

## CITY OF NEWPORT BEACH

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

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#### **1) CONVENE MEETING OF THE PARKS BEACHES & RECREATION COMMISSION TO ORDER – 6:09 p.m.**

#### **2) ROLL CALL**

Present: Tom Anderson, Chair  
Ron Cole, Vice Chair  
Kathy Hamilton  
Walt Howald  
Marie Marston

Absent: Roy Englebrecht

Staff: Laura Detweiler, Recreation & Senior Services Director  
Mike Pisani, Deputy Municipal Operations Director  
Teri Craig, Administrative Assistant

#### **3) NOTICE TO THE PUBLIC**

#### **4) CONSENT CALENDAR**

##### **A. Minutes of the November 5, 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.

**Motion by Commissioner Marston:** seconded by Commissioner Howell, to accept items 4A – 4C of the Consent Calendar. Motion carried by acclamation.

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

##### **A. Special Tree Removal – 554 Hazel Drive**

Recommendation: Consider request of MOD Staff to remove one (1) City Special tree – Neighborhood Eucalyptus (Desert Gum) tree located at 554 Hazel Drive on Poppy Avenue due to the locations of the water main and gas meter lines. Tree would be replaced with an Australian Willow due to the unavailability of the designated street tree ten feet south of the current location.

Deputy Director Pisani presented details of the report addressing location, type of tree. He noted that the request for removal is due to curb and gutter damage; documentation was submitted by the property owner regarding sewer line issues related to the tree, drain-cleaning and sewer

repair expenses incurred by the property owner. He added that the replacement tree would be planted approximately ten (10) feet from the existing tree to not interfere with sewer lines.

Commissioner Marston noted that the property is at 554 Hazel Drive but all the repair work is listed on Poppy Avenue and asked whether it relates to the same property.

Deputy Director Pisani explained that the tree is on the border of 554 Hazel Drive and 612 Poppy Avenue.

Commissioner Marston inquired regarding the differing recommendations.

Deputy Director Pisani explained that earlier, there had been no evidence of the sewer repairs conducted but once the documentation was received staff changed its recommendations. It was noted that although much of the sewer repair involved wipes and hair, the sewers were also affected by the roots of the tree.

**Chair Anderson opened the public discussion.**

Ed Elowe, 612 Poppy, stated that he made the request due to numerous sewer problems over the years. He expressed concerns that when the tree and roots are removed, that the sewer lines not be damaged in the process.

**Chair Anderson closed the public discussion.**

Deputy Director Pisani explained that if damage to the sewer line occurs upon removal of the tree, the City would be responsible to repair it, up to the property line.

**Motion by Commissioner Hamilton;** seconded by Chair Anderson, to approve removal of the tree located at 554 Hazel Drive on Poppy Avenue due to the locations of the water main and gas meter lines. Motion carried by acclamation.

**B. Special Tree Removal — 535 Hazel Drive**

**Recommendation:** *Consider request of MOD Staff to remove one (1) City Special tree – Neighborhood Eucalyptus tree located at 535 Hazel Drive due to conflicts with homeowner's driveway and replaced with an Australian Willow due to the unavailability of the designated street tree ten feet south of the current location.*

Deputy Director Pisani presented details of the report addressing location, type of tree, termite damage and decay, efforts to preserve the tree and recommendations.

In response to Commissioner Marston's inquiry, Deputy Director Pisani addressed the specific tree recommended for removal.

In reply to Commissioner Howald's question, Deputy Director Pisani reported that termite infestation occurs in various types of trees and that this is the first time that a removal of a tree is recommended because of termite infestation and that in terms of the specific tree, it has also experienced decay and stated that there is no hope in saving the tree.

Chair Anderson stated he was unaware that termites attacked live wood.

Commissioner Marston commented on other trees on Poppy that have been significantly pruned and expressed concerns with the growth of the replacement tree into existing electrical lines. She suggested the possibility of selecting a tree that grows to a shorter height.

Deputy Director Pisani stated that it would be a significant amount of time for the tree to reach a height were it would reach the electrical lines and commented that by then, the utilities may be undergrounded.

**Chair Anderson opened the public discussion.**

Carol Rush stated that the tree on the north side of the residence was previously removed for the same reason noting that there is a problem with termite infestation. She added that the tree set for removal is not yet marked adding that both of the trees on the property are infested.

