider the removal of a City tree located at 2030 Leeward Lane. The January 6th report, in its entirety, is attached for your information.

Following staff's presentation of the information contained in the January 6th report, one resident voiced concern over the removal of the tree. The Commission asked staff to return at a future meeting with a third party arborist's report regarding the health and safety of this specific tree. The opinion of the consulting arborist, Ms. Rebecca Mejia of WCA, is consistent with the opinion of the City staff arborists. Ms. Mejia opines that the "subject Tomlinson ash poses a hazard and should be removed...(the) city would be justified in its removal so as to protect persons and property."

Mr. Tom Neal, resident at 2030 Leeward Lane, Council Member Don Webb, and the Mariners Community Association have received a copy of this report and a notice of the Commission meeting.

Prepared by:

A handwritten signature in blue ink, appearing to read "Mark Harmon".

Mark Harmon, Director
General Services Department

Attachments: WCA Arborist Report
January 6, 2009 Staff Report w/ attachments



February 12, 2009

City of Newport Beach
ATTN: John Conway
592 Superior Avenue
Newport Beach, CA 92663

RE: 2030 Leeward Lane-Tomlinson Ash

Mr. Conway,

Pursuant to your request I have examined the Tomlinson Ash (*Fraxinus uhdei* 'Tomlinson') located at 2030 Leeward Lane in the city of Newport Beach. The purpose of the visit was to evaluate the health and condition of the tree and to determine if a hazard exists. I visited the site on February 3, 2009 and all comments that follow are based on observations made while on the site.

OBSERVATIONS: The subject tree is growing in a five-foot wide, irrigated parkway in front of the above address (see figure 1). Trunk diameter of this ash tree is 20 inches DBH (Diameter Standard Height) and it has a height of approximately 35-40 feet. This tree is a multi-stemmed specimen with one large stem having been removed some time ago (see figure 2). There are various structural concerns with regards to this particular tree including the loss of the large co-dominate stem which has caused the canopy to be unbalanced. Also, due to the past pruning practices, many wounds have been created where decay has now formed.

COMMENTS: This tree is one of many similar trees on this street which have been subjected to pruning practices no longer in use by the city. In the past it was believed to be proper to "top" trees in order to control their heights. Due to this, these trees have many wounds that have not healed properly and subsequently, decay has developed throughout the canopies of the majority of the trees.

Topping is the indiscriminate cutting of tree branches to stubs or lateral branches that are not large enough to assume the terminal role. The most common reason given for topping is to reduce the size of a tree. Topping, however, is no longer considered a viable method of height reduction, and actually makes a tree more hazardous in the long term. The severity of injury caused by topping causes the tree to activate latent buds, forcing rapid growth of multiple shoots. These new shoots are weakly attached and more prone to breakage, which means continued pruning to keep the tree safe. A tree trimmed in this manner is now under more stress, leaving it vulnerable to insect and disease infestations. Few trees are able to defend and heal over the multiple wounds caused by topping; therefore, decay organisms have a free, undisrupted path of movement into and through the branches.



RECOMMENDATIONS: It is the opinion of this arborist that the subject Tomlinson ash poses a hazard and should be removed and replaced with an appropriate selection. The structural and decay issues that are evident throughout the canopy support this opinion. Based on the condition of this tree, the city would be justified in its removal so as to protect persons and property. Due to the fact that Tomlinson ash is no longer available, this tree should be replaced with the current city designated Raywood Ash (*Fraxinus oxycarpa* 'Raywood').

During my inspection, I noticed that many of the ash trees along Leeward Lane are also in a very hazardous state. With most of the trees having large, decay filled limbs that are quite dangerous to passing pedestrian and vehicle traffic. I highly recommend the city consider a street-wide hazard analysis of each Tomlinson ash tree on Leeward Lane. Perhaps doing so in the springtime when the trees have set leaf and their relative health and condition can more easily be established.

Should you have any questions or require additional information, please feel free to contact me at (714) 412-7813.

