

## CITY OF NEWPORT BEACH

### **Parks, Beaches & Recreation Commission Regular Meeting June 6, 2024 – 5:00 p.m.**

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#### **I. CONVENE MEETING OF THE PARKS BEACHES & RECREATION COMMISSION TO ORDER – 5:01 p.m.**

#### **II. ROLL CALL**

Present: Kate Malouf, Chair  
Keira Kirby, Vice Chair  
Hassan Archer, Commissioner  
Diane Daruty, Commissioner  
David Granoff, Commissioner  
Heather Ignatin, Commissioner  
Anne Yelsey, Commissioner

Staff: Sean Levin, Recreation & Senior Services Director  
Justin Schmillen, Recreation & Senior Services Deputy Director  
Kevin Pekar, Parks and Trees Superintendent  
John Nelson, City Arborist  
Mariah Stinson, Administrative Support Specialist

#### **III. PRESENTATION**

##### **A. Presentation to Outgoing Commissioner David Granoff**

Recognize outgoing Commissioner David Granoff for his eight years of service on the Parks, Beaches and Recreation (PB&R) Commission.

Recreation & Senior Services Director Levin reported that this would be Commissioner Granoff's last meeting as a Commissioner after having served eight years. He's been very involved as a thoughtful member of the Parks, Beaches and Recreation Commission. His work has been appreciated and a Jacaranda tree has been dedicated in his honor at West Newport Park . Director Levin commented Job Well Done, thanked him for his service, presented the plaque, and took pictures with the Commission.

Chair Malouf thanked Commissioner Granoff for his guidance, leadership and friendship. He is a retired doctor, was very helpful during her first term, and she learned a lot from him. Chair Malouf appreciated and valued what Commissioner Granoff added to the Commission and what he will continue to add to the City.

Commissioner Diane Daruty expressed that she echoed the Chair's sentiments and commented on the fun they've had tackling some of the ad hoc committees.

Vice Chair Kirby commented that she shared some of Commissioner Granoff's sentiments with regard to not knowing what to expect once on the Commission, she

also never expected to serve alongside such great people. Vice Chair stated it's been an honor to work with Commissioner Granoff and she was grateful for the way in which he gave back to the community and thanked him.

Commissioner Archer thanked Commissioner Granoff for all his hard work and stated it's been a pleasure working with him the past several years while experiencing great times and exciting meetings. Part of what makes it fun is the relationships they get to build with other commissioners. He was certain Commissioner Granoff would stay actively involved because of his love for the City.

Commissioner Ignatin echoed what others had said it's been a pleasure serving with Commissioner Granoff and thanked him for his leadership and all he's done for the City. Lastly, she thanked him for being the best pickleball partner ever!

Commissioner Yelsey commented that they've only had one year of service together and thanked him for his guidance during that time.

Commissioner David Granoff apologized to the members of the public for taking so long with the photos and said that eight years is a long time. This Commission accomplished a lot over his term. They were instrumental in pickleball courts at two locations, Marine Avenue trees, Balboa Island benches, overpass bridge over Superior Avenue which is in the works, the renovation of Grant Howald Park, and the new upcoming Junior Guards building that will be celebrating their grand opening on June 12, 2024. He soon found after joining the Commission that it wasn't just about parks and beaches and recreation; there is much work around trees, which is important work. Commissioner Granoff thanked his fellow commissioners for their volunteer work on the Commission and the time they put in to all the responsibilities because of our love for the City. Thank you to all the past Commissioners he served with, Walt Howald and Laird Hayes who both went on to become citizens of the year for Newport Beach. Thanks to the Parks & Recreation staff, all of whom are such great people. These are the people that make this City so wonderful. Thank you to Dave Webb and Public Works for all their hard work. A special thanks to Mariah who answered every question he had and never complained when he sent her his dog pictures! Thank you to the City Arborists who are a wealth of information and instrumental in the tree that was dedicated to him near his home. They go above and beyond for the trees and citizens of Newport Beach. Thank you to the citizens who show up at the meetings, and a special thank you to Mr. Jim Mosher who attends all of the city meetings and could be qualified for citizen of the year. He is altruistic and Commissioner Granoff was sad he couldn't make the meeting. Many thanks to his family, he couldn't be prouder of the adults they have become because of all of what Newport Beach provides. He gets to spend every day with his wife, and it doesn't get better than that!