Deputy Director Pisani reported that the northern-most, smaller tree is the one to be removed as it has both termite infestation and decay.

Ms. Rush reported that both trees on the property need to be removed.

Jim Mosher stated that the Australian Willow is not the currently-designated tree for the subject street tree. He added that everyone on Poppy will be affected by the policy change and that they should have an opportunity to speak on the matter.

Mrs. Elowe, 554 Hazel, stated that she lives directly across the street from a childcare center and expressed concerns with public safety related to the surrounding trees. She stated that there is another eucalyptus tree close to Poppy, which should also be removed and went on to say that she would like to see a consolidated, organized approach to assessing all the trees on Poppy Avenue.

**Chair Anderson closed the public discussion.**

Commissioner Marston commented that she had asked staff several months ago, to do a consolidated review of the trees on Poppy.

Deputy Director Pisani reported that staff is currently working with Public Works to survey the trees on the 200 and 300 blocks of Poppy.

Vice Chair Cole inquired about the process going forward in terms of the Commission evaluating the completed survey.

Deputy Director Pisani commented on the initial study being conducted, including private property issues, and stated that it will take several months to complete.

Commissioner Hamilton commented on the depth of the parkways and wondered if the Australian Willow will be considered for other areas of the street. She noted that it appears to be a trend.

Deputy Director Pisani reported that the tree looks like the eucalyptus tree and staff is trying to keep a consistent look on Poppy.

Commissioner Howald commented on the ultimate height of the proposed tree and expressed concerns that the tree would need to be reconsidered in the future because of possible growth

into utility wires. He asked about the research and obtaining a report on G-1 Policy changes in relation to the trees.

Deputy Director Pisani explained that choice of trees is related to Policy G-6, that the City's new tree contractor is working with staff to resolve the issues and that the Commission should be receiving a report during the first part of next year. He added that issues with Policy G-1 will be addressed in the future.

Commissioner Howald expressed concerns about having a consistent policy regarding replacement trees.

Discussion followed regarding future consideration by the Ad Hoc Committee, the Commission and Council of the types of trees to use as replacements on Poppy.

Deputy Director Pisani addressed the estimated time for the replacement trees to grow at specific heights.

Commissioner Howald hoped that a policy changes will be developed soon, taking into account tree heights and possible effects on sewers and power lines.

Commissioner Marston reiterated that the study on Poppy should be the entire length of the street, not just certain blocks. She indicated support for removal of the subject tree but expressed concerns that the replacement tree looks like eucalyptus since many of the eucalyptus trees are being removed. She added that staff should look at using a different replacement tree.

Chair Anderson agreed that the tree needs to be removed but indicated there should be no rush in replacing it until a designated tree is chosen. He reminded members that the Commission can only act on matters on the agenda.

Director Detweiler asked for the Commission specific expectations regarding the tree study on Poppy.

Commissioner Marston stated that the trees should be inventoried as to their health as well as related safety concerns. Depending on the results, an assessment could be made regarding the type of replacement tree to plant. She stated that many of the trees are problematic and will continue to come before the Commission.

Discussion followed regarding the need to update the list of designated replacement trees for specific trees, with at least three choices.

Commissioner Howald agreed that an analysis should be conducted with consideration of all the trees on Poppy.

**Motion by Chair Anderson:** seconded by Commissioner Marston, to approve the removal of one (1) City Special tree – Neighborhood Eucalyptus tree but to defer its replacement subsequent to the result of staff analysis as reported in the near future. Motion carried by acclamation.

**C. Reforestation — 1946 Port Edwards Place**

**Recommendation:** *Consider request of MOD Staff to reforest one (1) City Carrotwood street tree located at 1946 Port Edwards Place and replaced with the designated Golden Rain street tree.*

Deputy Director Pisani presented the staff report addressing location, denial of initial request by staff and actions by the Homeowners Association. He stated that currently there are no curb and gutter issues that would justify removal of the tree by the City. He reported that the tree would be replaced with the designated Golden Rain street tree at the property owner's cost.

Commissioner Hamilton commented on the type of trees in the area.

Director Pisani stated that the Carrotwood is the designated street tree in the area but that it is a problematic tree per the City's G-1 Policy.

Chair Anderson confirmed that the initial request for removal was denied.

Discussion followed regarding Homeowner Associations' reforestation approval process.