Respectfully,

Rebecca Mejia

ISA Certified Arborist # WE-2355A

West Coast Arborists Inc

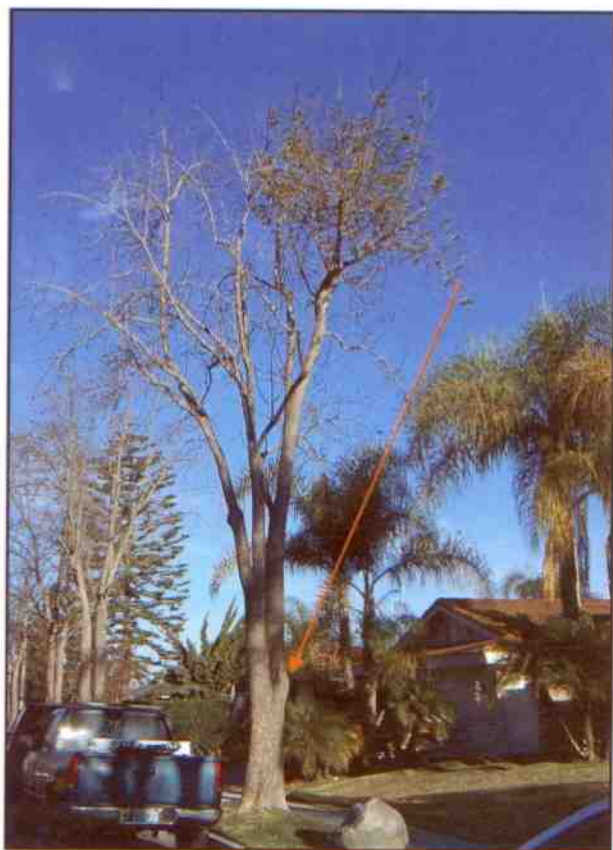


Figure 1 (at left).
Tomlinson Ash tree located in front of 2030
Leeward Lane.

Figure 2 (below, right).
Showing the multi-stemmed attachment site
on the lower trunk and the location where one
of those stems was removed. This has caused
the canopy to be unbalanced.

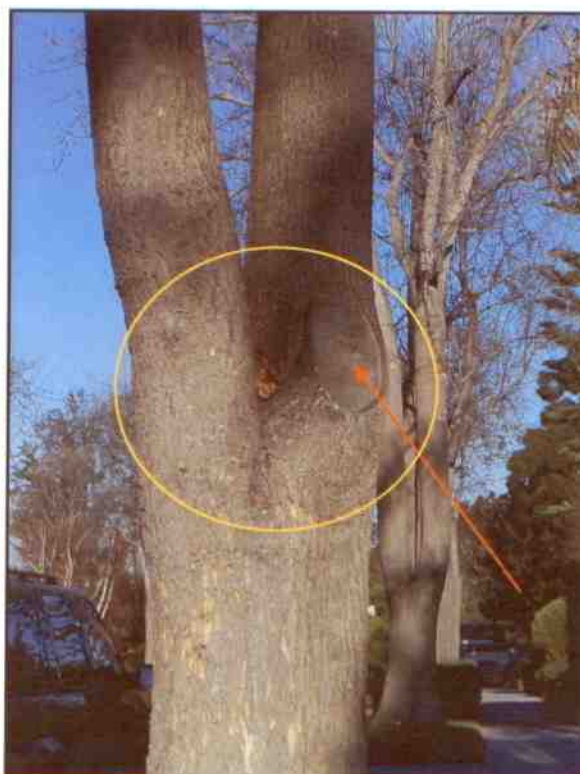


Figure 3 (at left).
Showing one of the small branches found
with a decaying wound. This is just one
example of many sites within the canopy
that are displaying disease and stress
symptoms.



ASSUMPTIONS AND LIMITING CONDITIONS

1. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the Consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
2. The Consultant will not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written consent of the Consultant.
5. This report and any values expressed herein represent the opinion of the Consultant, and the Consultant's fee is in no way contingent upon the reporting of a stipulated result, a specified value, the occurrence of a subsequent event, nor upon any finding to be reported.
6. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the tree(s) or property in question may not arise in the future.
7. Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. It is highly recommended that you follow the arborist recommendations; however, you may choose to accept or disregard the recommendations and/or seek additional advice.
8. Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specific period of time. Likewise, remedial treatments performed cannot be guaranteed.
9. Any recommendations and/or performed treatments (including, but not limited to, pruning or removal) of trees may involve considerations beyond the scope of the arborist's services, such as property boundaries, property ownership, site lines, disputes between neighbors, and any other related issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist can then be expected to consider and reasonably rely on the completeness and accuracy of the information provided.
10. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. Trees carry risk. The only way to eliminate all risks associated with trees is to eliminate all trees.



General Services Department

PB&R Commission Agenda

Item No. 7

January 6, 2008 ⁹

TO: Parks, Beaches and Recreation Commission

FROM: General Services Director

SUBJECT: *Special Tree Removal Request*

Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission consider the removal request of a Special City Tree, Neighborhood Tree.

Discussion

City Council Policy G-1, Retention or Removal of City Trees, Special City Trees, Neighborhood Trees requires that the Parks, Beaches and Recreation Commission approve the removal of a Special Tree prior to removal.

Per City Council Policy G-1, staff is requesting the removal of a City Tomlinson Ash tree that is adjacent to 2030 Leeward Lane. The tree is listed as a Special City Tree under Neighborhood Trees.

