

**CITY OF NEWPORT BEACH**

**Parks, Beaches & Recreation Commission  
Regular Meeting  
September 3, 2013 – 6pm**

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

**2) ROLL CALL**

Present: Tom Anderson, Chair  
Ron Cole, Vice Chair  
Walt Howald  
Roy Englebrecht  
Marie Marston  
Jack Tingley (Arrived at 6:05 p.m.)

Absent: Kathy Hamilton (Excused)

Staff: Laura Detweiler, Recreation & Senior Services Director  
Mike Pisani, Deputy Municipal Operations Director  
CrIstal McDonald, Deputy City Clerk

**3) NOTICE TO THE PUBLIC**

**4) CONSENT CALENDAR**

**A. Minutes of the August 6, 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 Commissioner Englebrecht**

**Motion by Commissioner Howald;** seconded by Vice Chair Cole to accept items 4A – 4C of the Consent Calendar. Motion carried by acclamation.

**D. Reforestation Request — 2848 Alta Vista Drive**

*Recommendation: Approve reforestation request from Eastbluff Homeowners Association (EHCA) for homeowners Keith Hall & Susan Lemke to remove one City Lemon-scented Gum tree from 2848 Alta Vista Drive and replace with a 36" box Russet Magnolia to be located within the parkway at the site.*

Commissioner Englebrecht commented on the age of the tree noting its value. He stated that he was opposed to removing the tree and urged the Commission to deny the request.

In response to Vice Chair Cole's inquiry, Deputy Director Pisani reported that the tree poses no safety concerns but is messy.

Commissioner Englebrecht warned against setting a precedent by approving this request. He stated that valid reasons should be given before for removing a tree such as hazardous conditions or damage to property, not merely because of debris.

Commissioner Marston commented on the need to comply with Council Policy G-1.

**Chair Anderson opened the public discussion.**

Jim Mosher addressed the City's Tree Ordinance and the list of recommended replacement trees. He reported that the recommended replacement tree is not included on the list.

**Chair Anderson closed the public discussion.**

Commissioner Englebrecht commented that it is the Commission's discretion to deny the request and that by approving the request and recommending a tree not on the City's list of appropriate replacement trees would be committing a violation of its own established criteria. He stated that tree removal applications should be put on hold until this issue is completely vetted.

In response to Commissioner Cole's inquiry, Deputy Director Pisani reported that this tree is a parkway tree, that parkway trees are on City land and are maintained by the City.

Commissioner Cole agreed with Commission Englebrecht's comments.

In response to Commissioner Marston's inquiry, Deputy Director Pisani reported that the City trims parkway trees and that these trees have been trimmed in the past two years.

Discussion ensued regarding the rationale for staff's recommendation of a replacement tree not on the established tree list. Deputy Director Pisani responded that trees in the area have been replaced with this type of tree being recommended.

Commissioner Howald indicated he sympathizes with the homeowner and stated that he is not opposed to continuing the matter until a clear policy can be established.

Chair Anderson agreed with Commissioner Englebrecht's comments.

**Motion by Commissioner Englebrecht:** to deny the request until an established tree policy is created by the Commission and approved by Council. Motion fails due to a lack of a second.

**Motion by Vice Chair Cole;** seconded by Commissioner Englebrecht to deny the reforestation request from Eastbluff Homeowners Association (EHCA) for homeowners Keith Hall & Susan Lemke. Motion carried by acclamation.

5) **CURRENT / NEW BUSINESS** – Staff Report

A. **Special Tree Removal – 15th Street adjacent to 544 Aliso Avenue**

*Recommendation:* Consider request of MOD Staff to remove five (5) City Special trees – Neighborhood trees located at 15th Street adjacent to 544 Aliso Avenue to mitigate potential liability due to severe root decay with exposed sulfur conks and replaced with Australian Willow trees at the same location.

Deputy Director Pisani presented details of the report noting that staff recommends removal of the trees due to root decay and sulfur conks.

Discussion ensued regarding valid reasons for requesting removal of the trees. Deputy Director Pisani stated that there is danger of tree failure because of the decay.

In response to Chair Anderson's inquiry regarding other trees in the vicinity littered with debris and trash, Deputy Director Pisani reported that staff will be evaluating those trees as well.

**Chair Anderson opened the public discussion.**

Jim Mosher reported that the recommended replacement trees are on the tree list. He reported that conks are seasonal and are a fungus that grow inside the trees and are not visible during part of the year and are not necessarily detrimental to the trees.

**Chair Anderson closed the public discussion.**

Commissioner Englebrecht questioned if staff could get a second opinion and possibly provide another solution. However, he stated he would accept staff's recommendations.

Discussion followed regarding involving homeowners, changes to the sidewalk once the trees are removed and if removing only two of the five trees could mitigate the problem.

In response to Commissioner Howald's inquiry, Deputy Director Pisani reported that the matter was initiated by a resident but recommendations to remove the trees were made by staff and that the City will incur the cost of removal and replacement.

Commissioner Tingley referenced the Irvine Avenue area and noted the project turned out nicely because mature trees were planted to replace those removed.

Deputy Director Pisani reported that the replacement trees will be between eight- and ten-foot tall.

Commissioner Howald stated that the trees need to be removed and agreed with Commissioner Tingley's comments regarding replacing them with mature trees.