**Chair Anderson opened the public discussion.**

Jim Mosher wondered if the City notified neighboring residences regarding the action and pointed out that it takes time to grow a tree of this size and noted the differences in value regarding the existing and replacement trees and questioned if it would be in the public interest to approve the reforestation.

**Chair Anderson closed the public discussion.**

**Motion by Commissioner Marston:** seconded by Vice Chair Cole, to deny the request of MOD Staff to reforest one (1) City Carrotwood street tree located at 1946 Port Edwards Place and replaced with the designated Golden Rain street tree. Motion carried by acclamation.

**D. Bench Donation — 19th Street / West Ocean Front**

**Recommendation:** *Consider bench donation request of Bill Bennett to be located along West Ocean Front at the 19th Street end in memory of Walter D. K. Gibson III.*

Deputy Director Pisani presented details of the staff report noting that a request was made by Bill Bennett to donate a bench to be located along West Ocean Front at the 19<sup>th</sup> Street end, in memory of Walter D. K. Gibson, III. He added that Mr. Bennett is willing to pay for the full cost of the bench in addition to a 10% maintenance fee as required by Council Policy B17. He addressed the location and noted that it is in an area where it will be well-used by residents and visitors.

Commissioner Marston asked about the placement of the bench.

Deputy Director Pisani reported that it would be placed on a four by six concrete pad which is included in the cost.

**Chair Anderson opened the public discussion.**

Carol Martin reported that her view is within the proposed location of the bench. She inquired as to the process by which the City chooses the location for donated benches. She stated that this is a good example of the need for local input and added that this particular location is very impacted because of the City's inability to police existing problems and that it poses a safety concern. She reported blood spots from last summer that the City has not removed and noted multiple accidents in the area. Ms. Martin expressed concerns with possible litigation against the City because of same and access to the boardwalk on 19th Street by accident risks by cyclists.

Jim Mosher commented on existing benches in the area and suggested consideration of the location of the proposed donation in relation to them adding that it would be nice if they were uniformly spaced.

**Chair Anderson closed the public discussion.**

In response to Vice Chair Cole's inquiry regarding how the site was chosen, Director Pisani reported that there is a list for benches in parks but not one for benches on the beach.

Vice Chair Cole commented on challenges with accidents related to the existing curb near the proposed location for the donated bench.

Deputy Director Pisani reported that the pad goes out onto the beach and will not take width away from the ocean front sidewalk. Pedestrian or bicycle traffic will not be affected.

**Motion by Chair Anderson:** seconded by Commissioner Marston, to approve the bench donation request of Bill Bennett to be located along West Ocean Front at the 19th Street end in memory of Walter D. K. Gibson III. 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)**

Deputy Director Pisani reported the retirement of Municipal Operations Director Mark Harmon. He added that at the November 12, 2013 Council meeting, City Council approved a contract with a new vendor for tree services — Great Scott Tree Service and will begin work December 4, 2013. He added that their level of service is very high.

Director Detweiler reported that Santa Claus would be at the Newport Coast Community Center on December 6 at 9:30am. She reported that City offices and community centers will close at noon on December 24, 2013 and will reopen on January 2, 2014. She thanked each staff member and members of the Commission for their work this year and wished everyone a Happy Holiday.

Chair Anderson announced an upcoming meeting of the Youth Sports Commission. He asked about status of adult sports resident/non resident tracking. Director Detweiler reported that the process has been delayed but that staff will address it.

Commissioner Howald asked about the possibility of staff providing information on the trees on Poppy Avenue from 5th to the Ocean and noted that he like to see it on the agenda as soon as possible.

Commissioner Howald commented on the denial of reforestation considered earlier in the meeting and suggested communicating with the Homeowner's Association to discuss possible replacements.

It was noted that the issue of Blackball would be addressed at either the February or March, meeting.

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

Jim Mosher commented on the resignation of former Commissioner Tingley and retirement of Director Harmon and stated that he would expect the City to be actively looking for a

replacement but no such opening is indicated in the City's website. Mr. Mosher also addressed comments made by Council Member Gardner that the Commission was working on an Urban Forest Master Plan to be presented to Council. He suggested the possibility of contracting with a nursery or growing desired trees to ensure their availability and size when needed.

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

Submitted by:

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Teri Craig, Admin Assistant

Approved by:

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Tom Anderson, Chair