On November 13, 2008, staff submitted on behalf of the property owner Tom Neal, a request for the removal of the City tree, after an inspection by the City's Urban Forester, which confirmed evidence that the tree was infested with tree borers, consequently, this caused the tree to severely decay. Additionally, the tree has a co-dominant trunk that is near failure, and can cause the tree to destabilize due to the severity of the decay. Unfortunately, there are no practical treatments available to retain the tree as required by Council Policy G-1, page 2. However, the tree is not posing an imminent danger, but is creating a potential liability.

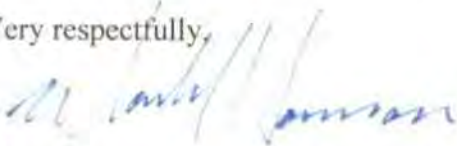
On December 8, 2008, the Urban Forester placed a tree removal notification on the tree, based on the criteria of Policy G-1, Removal of City Trees, page 5, which states that staff will post at least 30 days prior to the removal with a sign notifying the public that they have the right of appeal and staff contact.

If the removal is approved, there will be a 36" box Raywood Ash (*Fraxinus oxycarpa*) replacement tree planted.

Staff has attached the Tree Removal Report, and photographs related to the request (Attachments A & B).

Mr. Tom Neal, Council Member Don Webb and the Mariners Community Association have received a copy of this report and a notice of the Commission meeting. Additionally, notification letters related to this removal request were sent out to the surrounding property owners (Attachment C).

Very respectfully,

A handwritten signature in blue ink, appearing to read 'Mark Harmon', is written over a horizontal line.

Mark Harmon

- Attachments:
- (A) Tree Removal Report
 - (B) Pictures
 - (C) Map
 - (D) City Council Policy G-1, Retention or Removal of City Trees, pages 1-6



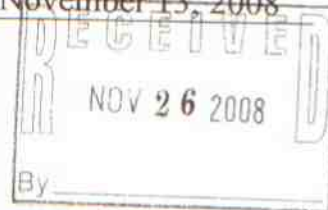
General Services Department

Date: November 13, 2008

TO: General Services Director

FROM: Parks and Trees Superintendent and Urban Forester

SUBJECT: *Tree Removal Review - Potential Liability Removal*



PROPERTY OWNER(S)
INFORMATION:

Name: Tom Neal
Tree Location: 2030 Leeward lane

The property owner is requesting the removal of a City Tomlinson Ash tree that is severely decaying and insect infested. The tree has a co-dominant trunk that is near failure, and can cause the tree to destabilize due to the severity of the decay and insect infestation. The tree is not posing an imminent danger, and does not necessitate an emergency removal, but is creating a potential liability.

ACTION review The tree is listed as a Special Tree, Neighborhood Tree based on Council Policy G-1, which requires recommendation from the General Services Director and Risk Manager, and approved by the City Manager prior to removal. Additionally, staff will forward a report for ~~review~~ to the Parks, Beaches and Recreation Commission before any further action considering removal is taken. The City must comply with noticing provisions set forth in the Policy G-1, page 2, paragraph 3.

REPLACEMENT TREE: YES ☒ NO ☐

DESIGNATED TREE: Fraxinus oxycarpa 'Raywood' - Raywood Ash

GENERAL SERVICES DIRECTOR'S COMMENTS/RECOMMENDATIONS:

AGREE WITH RECOMMENDATION

Signature: *[Signature]*

Date: *11/25/08*

The attached documents are for your review and comment(s). Sign, date, and route accordingly.

RISK MANAGER'S COMMENTS/RECOMMENDATIONS:

Risk mgmt. concurs w/recommendation.

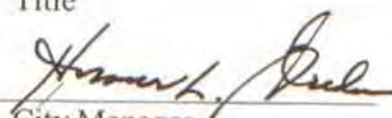
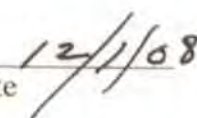
Signature: *[Signature]*

Date: *12/1/08*

FINAL ACTION TO BE TAKEN:

- ☐ Low Priority
- ☐ Moderate Priority
- ☐ High Priority - Forward memo directly to City Manager for immediate removal authority
- ☐ Emergency - Forward memo immediately to General Services Director

Conclusion: _____

	Signature	Title	Date
REMOVAL:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		
Attachments		City Manager	Date



General Services Department

TREE INSPECTION REPORT

Name: Tom Neal

Tree Location: 2030 Leeward Lane / Front -1

Request: The property owner is requesting the removal of a City Tomlinson Ash tree that is severely decaying and insect infested.

Botanical Name: Fraxinus uhdei 'Tomlinson '

Common Name: Tomlinson Ash

Designated Street Tree: Fraxinus oxycarpa 'Raywood' – Raywood Ash

Estimated Tree Value: \$3,260.00

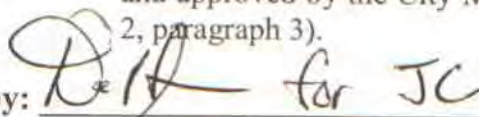
Damage: No apparent damage

Parkway: Concrete Brick Turf (X) Other

Comments: A field inspection confirmed a City tree that is severely decaying and insect infested. The tree has a co-dominant trunk that is near failure, and can cause the tree to destabilize due to the severity of the decay and insect infestation.