Director Levin stated that Jim Mosher was not present because he is at the GPAC meeting, and he is part of the committee.

Chair Malouf presented Commissioner Granoff with a gift.

**IV. NOTICE TO THE PUBLIC**

**V. PUBLIC COMMENTS ON CONSENT CALENDAR**

None

**VI. CONSENT CALENDAR**

**A. Minutes of the Parks, Beaches and Recreation Commission Meeting of May 7, 2024**

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

**B. PW Activity Report**

*Recommendation: Receive/file Activity Report of past and upcoming projects and events.*

**C. RSS Activity Report**

*Recommendation: Receive/file Activity Report of past and upcoming projects and events.*

**Motion by Commissioner David Granoff**, seconded by Commissioner Heather Ignatin, to approve item VI. A-C CONSENT CALENDAR. The motion carried by unanimous vote.

**VII. CURRENT BUSINESS**

**A. Reforestation Requests 1000 West Wind Way (Front 2) and 1010 West Wind Way (Front 1)**

*Presentation*

Staff recommend the Parks, Beaches and Recreation (PB&R) Commission:

- a.) Consider the reforestation request of two City-owned Rusty-leaf Fig (*Ficus Rubiginosa*) trees located at 1000 West Wind Way (Front 2) and 1010 West Wind Way (Front 1) due to view issues.

The applicants residing at 1000, 1008, and 1014 Santiago Drive have met the procedural requirements for reforestation established in City Council Policy G-1 - Retention, Removal, and Maintenance of City Trees. If approved by the PB&R Commission, there will be a one-for-one replacement tree, two 36-inch box Crape Myrtle (*Lagerstroemia indica* "Tuskegee") trees, installed at the applicants' cost.

City Arborist John Nelson provided the staff presentation for the reforestation requests for 1000 and 1010 West Wind Way. The tree, a *Ficus rubiginosa*, if left untrimmed, gets aerial roots that sink into the ground. The applicant, Dr. Duma, along with two neighbors have met the procedural requirements for reforestation established in City Council Policy G-1 - Retention, Removal, and Maintenance of City Trees because they submitted petitions with over 60% approving the reforestation.

The trees impede the view of the bay by about 50%. The site conditions for the tree at 1000 West Wind Way led them to include it in their request, for the same reasons. The applicants plan to replace the trees with two 36-inch box Crape Myrtle (*Lagerstroemia indica* “Tuskegee”) trees, installed at the applicants’ cost and at the same location. All properties were notified within 500 feet and signatures were collected within 500 feet in all directions of the subject trees.

Vice Chair Keira Kirby inquired if there had been any feedback from the community.

Parks and Trees Superintendent Kevin Pekar stated that the City received 70% of petitions in favor of the removal and replacement of the trees. There was some commentary on the petitions about the trees being wrong for the site. There was an email reflecting opposition from one of the neighbors on Santiago Drive who did not want to see the trees removed.

Commissioner Anne Yelsey inquired if there had been curb and gutter repairs at the site.

City Arborist Nelson responded that staff asked the concrete supervisor for a history and currently at one of the locations there is a need for curb and gutter repairs, and it is going to be repaired as a condition of the permit. There were a couple of sidewalk panels that were replaced in 2024. Both locations had some grinding done in 2021 and 2019. In 2015 there were two grinds in front of 1000 West Wind Way, and panels replaced and grinds in both locations in 2014.

Commissioner Diane Daruty asked how much larger the trees are expected to grow and the typical pruning schedule for the trees and if there had been previous supplemental trimmings on these trees.

City Arborist Nelson answered not much more, both trees are approximately sixty years old.

Parks and Trees Superintendent Pekar added that when left in their natural condition with pruning, the trees can grow up to 40-50 feet high.

City Arborist Nelson stated that they are pruned every two years and every off year the resident would pay for supplemental trimming. They are outgrowing the city’s ability to trim them without causing great harm to the trees, hence they are impeding views. To his knowledge there have not been supplemental trimmings on these trees.