**Motion by Commissioner Tingley;** seconded by Commissioner Howald to approve the request to remove five (5) City Special trees – Neighborhood trees located at 15th Street adjacent to 544 Aliso Avenue as recommended by staff and direct staff to review the type and size of tree with which to replace them. Motion carried by acclamation.

**B. Special Tree Removal – 621 Poppy Avenue**

*Recommendation:* Consider request of MOD Staff to remove one City Special tree – Neighborhood Eucalyptus (Desert Gum) tree located adjacent to 621 Poppy Avenue to mitigate a potential liability due to severe root loss, a declining canopy and an increased chance of failure and replaced with Australian Willow trees at the same location.

Deputy Director Pisani introduced the item and reported that the property owner has requested that this item be continued until the Commission's October meeting since she is out of town and would like the opportunity to address the Commission. He added that she did not initiate the request for removal.

Commissioner Marston indicated she had suggested conducting a study regarding Poppy Avenue trees in the past and wondered if the matter could be deferred until completion of the study.

Chair Anderson stated that a map of the area would be useful.

Commissioner Marston reiterated that she commented on the matter a year or two ago and expressed concerns regarding the trees on Poppy Avenue.

Discussion ensued regarding a Commission study of the Poppy Avenue trees.

Deputy Director Pisani reported that the matter has not yet been scheduled. The matter of a tree at 300 Poppy Avenue is scheduled to be heard by Council at its September 10, 2013 meeting.

**Motion by Commission Cole;** seconded by Commissioner Englebrecht to continue the matter until the PB&R Commission meeting in October. Motion carried by acclamation.

**C. Ad Hoc Committee – Street Tree Designation List and G-1 Policy Revision**

*Recommendation:*

1. Adopt separate Ad Hoc Committees for Updating the Street Tree Designation List and the Revision of Council Policy G-1
2. Adopt a separate Ad Hoc Committee for Updating the Street Tree List and a separate Ad Hoc Committee for Modifying Council Policy G-1; and appoint two (2) commission members to each Ad Hoc Committee.

Deputy Director Pisani presented details of the report noting recommendations to develop to Ad Hoc Committees as stated above. He addressed the scope of work to be completed by the Ad Hoc Committees and the intent.

In response to Chair Anderson's inquiry, Director Detweiler clarified the need for two Ad Hoc Committees.

Chair Anderson requested volunteers for the two Ad Hoc Committees.

Commissioner Howald addressed the importance of both Ad Hoc Committees and offered to serve on the Ad Hoc Committee in charge of Modifying Council Policy G-1.

Commissioner Englebrecht stated that there may be some duplication and wondered about the possibility of establishing one Ad Hoc Committee and including members of the public.

Director Detweiler reported that staff will also be involved and reiterated that two members of the Commission would be assigned to serve on each.

Deputy Director Pisani reported that original intent was to have one Ad Hoc Committee to address Policy G-1 and have staff address the Street Tree List, since it is a staff function. He added that the Street Tree List Ad Hoc Committee would probably last four to five months and the G-1 Ad Hoc Committee, longer. He added that the Ad Hoc Committees would provide updates to the Commission as a whole.

Commissioner Englebrecht volunteered to serve on the Street Tree Designation List Ad Hoc Committee along with Chair Anderson.

Commissioner Howald volunteered to serve on the G-1 Ad Hoc Committee along with Commissioner Hamilton.

**Chair Anderson opened the public discussion.**

Jim Mosher commented on conflicts with the policy and disagreed that the Street Tree Designation List is a staff function and stated that it should be open to public participation.

**Chair Anderson closed the public discussion.**

**Motion by Chair Anderson:** seconded by Commissioner Marston to adopt the formation of an Ad Hoc Committee to address the Street Tree Designation List consisting of Commissioner Englebrecht and Chair Anderson and the formation of an Ad Hoc Committee to address modification of the G1 policy consisting of Commissioner Howald and Commissioner Hamilton. 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)**

Commissioner Marston reported attending an Off-Leash Dog Park meeting where a member of the public suggested the consideration of having a one-hour per day segment of time for dogs to be off leash and that the matter was deferred until it could be considered by the Homeowners Association. She added that some of the homeowners in the meeting were not in agreement with the idea.

Regarding the Lower Castaways Park Design, Director Detweiler reported that the Committee is scheduled to meet September 6, 2013, in conjunction with the Harbor Commission and has been publicly noticed.

Commissioner Howald invited Commission members to attend a lunch and tour at OASIS on October 23, 2013, at 11:30 a.m.

Commissioner Cole announced an upcoming meeting to discuss the matter of Blackball.

Chair Anderson made a request to have the matter of tracking adult leagues in terms of resident and non-resident members placed on a future agenda.

**7) PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Jim Mosher commented on the Off-Leash Dog Park and reported that the PB&R Commission is often left out of the loop on City items such as the Bicycle Master Plan, plans for Art in the Park and health problems at beaches.

Director Detweiler reported the official conclusion of the City's summer programs and reported on the implementation of a pickleball program and addressed the possibility of converting some of the existing tennis courts into pickleball courts. Staff will continue to monitor the use of tennis courts while considering the matter.

**8) ADJOURNMENT @ 7:09 p.m.**

Submitted by: Jeri Craig  
For Cristal McDonald, Deputy City Clerk

Approved by: Tom Anderson  
Tom Anderson, Chair