There are no practical treatments available to retain the tree as required by Council Policy G-1, page 2. The tree is not posing an imminent danger, but is creating a potential liability. However, the tree is listed as a Special Tree, Neighborhood Tree, which necessitates the recommendation of the General Services Director and Risk Manager, and approved by the City Manager prior to removal (Policy G-1, page 2, paragraph 3).

Inspected by:

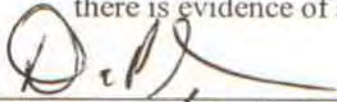

John Conway, Urban Forester

Date: November 13, 2008

Recommendation: Remove and replace the tree to mitigate potential liability, once notification provisions have been complied with as noted within Policy

G-1. Additionally, staff recommends evaluating the entire street, since there is evidence of severe decay among many of the street trees.

Reviewed by:



Date: November 13, 2008

Dan P. Sereno, Parks and Trees Superintendent

Reviewed by:



Date:

11/25/08

Mark Harmon, General Services Director

Tom Neal
2030 Leeward Lane
Newport Beach, CA 92660
949-515-7085

John F. Conway Jr.
Urban Forester General Service Department
City of Newport Beach

John,

I am writing to you in request to have tree removal in front of my residence at 2030 Leeward Lane. I am the resident and have lived at 2030 Leeward Lane for 12 years. My request to have the tree removed is as follows:

My tree was selected by the city of Newport Beach to be removed 9 years ago. The reason that was given was cost and maintenance and the liability of roots and overgrown and age. Termites were also present and a major concern.

Now, currently my tree has even more infestation of termites which is spreading and evident on my house.

My tree has been trimmed and pruned so often that the sun exposure is causing the bark on the tree to sunburn and crack and peel which is allowing for termites to enter. Excess pruning of this type of tree is not meant for the health of the tree.

The excess removal and cutting of the root system is placing the tree in risk of falling and causing the roots to uplift the small area between the curb and the sidewalk making the appearance look unacceptable.

I am requesting for the tree to be removed as I have a number of times and once again the city of Newport Beach thought it should be removed some 9 years ago. So we need to proceed as the tree has lived its life.

I appreciate your understanding. It would be in the best interest of everyone if we can proceed urgently as the tree across the street is being removed as well. Appreciate your time and understanding.

Thank you,



Tom Neal

Show/Hide Map

Print Report

Inventory Detail

Dist: 16
Address: 2030 LEEWARD LN
Fictitious: No
Location: Front-1
On Address: 2030 LEEWARD LN
Species: *Fraxinus uhdei* 'Tomlinson', TOMLINSON ASH
DBH/Height: 13-18 / 30-45
Parkway Size: 5
Utility Overhead: No
Sidewalk Damage: No
Recommended Maintenance: Grid Trim
Estimated Value \$3,260

WCA Work History

Date	Work Type	Amount	Job#
7/11/2008	Resident Refused	\$0.00	12665
2/15/2008	Service Request Pruning	\$39.00	11063
11/15/2005	Grid Pruning	\$39.00	8474
5/3/2004	Root Prune & 12" Barrier	\$7.00	6768
3/25/2002	Grid Trimming	\$39.00	4184
1/27/2000	Grid Trimming	\$39.00	2866

