

CITY OF NEWPORT BEACH

**Parks, Beaches & Recreation Commission
Regular Meeting
December 1, 2009 – 7pm**

Convened 7:04pm

ROLL CALL

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

Absent: Tom Anderson

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

DIRECTORS COMMENTS

- Director Detweiler noted on the flyer placed on the dais regarding the CPRS CABRM Workshop scheduled on January 16 and asked the commissioners to inform staff if they were interested in attending. She also reported that the Community Service Award procedure was on the dais as well and noted that a meeting with the Committee would be scheduled to discuss revisions. Director Detweiler also reminded the Commission that Winter Wonderland would be held this weekend at Bonita Creek Park from 10:30am – 1pm.
- Director Harmon – nothing to report.
- City Council Actions - Director Detweiler reported that the City Council had voted to close City Hall and various outlying city facilities the week between Christmas and New Years beginning at noon on Thursday, December 24 and returning Monday, January 4.

Chair Brown asked if the libraries would be closed as well. Director Detweiler stated that they would be closed

Director Harmon stated that the General Services Department would be working that week. Director Detweiler stated that the Police and Fire Departments would be operating as well for safety purposes.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Minutes of November 3, 2 009 regular meeting.** *Waive reading of subject minutes, approve and order filed.*
2. **Park & 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 items Consent Calendar items 1-3. Motion carried by acclamation.

Commissioner Lugar stated that since G-1 does not give the Commission much leeway on reforestation requests submitted by HOA he asked if it would be proper to list those under the Consent Calendar as long as staff is recommending approval.

Discussion ensued regarding private and HOA reforestations.

NEW ITEMS

Director Harmon stated that if the Commission would like to discuss items 4 and 6 together as they are both HOA reforestation requests and that staff recommends approval of both, they could do so. He reminded the Commission that the applicant must go through their HOA Board and that a public meeting must be held with a formal vote to support the reforestation for it to move forward for approval by the Commission. He stated that there have been a couple of reforestation requests where the resident went to the HOA Board and the reforestation was not supported by the Board. He stated that staff does check and does require notification on letterhead from either the management company or the board regarding the action.

Chair Brown stated that a letter from the Harbor View Hills South HOA President was attached in lieu of minutes to the item 6 reforestation request.

Discussion ensued regarding the minutes versus letter. Director Harmon stated that the G-1 requires minutes and or a letter from the board stating that the board had met at an open public meeting to discuss the reforestation request and what action was taken.

4. **Reforestation Request.** *Consider reforestation request of Roger Tirabassi at 2515 Lighthouse Lane within the Broadmoor Hills HOA.*
6. **Reforestation Request.** *Consider reforestation request of Gayle Jensen at 424 Dahlia Avenue within the Harbor View Hills South HOA.*

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

Motion by Commissioner Ruzicka to approve reforestation requests for the following:

- *Roger Tirabassi at 2515 Lighthouse Lane within the Broadmoor Hills HOA*
- *Ian Harrison at 3827 Park Green Drive & Melinda Gunton at 4000 Topside Lane within the Harbor View Hills South HOA.*

Motion carried by acclamation.

5. **Reforestation Request.** Director Harmon stated that this reforestation is different in that the property of Gayle Jensen at 424 Dahlia Avenue is not located in a legal HOA. He noted that the G-1 treats this type of request completely different. He went on to say that the resident is required to notify their neighbors and provides an opportunity for those neighbors to respond at the Commission meeting if they have concerns about the removal of the tree. He stated that the big difference between an HOA and a private reforestation is the noticing as they have to go door to door and get signatures

Chair Brown opened the public discussion

Charles Jensen thanked staff for their help through the reforestation process. He asked if the City would pay to fix the sidewalk around the tree planted where it has lifted. He also requested that a palm tree be the replacement rather than what was offered by staff as his next door neighbor has that type and would like it to match.

Chair Brown closed the public discussion

Director Harmon stated that any city property that is damaged would be the city's responsibility to repair; although it has been ground down and does not believe that the sidewalk is a hazard but would

ask staff to visit the location. He went on to say that regarding the brick repair of personal property in a city parkway and noted that the benchmark that staff uses is if the resident at one time applied for an encroachment permit and the resident was given permission to improve the public parkway. If this were the case, the city would repair it; however if an encroachment permit was not requested then it would not be the city's responsibility to repair it. He noted that he would have staff look into that and would let Mr. Jensen know.

Director Harmon stated that there is a designated street tree list and staff is bound to stay within that species on that street. He stated that there are some streets that have more than one designated tree species and will look into that for Mr. Jensen.

Discussion ensued regarding possible conditions and repairs for the request

Motion by Commissioner Lugar to approve reforestation for Gayle Jensen at 424 Dahlia Avenue. Motion carried by acclamation.

COMMITTEE REPORTS –

Parks – Nothing to report.

RSS – Nothing to report.

Budget – Nothing to report

AD-Hoc

–Community Services Award – Commissioner Garrett asked if the Community Service Award procedure was a City policy. Director Detweiler stated that it was a Commission procedure. She stated that the committee will work with staff to fine tune the procedure and then bring it back to the commission for review and approval. Discussion ensued regarding criteria, scope and that better language is included into the procedure to maintain integrity of the award.

Commissioner Ruzicka asked the Commission their thoughts on presenting the Community Service Award to the Vandersloot Family at the memorial service at Castaways on December 6.

Chair Brown stated that he was concerned that the award would lose the impact of coming from the PB&R Commission and that all members might not be able to attend. He noted that he believed it would be better for the family to attend a future meeting to receive the award. Director Detweiler stated that the letter asked Mrs. Vandersloot to contact the office when the family would like to attend a Commission meeting to accept the award.

–Youth Sports Liaison – Nothing to report.

–China Cove Volleyball Court – Chair Brown stated that a representative from the Coastal Commission was to visit the site today was postponed because of illness.

FUTURE AGENDA ITEMS

- Commissioner Hamilton asked that staff look into any possible legal exposure to the City as she has observed the public climbing the rocks at Pirates Cove.
- Discussion ensued regarding naming of public parks and signage enforcement.
- Chair Brown stated that he would like to have a discussion at a future meeting regarding reforestations when it involves homeowners and possibly making it part of the consent calendar

ADJOURNED in honor of Dr. Jan Vandersloot for his extraordinary time and effort to personally care for open space and park properties in the City of Newport Beach **@ 7:38pm**

Submitted by: _____
Teri Craig, Admin Assistant