

CITY OF NEWPORT BEACH

Parks, Beaches & Recreation Commission Regular Meeting August 6, 2013 – 6pm

1) **CONVENE MEETING OF THE PARKS BEACHES & RECREATION COMMISSION TO ORDER** – 6:00 p.m.

2) **ROLL CALL**

Present: Tom Anderson, Chair
Kathy Hamilton
Walt Howald
Roy Englebrecht
Marie Marston
Jack Tingley

Absent: Ron Cole, Vice Chair

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

3) **NOTICE TO THE PUBLIC**

4) **CONSENT CALENDAR**

A. **Minutes of the July 2, 2013 regular meeting.**

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

B. **Parks & Operations Division Activity Report.**

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

C. **Recreation & Seniors Services Activity Report.**

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

D. **Pulled by member of the public**

Motion by Chair Anderson; seconded by Commissioner Marston to accept items 4A – 4C of the Consent Calendar. Motion carried by acclamation.

D. **Reforestation Request**

Recommendation: Approve reforestation request from Herbert Fischer and other applicants to remove and replace five City River Oak trees at 241, 242, 244 and 245 Heliotrope Avenue.

Commissioner Howald stated his recusal from the item and indicated his abstention.

Chair Anderson expressed concerns that the petitioners are not the owners of the subject properties except for the owner of 241 Heliotrope Avenue. The others who signed the petition do not have trees included in the reforestation. He felt that the input of relevant property owners should be critical in assessing the matter.

Commissioner Englebrecht stated visiting the site and that there is no damage to the corresponding sidewalks. He felt that the tree near the power lines might pose a hazard and should be removed but commented on the age of the trees and wondered if the aesthetics of the streets might be impacted.

Chair Anderson opened the public discussion

Herb Fischer, one of the petitioners, reported receiving a list of addresses from MOD for whom signatures were expected and that some of the property owners' names were excluded from the list. He received twenty-two signatures on the petition and did not encounter residents that did not sign.

In response to an inquiry from Chair Anderson, Deputy Director Pisani reported that the City does not require the petition to include the property owners of the subject trees. Neighbors can submit requests for reforestation with a requirement of 60% of petitioners. Property owners would have a right to oppose the matter, if so desired.

Jane Hilgendorf of 245 Heliotrope confirmed that her name was not included in the contact list and noted four petitions that were signed were not included in the packet. She added that the staff report that she received was different than what was provided tonight and stated that 100% of the people petitioned, signed them.

Jim Mosher commented that City staff does work well with the residents but felt that it should be a major focus of the Commission to update the City's tree policy.

Chair Anderson closed the public discussion

Commissioner Tingley commented on the cost of the proposed project and questioned the petitioners' willingness to pay.

Commissioner Englebrecht commented on the alleged safety hazard and debris but wondered if this is setting precedent by removing healthy trees. He addressed the value of the existing trees and costs of the proposed replacement trees and felt that the proposal does not provide a good return.

In reply to an inquiry from Commissioner Hamilton, Deputy Director Pisani reported that Southern California Edison trims and clears trees yearly.

Commissioner Englebrecht agreed that the tree on Seaview may cause a hazard and should be removed.

Chair Anderson felt that though most petitioners are honest, he has concerns with receiving petitions from surrounding property owners rather than those whose property contains the subject trees. He felt that it poses a potential problem.

Motion by Commissioner Tingley; seconded by Chair Anderson to approve the reforestation request from Herbert Fischer and other applicants to remove and replace five City River Oak trees at 241, 242, 244 and 245 Heliotrope Avenue and direct staff to use due diligence to ensure

the inclusion of those residents that are directly affected by the trees. Motion carried by the following vote:

Aye: Anderson, Hamilton, Marston, Tingley
Nay: Englebrecht
Abstain: Howald
Absent: Cole

5) CURRENT / NEW BUSINESS – Staff Report

A. Special Tree Removal Appeal – 248 Poppy Avenue

Recommendation: *Deny appeal to remove a City Special tree – Neighborhood tree from Al Ross at 248 Poppy Avenue.*

Deputy Director Pisani presented details of the report addressing previous consideration and denial of the matter. He reported that staff is doing its due diligence by inspecting and treating the subject trees annually and that the matter was continued by the PB&R Commission because the owner was unable to attend the prior meeting and stated recommendations for denial of the appeal

Chair Anderson noted that the applicant is not in attendance this time either.

Commissioner Englebrecht felt that, unless the applicant is willing to cover the costs of removal and a representative replacement tree, he would support staff's recommendation.

Commissioner Marston commented on potentially studying all of the trees on Poppy Avenue and suggested deferring the item until a full plan for Poppy Avenue can be developed.

Commissioner Tingley agreed.

Commissioner Howald agreed but felt this case is different and wondered if the applicant can continue to file a claim.