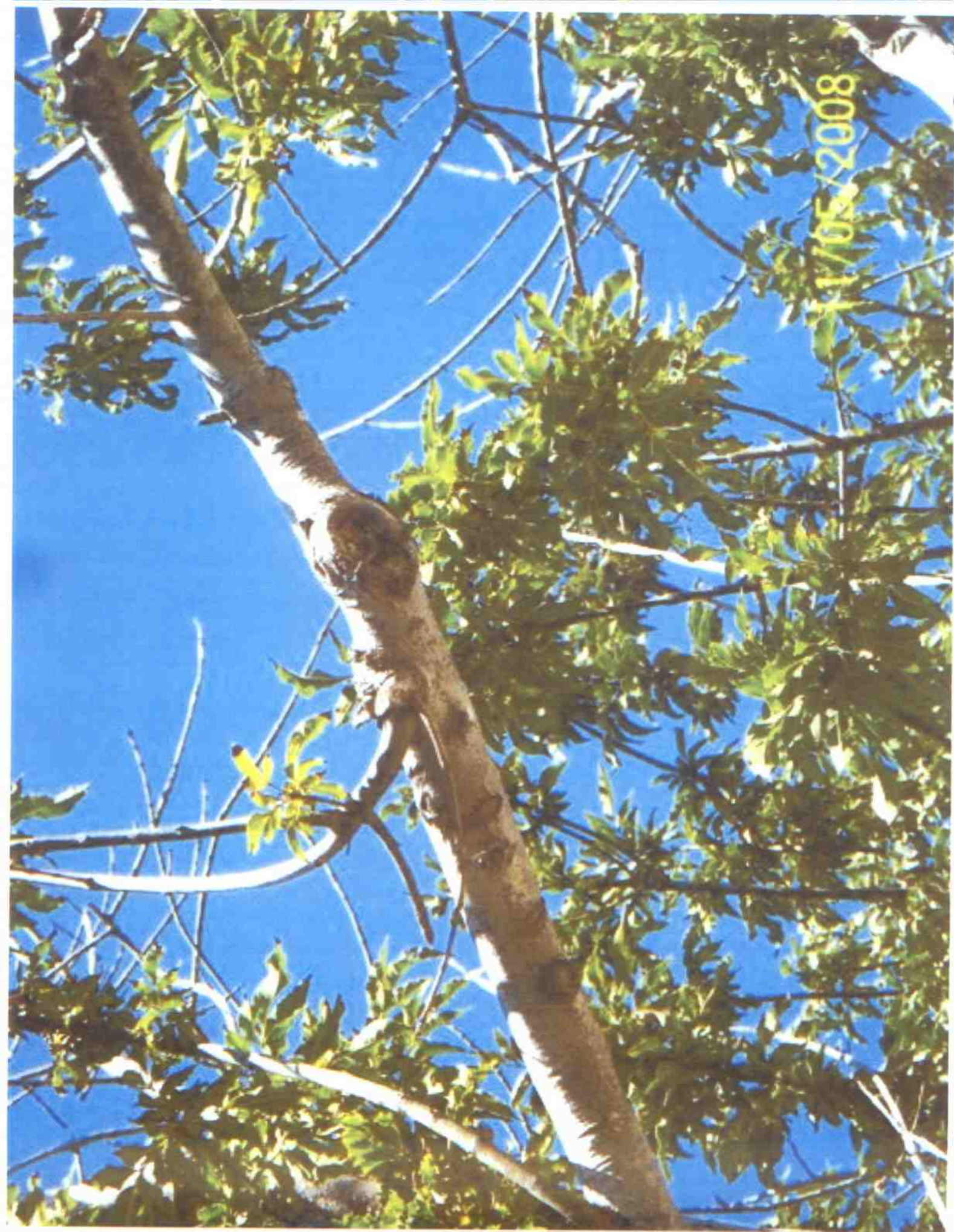
Other Work History

Date	Work Type	Crew	Acct#	Min
------	-----------	------	-------	-----





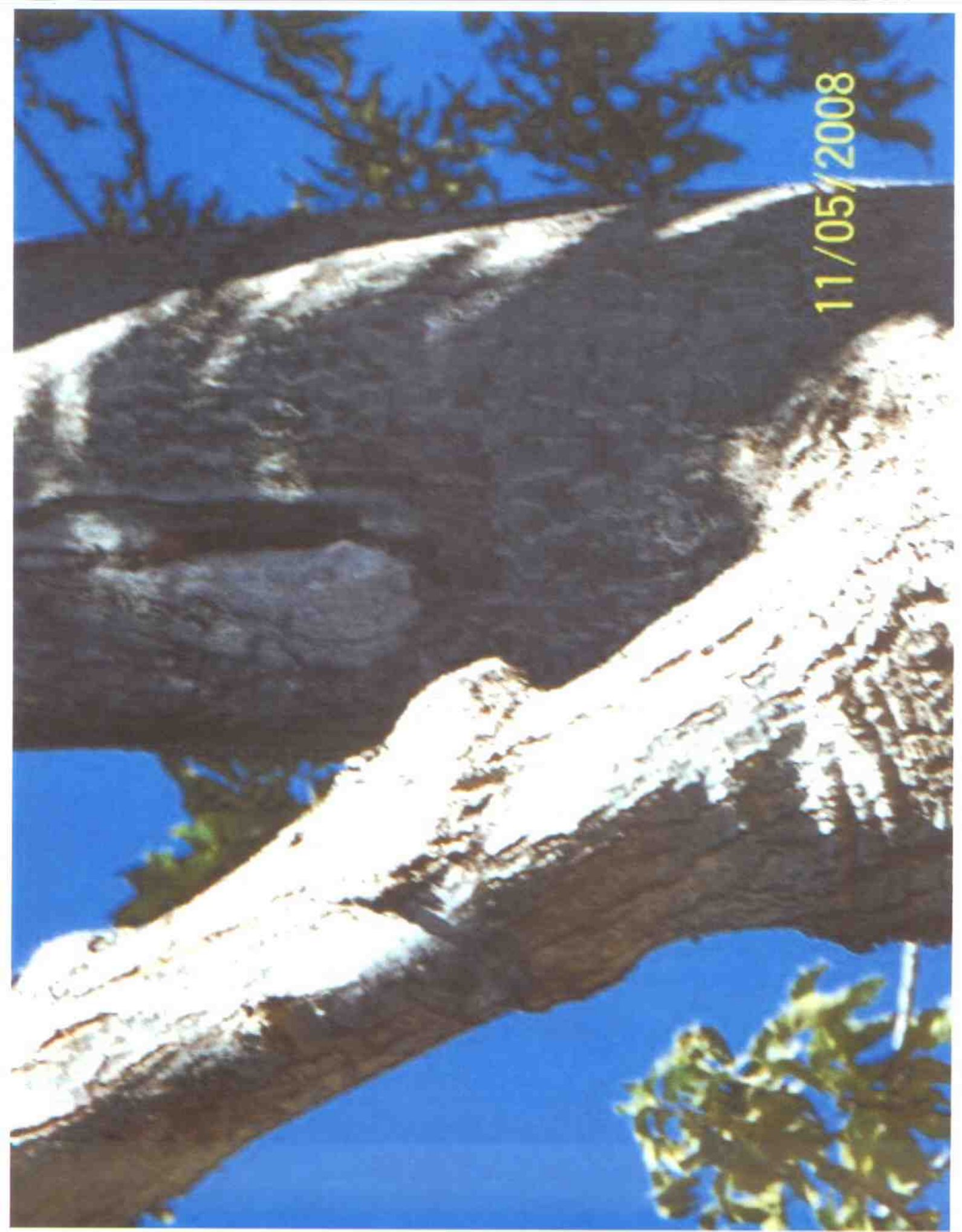
11/05/2008



11/05/2018



11/05/2008





RETENTION OR REMOVAL OF CITY TREES

GOAL OF POLICY

To establish and maintain appropriate diversity in tree species and age classes to provide a stable and sustainable urban forest with an inventory that the City can reasonably maintain in a healthy and non-hazardous condition. To require that in approving any tree removal or reforestation request the PB&R Commission shall find that the tree removal request will not adversely impact the overall inventory, diversity and age of the City's Urban Forest.

PURPOSE

The purpose of this policy is to establish definitive standards for the retention, removal, maintenance, reforestation, tree trimming standards, and supplemental trimming of City trees. City trees are an important part of the character and charm of the entire City and provide environmental benefits as well. Regular care, trimming, root pruning, maintenance, and programmed replacement are necessary to preserve this charm while at the same time protecting views consistent with Council Policy G-3 and preventing public and private property damage.

The City classifies public trees in one of three categories: Special Trees, Problem Trees, and All Other Trees.

SPECIAL CITY TREES

It is the City's policy to retain City trees categorized as Landmark, Dedicated, or Neighborhood trees, which have historical significance, and/or contribute to and give character to a location or to an entire neighborhood. Landmark, Dedicated, and Neighborhood trees are identified by species by Attachment 1, and shall hereinafter be referred to as Special Trees. Trees within these categories shall be identified, mapped, recorded and administered by staff for the Parks, Beaches & Recreation Commission ("Commission"). The Commission shall review the Special Tree list on an as needed basis and forward recommendations for additions or deletions to the City Council for approval.