Parks and Trees Superintendent Pekar added there had been one trim on the tree at the house that’s being remodeled, the homeowner paid for that trim due to needing clearance to repair the roof at 1000 West Wind Way.

City Arborist Nelson answered Commissioner Daruty’s inquiry and stated in that area there are roughly eight Ficus trees, with about 120 total in the Westcliff neighborhood.

Commissioner David Granoff inquired if the applicant homes have height restrictions. City Arborist Nelson answered he was unaware, but imagined it was likely. Commissioner Granoff noted if so, they are not allowed to build up where the tree has grown up. Also, there is a tree that even after trimming is barely preserving the view at 50%. They aren't gaining much by trimming even if it grows within the allotted 20%.

Parks and Trees Superintendent Pekar explained that after the trim in order to have an unimpeded view, they would have to trim the crown of the tree severely. Alternatively, they would thin it out greater than the International Society of Arboriculture (ISA) standard of 25% however due to the way this species of tree grows it would again be blocking the view within six months. City Arborist Nelson explained the trimming process of trees.

Commissioner Granoff requested information regarding view preservation policy within Newport Beach.

Parks and Trees Superintendent Pekar reviewed the G-3 policy for view preservation as it applies to public assets such as trees and bushes and reasonableness of the view request. The Commission decides how to define reasonableness.

Chair Kate Malouf inquired if the Crape Myrtle is common for the area.

City Arborist Nelson stated the Crape Myrtle is a very common tree and adaptable to various styles of homes and planted universally throughout the city unless there is a designated street tree.

Commissioner Hassan Archer inquired how long the tree has been blocking the view. City Arborist Nelson stated probably two decades.

Commissioner Granoff asked what the life expectancy is for the tree. City Arborist Nelson responded tree species can run a lifespan of about 120 years or more with less than that generally in an urban environment. The Ficus in question are about sixty years old with plenty of life left in them. There is a disease that is spreading throughout this species of trees called Botryosphaeria that has been infecting trees in Irvine Terrace.

**Chair Malouf opened public comment.**

Dr. Chris Duma spoke about how it would hurt him to see the trees go because he is a tree hugger. There is a point when they have to go, and these are both old trees; it's time to reforest. The homeowner of the house being remodeled is also in agreement with removing the tree and he had originally thought she would be his biggest hurdle.

Mary Lindsey, 1001 West Wind Way, commented that while she loves the tree, it has caused a lot of damage to their plumbing over the years that has cost thousands of dollars to repair. The roots grew into their plumbing under the foundation of the

house and pulled up the gate between her and her neighbor. Initially she was not in favor of removing the tree until the applicant had introduced her to the program that would require planting a nice large tree in its place. That makes a big difference.

Commissioner Granoff stated that knowing that Ficus trees cause root damage to properties and the properties these two trees sit on are held to specific height requirements, this would be one of the cases in which he could support the removal and replacement of these two trees.

Commissioner Ignatin commented that it's important to look back at the policy and as Kevin stated earlier, the policy places priority on allowing people to have views unless it's unreasonable, and views should not be unreasonably obstructed, so this is pretty straightforward in that these are problem trees that are obstructing views and they are not special trees, and the applicant has over 60% in favor of reforestation.

Commissioner Daruty wanted to see more information to support the removal request because of the number of trees in the area and the potential additional requests to get them removed. More information could include evidence of the plumbing damage, and some information regarding the Homeowner's Association requirements for height limits to preserve views.

Commissioner Granoff commented that the height restrictions on building homes is likely a City building code in that area.

Chair Malouf agreed with Commissioner Granoff in that most of the time the Commission does not lean in the direction of allowing tree removal/replacement but also knew from her own experience the damage these types of trees cause, and she saw these trees firsthand and the view that they obscure.

**Motion by Commissioner Chair Malouf,** seconded by Commissioner David Granoff to:

Approve the reforestation request of two City owned Rusty leaf Fig (*Ficus Rubiginosa*) trees located at 1000 West Wind Way (Front 2) and 1010 West Wind Way (Front 1) due to view issues. There will be a one for one replacement tree, two 36-inch box Crape Myrtle (*Lagerstroemia indica* "Tuskegee") trees, installed at the applicants' cost.