Deputy Director Pisani reported that the brick work on the property is not permitted and any damage would have to be paid by the applicant. He added that Mr. Ross has been given the opportunity to request a reforestation but has declined to do so.

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

Commissioner Englebrecht felt strongly against removing healthy trees and that going forward, any tree removal request needs to be carefully thought out and discussed.

Motion by Commissioner Englebrecht; seconded by Chair Anderson to deny appeal to remove a City Special tree – Neighborhood tree from Al Ross at 248 Poppy Avenue. Motion carried by acclamation.

B. Newport-Mesa Soccer Club (NMSC) Request for Temporary Lights at Bonita Canyon Sports Park Field #5

Recommendation: Consider request from NMSC (Attachment A) for temporary lights at BCSP field #5 October 1 – November 22, 2013 (8 weeks) and January 6 – March 7, 2014 from dusk to 7:45pm (9 weeks), weekdays only.

Superintendent Levin presented a staff report. He addressed the demand for fields in the City, especially lit fields. He reported that this is the eighth year that NMSC is making this request and addressed a change from three to four lights.

Chair Anderson opened the public discussion

Mark Arblaster, NMSC President, thanked the Commission for its support and consideration and explained the request noting that the club pays for the lights and that adding an extra light would be helpful. He stated that they are cognizant of the surrounding neighbors and have made adjustments in order to minimize potential impacts.

A short video of the club playing was provided.

Jim Mosher commented that these temporary requests have been submitted yearly and suggested that the Commission come up with a permanent solution for the community and youth.

Chair Anderson closed the public discussion

Motion by Commissioner Englebrecht; seconded by Commissioner Howald to approve a request from NMSC for temporary lights at BCSP field #5 October 1 – November 22, 2013 (8 weeks) and January 6 – March 7, 2014 from dusk to 7:45pm (9 weeks), weekdays only. Motion carried by acclamation.

C. Appointment of Ad Hoc Committees

Recommendation: Appoint two Commissioners (unless otherwise noted) each to serve on the following Ad Hoc Committees:

- Community Service Award (appoint three Commissioners)
- Lower Castaways Park Design
- West Side Dogs Off Leash
- Youth Sports Commission Liaison

Discussion followed regarding the process for establishing an Ad Hoc Committee and the possibility of forming one to consider the City's tree policy at a future meeting.

Commissioners Englebrecht, Hamilton and Howald agreed to serve on the Community Service Award Ad Hoc Committee.

Commissioners Tingley and Marston agreed to serve on the Lower Castaways Park Design Ad Hoc Committee.

Commissioners Cole and Marston agreed to serve on the West Side Dogs Off Leash Ad Hoc Committee.

Commissioner Englebrecht and Chair Anderson will serve on the Youth Sports Commission Liaison Ad Hoc Committee.

Chair Anderson opened the public discussion; seeing none the public discussion was closed.

Motion by Chair Anderson to appoint members to the Ad Hoc Committees as detailed above. Motion carried by acclamation.

6) PARKS, BEACHES & RECREATION COMMISSION / STAFF ANNOUNCEMENTS, UPDATES OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Director Detweiler

- reported on the Adult Flag Football on the beach program and reported that the league was filled with playoffs occurring this week. She commented positively on the program.
- thanked City staff and volunteers for their work on the Fourth of July and commented on the successful events and community support.
- commented on the OASIS Resource Expo and the Taste of Newport as well as a Beatles concert held at OASIS.
- reported on the fall Navigator and addressed the success of summer camps and programs. She congratulated staff and contractors for their efforts.

Commissioner Englebrecht commented on the improved quality of the Navigator.

Director Detweiler reported that the information contained in the Navigator is also included online.

Commissioner Howald commented about the possibility of including events and items relative to OASIS in future reports; he announced that a Beach Boys cover band will be performing at OASIS on September 28, and suggested coordinating a date for the Commission to attend a lunch and tour at OASIS in September or October.

Commissioner Marston requested that consideration of trees on Poppy Avenue and the City's tree policy be placed on a future agenda.

Deputy Director Pisani reported that the item regarding removal of trees at 300 Poppy has been recalled and will be on the Council agenda on September 10, 2013.

Chair Anderson welcomed Deputy Director Pisani and congratulated Commissioner Englebrecht for a recent inclusion in the L.A. Times.

Chair Anderson reported that he will meet with staff to discuss topics to be addressed by the Commission and asked Members to forward any ideas to him.

7) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher commented on the Poppy tree issue and noted that Council Member Gardner's concerns are similar to Commissioner Englebrecht's regarding the removal of healthy trees. He stated a goal of the Council is to re-evaluate the City's Reforestation Program.

8) ADJOURNMENT @ 7:05 p.m.

Submitted by:

Teri Craig, Admin Assistant

Approved by:

Tom Anderson, Chair