Landmark Trees are identified as those individual Special Trees that possess historical significance by virtue of their size, age, location, or species.

Dedicated Trees are Special Trees donated for or in the memory of specific individuals or organizations.

Neighborhood Trees are Special Trees that by their unusual size, number, species, or location lend a special character to a residential, commercial, or business area.

Special Trees shall be retained, unless there are overriding problems, such as death, disease, or the creation of a hazardous situation, which require their removal. Prior to consideration for any removal of a Special Tree(s), the General Services Director, or designee, shall prepare a report identifying and implementing specific treatment to retain the tree(s). If specific treatment is unsuccessful or impractical in retaining a tree(s) then a full staff report shall be made to the Commission before any further action considering removal is taken. Prior to any removal of Special Tree(s), the City must comply with the noticing provisions of the Removal of City Trees section set forth in this Policy, unless a Special Tree is considered hazardous that necessitates an emergency removal. Any such removal must be recommended by the General Services Director and the Risk Manager and approved by the City Manager.

During normal sidewalk, curb, and street repair activity requiring root pruning, all steps shall be taken to retain Special Trees. If tree roots are to be pruned in association with sidewalk, curb, and gutter improvements, sufficient timing in advance must be planned to ensure that pruning will not destabilize or kill the tree. If both sides of a Special Tree's roots are to be pruned, one side should be pruned 6 months to a year in advance of the other side depending upon the species and other related factors. If root pruning methods are not practical and/or critical to the health of the tree, then alternate or special hardscape improvements should be considered by the City in order to retain the tree providing that costs are reasonable. All proposed root pruning or other tree treatment shall be assessed and approved by the Urban Forester.