**The motion carried by the following vote:**

**Ayes:** (6) Granoff, Kirby, Malouf, Archer, Ignatin and Yelsey

**Nays:** (1) Daruty

## **B. Cottonwood Tree Donation Castaways Park**

Staff recommends the Parks, Beaches and Recreation (PB&R) Commission:

- a.) Review and approve the donation of a Fremont Cottonwood Tree (*Populus fremontii*) at Castaways Park requested by Lauren Signol. The proposed donation complies with City Council Policy B-17 - Parks, Facilities and Recreation Program Donations.

Parks and Trees Superintendent Pekar reported that this is a tree donation request for Castaways Park by Lauren Signol. The donation is a Fremont Cottonwood 48-inch boxed tree for Sheldon Powell Riley. The donation is worth approximately \$2,500, which includes half of the maintenance per the B-17 Policy. The applicant will receive a certificate of acknowledgement and the donation will be listed in the City's GIS system along with who the donation is honoring. There is no physical plaque onsite. It will be near two other donated Cottonwood trees, which all three together will make a little grove. It is a California Native tree.

**Chair Malouf opened public comment.**

None

**Motion by Commissioner David Granoff**, seconded by Chair Kate Malouf to:

Approve the donation of a Fremont Cottonwood Tree (*Populus fremontii*) at Castaways Park requested by Lauren Signol. The proposed donation complies with City Council Policy B 17 Parks, Facilities and Recreation Program Donations. The motion carried by unanimous vote.

**VIII. ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

Recreation & Senior Services Director Levin announced that Wednesday June 12<sup>th</sup> is the grand opening of the new Junior Lifeguard building.

Vice Chair Kirby noted they are back into the park movie season and she's excited to see what the summer is going to look like since all the movie's last season were jammed packed. Each year seems to keep getting bigger and better.

Commissioner Heather Ignatin thanked staff for all they do for Camp Newport and echoed Vice Chair Kirby about the movie nights. They are a huge success, and it seems the crowds grow each year.

Recreation & Senior Services Director Levin commented that last Friday was the first movie night at Marina Park and several hundred people attended. The dates for future movie nights can be found in the Navigator and on the website. Summer camps are up and running summer camps began this week and will be in full sprint next week with NMUSD students out of school for summer. He thanked the staff for all of the work leading up to summer programming.

Chair Malouf thanked Director Levin and all of his staff for all the work they do every summer. They do a great job.

**IX. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Bryan Tsu thanked the Commission and stated he is a Board member at the Newport Bay Conservancy which partners with the City towards their missions of preserving and protecting Upper Newport Bay. He requested the Commission consider a water fountain be strategically placed at the entrance to the Back Bay trail at the cross section of Back Bay Drive and Shellmaker Road, near the Back Bay Science Center. This entrance sees hundreds of people begin their recreational activities every day. There is a significant amount of parking leading up to the entrance. Once on the trail, there is no water source until they get to the Vista Point access to the trail on Eastbluff Drive by Jamboree Road, approximately three miles away. If traveling from the direction of Vista Point and finishing at Back Bay Drive, there's no water available at the end of the journey. Adding a water source would be beneficial to the incredible experience that the Upper Newport Bay already offers and would add a health benefit during the warm summer months. The water source with container refill element at the Vista Point access is a great example of a simple improvement that would be enjoyed by thousands of people for years to come. Mr. Tsu would love the opportunity to work with staff in finding a spot at this location for a water fountain to be easily installed and help raise awareness and fundraise if necessary.

Commissioner Granoff thanked the Commission and noted he had donated water fountains at his college and that's a great idea. There is a place on the donation list that includes water fountains. It's about \$9,000 dollars. It would be great if the staff and Commission could work with Mr. Tsu.

**X. ADJOURNMENT – 6:05 p.m.**

Submitted by: \_\_\_\_\_  
Mariah Stinson, Administrative Support Specialist

Approved by: \_\_\_\_\_  
Kate Malouf, Chair