Special Trees may be considered for removal in conjunction with a City Council approved beautification project utilizing the Removal of City Trees procedures noted in a subsequent section of the Policy.

PROBLEM TREES

A Problem Tree is defined as a tree that by virtue of its species causes excessive hardscape or utility damage due to its excessive root system. The following trees are defined as Problem Trees:

- *Ficus nitida* (Indian Laurel Fig)
- *Ficus rubiginosa* (Rusty Leaf Fig)
- *Ficus benjamina* (Weeping Fig)
- *Erythrina caffra* (Kaffirboom Coral Tree)
- *Fraxinus uhdei* (Shamel Ash)
- *Cupaniopsis anacardioides* (Carrotwood)
- *Liquidambar styraciflua* (American Sweet Gum)
- *Schinus terebinthifolius* (Brazilian Pepper)

Problem Trees shall not be designated as parkway trees on the Designated Street Tree List.

Problem Trees that are not designated Special Trees may be removed for the following reasons:

- A. The City tree has had a repeated history of damaging public or private sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities, or foundations based on City records or other competent and reliable authority. Water or sewer stoppage that results from tree roots and causes significant documented private property damage (greater than \$500) shall be sufficient criterion for tree removal.
- B. The City tree has had repeated history of significant interference with street or sidewalk drainage, despite specific treatment by the City to alleviate repeated damage.
- C. The City tree has created, in the opinion of the Urban Forester, a view impediment that cannot be resolved by normal nor alternative tree trimming procedures.

Problem Trees may be proposed for removal by either staff or private property owners. The authority to remove Problem Trees rests with the City Manager. No more than 250 Problem Trees may be removed per year by staff under these criteria without special approval of the Parks, Beaches, and Recreation Commission. In removals under Sections A & B above, no more than one of three parkway trees in a continuous row may be removed in a three year period without a hearing before the Commission. Replacement trees of a 24-inch box size may be planted if funding permits. Staff is responsible for notifying the adjacent property owner, the legally established homeowners association, and the Councilperson of the district where the removal is

proposed, if applicable, of the intent to remove a Problem Tree. The decision by the City Manager to remove a problem tree is final unless called up by at least one Councilperson. The Urban Forester shall report the removal of Problem Trees on a monthly basis to the Commission. The cost to remove and replace Problem Trees will be the sole responsibility of the City based on availability of funding, with the exception of Category C (view), which is the sole responsibility of the applicant.

ALL OTHER CITY TREES

A City tree which is not designated as a Special or Problem Tree is designated as an All Other Tree. It is the City's policy to retain All Other Trees unless removal is necessary for one of the following reasons:

- A. The City tree has had a repeated history of damaging public or private sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities, or foundations based on City records or other competent and reliable authority. Water or sewer stoppage that results from tree roots and causes significant public or private property damage (greater than \$500) shall be sufficient criterion for tree removal.
- B. The City tree has had a repeated history - of significant interference with street or sidewalk drainage.
- C. The City tree is dead, diseased, dying, or hazardous, and presents a liability to the City. A dead tree is one that has been assessed by the Urban Forester and found to have deceased. Diseased trees are defined as those trees that cannot be cured by current arboricultural methods, are in an advanced state of decline, and have no prospect of recovery. Dying trees are those that have no prospect of recovery. Hazardous trees are defined as those that are defective, have a potential to fail, and would cause damage to persons and property upon failure. The Urban Forester will perform a hazard assessment whenever a tree is identified as hazardous. The assessment will identify: structural defects of the tree, parts of the tree most likely to fail, targets where imminent personal injury or property damage may result with tree failure, and procedures or actions necessary to abate the hazard. After assessment, the Urban Forester will expeditiously convey his written findings and recommendations to the Risk Manager for evaluation. If the Risk Manager agrees with the Urban Forester findings to remove a tree, the hazardous tree will be removed without further delay. In the case of imminent tree failure, the Parks and Trees Maintenance

Superintendent or the Urban Forester shall have the authority to direct the removal of a hazardous tree.

- D. The tree(s) have been requested to be removed in conjunction with a City Council-approved City, commercial, neighborhood, or community association beautification program.
- E. The City Manager, upon the advice of the General Services Director, City Attorney, Risk Manager or the Traffic Engineer, shall have the authority to remove individual Problem or All Other Trees to resolve claims or safety issues.

REMOVAL OF CITY TREES

The initiation to remove (Special or All Other) City tree(s) may be made by the staff of the General Services, and/or Public Works Departments, a legally established community association, or a private property owner by making application to the General Services Director, utilizing the City tree removal form. The provisions and procedures of this Section of the Policy do not apply to the Problem Tree nor Reforestation tree removal processes, which are described in other sections of this Policy. Special Trees may be considered for removal under the provisions of this Section provided a special report by the General Services Director is provided to the Commission detailing the necessity of removal and any specific previous treatment of the tree.

After receipt of the application, a Tree Inspection Report shall be prepared by the City's Urban Forester (Attachment 2) to determine if the tree(s) meets the criteria outlined in the above All Other City Trees section for consideration for removal. Simultaneously, the Urban Forester shall provide a notice of the proposed tree removal to the adjacent property owner (if not the applicant), the private property owners immediately adjacent to the applicant's property, and the appropriate community association if applicable, (not applicable to the emergency removal of hazardous trees under Item C nor to trees that meet the criteria of Item E in the preceding All Other City Trees section). The Urban Forester shall determine whether in his/her judgment additional specific treatment can be initiated to retain the tree provided the costs are reasonable. If a tree(s) is to be removed, the tree(s) will be posted at least 30 days prior to the removal with a sign notifying the public that they have the right of appeal. The sign shall also note a staff contact. Once a recommendation is made by the Urban Forester and the Parks and Trees Maintenance Superintendent to the General Services Director and the

General Services Director or designee concurs, then the applicant, the adjoining owners, private property owners on either side of the street within 500' in each direction of the tree location and a legally established community association, if applicable, shall be notified of the decision to remove or retain the tree within 30 days of the proposed removal. A legally established community association is responsible for notification of all association members pursuant to their established procedure. The General Services Director, or a designee, shall prepare a staff report for a regularly scheduled PB&R Commission meeting of all trees recommended for removal, except for those trees categorized in Paragraph C. (dead, diseased, or dying trees) or Paragraph E (claims and safety issues) in the preceding section on All Other City Trees. Only an applicant, an adjoining property owner, or a legally established community association, the City Manager, a PB&R Commissioner, or a Councilmember may appeal the decision of the General Services Director not to remove a tree to the Commission. The Commission, in considering any appeal, shall determine whether the removal meets the criteria outlined in this Policy, as well as any unique factors which may be pertinent to the removal or retention of tree(s). The decision of the Commission will be considered final unless called up by at least one Councilmember or the City Manager.

The General Services Department will delay any tree removal(s) for at least 14 calendar days following the date of the Commission decision in order to allow time for a Councilmember or the City Manager to call the item.

The City will replace all trees removed in accordance with the All Other City Trees removal criteria on a one for one basis. Replacement trees will be a minimum of a 36" boxed size. If 36" boxed trees are not available, or funding, or space constraints prevent planting of a large tree, then a minimum of a 24" boxed tree will be planted. The full costs of removal and replacement of Special or All Other Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s).

REFORESTATION OF CITY TREES

The concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of trees for the planted location is referred to as reforestation. The Urban Forester shall make a finding for the latter category of inappropriate tree species for a specific location. His determination may be appealed to the General Services Director whose decision will be final.



PB&R Commission Agenda

Item No. _____

March 3, 2009

TO: Parks, Beaches and Recreation Commission

FROM: General Services Director

SUBJECT: *Bench Donation Request*

Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission consider the bench donation request at Ensign View Park. This bench donation would replace an existing wooden bench that will be refurbished and used as a bench replacement as needed.

Discussion

City Council Policy B-17 establishes criteria for parks, facilities, and recreation program donations within the City. The policy is structured to establish a fair and uniform procedure for making gifts to the City, and to make the donation process easier for staff and donors.

The City has received a request from Alan Buchanan (Attachment A) to donate a bench at Ensign View Park. The donated bench (Attachment B) is included on the City's Official Bench List and will match the existing benches at this site. Attachment C shows the existing wooden and Attachment D depicts the location of the proposed bench donation.

Since the value of the bench is greater than \$1,000.00, the donation is eligible to receive a dedicatory plaque that will be placed on the bench. The submitted plaque verbiage, which complies with City Council Policy B-17, is "Donated for Leslie Carol Ronnow".

Mr. Buchanan, and Council Member Steven Rosansky have received a copy of this report and a notice of the Commission meeting.

This bench donation does not require staff to notice the adjoining property owners, since this is a replacement bench.

Submitted by:

Mark Harmon

Attachments: (A) Mr. Buchanan's Gifts for Tomorrow Order Request Form
(B) Huntington Beach bench style picture
(C) Picture of existing wooden bench
(D) Map of the proposed location

Attn: Kandy Kearns

Gifts for Tomorrow Order Request Form



Item # 100 Description Public Bench



Ensign Park - cliff Drive



Contact Information

Alan Buchanan

Name

3244-A Broad St.

Mailing Address

Newport Beach 92660

949-422-4063

Phone

Signature



DEDICATION PLAQUE INFO

Donors may elect to provide a dedicatory plaque if the value of the donation is greater than \$1,000. Contact city staff for more information.

☒ Yes, I am interested in dedicatory plaque for my donation.

Plaque is donated for,

Leslie Carol Ronnow

First Name

Last Name





Proposed Bench Donation at Ensign View Park

