



CITY OF NEWPORT BEACH  
**PARKS, BEACHES & RECREATION COMMISSION AGENDA**

Newport Beach Council Chambers — 3300 Newport Boulevard

Tuesday — June 7, 2011 — **6pm**

**Commission Members:**

Marie Marston, Chair  
Phillip Lugar, Vice Chair  
Tom Anderson  
Tim Brown  
Ron Cole  
Bill Garrett  
Kathy Hamilton

**Staff Members:**

Laura Detweiler, Recreation & Senior Services Director  
Mark Harmon, General Services Director  
Sean Levin, Recreation Superintendent  
Teri Craig, PB&R Secretary

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**ORDER AND ROLL CALL**

**COMMUNITY SERVICE AWARD – PRESENTATION TO WATERPOLO COACH TED BANDARUK**

**DIRECTOR'S COMMENTS**

- Director Detweiler
- Director Harmon
- City Council Actions

**PUBLIC COMMENTS**

Members of the public are invited to comment on non-agenda items of public interest. Speakers are limited to three minutes.

***NOTICE TO THE PUBLIC***

This agenda was prepared by the Office of the Recreation & Senior Services Director and staff reports are available at the Department of Recreation & Senior Services. Staff reports or other written documentation have been prepared and organized with respect to each item of business listed on the agenda. Regular meetings of the Parks, Beaches & Recreation Commission are generally held on the first Tuesday of each month at 6pm. If you have questions or require copies of any of the staff reports or other documentation regarding any item of business on the agenda, please contact the Recreation & Senior Services staff at (949) 644-3158. The agendas, minutes and staff reports are also available on the City's website at [www.newportbeachca.gov](http://www.newportbeachca.gov).

All matters listed under **Consent Calendar 1-5** are considered by the Commission to be routine and will all be enacted by one motion in the form listed below. The Commission Members have received detailed staff reports on each of the items recommending approval and there will be no separate discussion of these items prior to the time the Commission votes on the motion unless members of the Commission, staff, or the public request a specific item to be discussed and/or removed from the Consent Calendar for separate action. The City provides a yellow sign-in card for those wishing to address the Commission to assist in the preparation of the minutes. If you do fill out the card please place it in the box at the table. Before speaking, please state your name for the record.

**CONSENT CALENDAR**

**1. Minutes of the April 5, 2011 regular meeting.**

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

**2. Park & Operations Division Activity Report.**

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

**3. Recreation & Senior Services Activity Report.**

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

**4. Bench Donation.**

**Recommendation:** Approve bench donation of Beth Farrell to be located at Galaxy View Park

**5. Reforestation Request.**

**Recommendation:** Approve reforestation request from Irvine Terrace Community Association of two City Tipu parkway trees from 2000 Altura Drive.

**NEW / CONTINUED BUSINESS**

**6. Rules and Regulations for Parks, Park Facilities and Beaches.**

**Recommendation:** Approve/deny a request to review the omnibus changes of Chapter 11.04 of the Newport Beach Municipal Code and forward recommendation to City Council for their review/approval.

**7. Reforestation Request.**

**Recommendation:** Approve/deny reforestation request from Jon Myers of two City Canary Island Pine trees at 321 Anade Avenue.

**8. City Street Tree Designation.**

**Recommendation:** Approve/deny the request to change the street tree designation of the Lemon Scented Gum to the King Palm for Bedford Lane requested by Boldea Bujor, Property Manager at 1728 Bedford Lane.

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This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Teri Craig, PB&R Secretary, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3158 or [tcraig@newportbeachca.gov](mailto:tcraig@newportbeachca.gov)).

**COMMITTEE REPORTS –**

- ***Park Development*** – Brown, Lugar, Marston
- ***Recreation/Senior Activities*** – Lugar, Anderson, Hamilton
- ***Budget*** – Garrett, Brown, Lugar
- ***Community Service Award*** – Garrett, Cole, Hamilton
- ***Youth Sports Liaison*** – Anderson

**FUTURE AGENDA ITEMS** - Matters which Commissioners may wish to place on a future agenda or raise for discussion.

**ADJOURNMENT - IN MEMORY OF VOLLEBALL CONTRACT INSTRUCTOR RON HANKS**

## CITY OF NEWPORT BEACH

**Parks, Beaches & Recreation Commission**  
**Regular Meeting**  
**April 5, 2011 – 6pm**

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**Convened** 6:01pm

**ROLL CALL**

Present: Marie Marston, Chair  
 Tim Brown  
 Ron Cole  
 Kathy Hamilton

Absent: Tom Anderson  
 Phil Lugar

Staff: Laura Detweiler, Recreation & Senior Services Director  
 Mark Harmon, General Services Director  
 Sean Levin, Recreation Superintendent  
 Sonia Villalvazo, Department Asst

**DIRECTORS COMMENTS**

- Director Detweiler stated that the City received the Award of Excellence for Facility Design for the OASIS Project from CPRS and competed against facilities within the state and came out number one. She went on to remind the Commission that the City Youth Track Meet will be held at CdM High School on April 8. She also announced that the Summer Camp Brochure has been mailed to all Newport Beach residents and registration for the CdM 5k has begun and will be held on June 4. Director Detweiler noted that on April 7 the Ronald Reagan Ad Hoc Committee is getting together with the City Manager to discuss placement of the statue.
- Director Harmon stated that the beige beach containers are now being used citywide and staff has received many compliments on the containers, specifically that trash is not being blown around or carried off by the birds due to the lids.
- City Council Actions – None

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

**1. Minutes of the March 1, 2011 regular meeting.**

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

**2. Park & Operations Division Activity Report.**

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

**3. Recreation & Senior Services Activity Report.**

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

**4. Time Change for PB&R Commission Meetings.**

**Recommendation:** Approve PB&R Commission meeting time be changed from 7pm to 6pm based on direction received from Commissioners at the March 2011 meeting.

**5. Item pulled by staff.**

**6. Bench Donation.**

**Recommendation:** Approve bench donation of Michael Moffitt to be located at Peninsula Park

**7. Reforestation Request.**

**Recommendation:** Approve reforestation request from Harbor View Hills South Homeowners Association of one City Brazilian Pepper parkway tree from 3721 Inlet Isle Drive.

**Motion by Commissioner Brown** to accept items 1, 2, 3 4, 6 and 7 of the Consent Calendar. Motion carried by acclamation.

5. **Tree Donation** – Director Harmon noted that should the Commission approve this tree donation the plaque would read *In Recognition of Arthur C Wahlstedt Jr.* which is in compliance with Council Policy B-17 and not what the family requested: *In Honor of DAD Arthur C. Wahlstedt Jr.* Also a reminder that the Commission had approved about a year or so ago that no new trees be planted at Castaways Park but to be clear that this is a replacement tree.

**Motion by Commissioner Brown** to accept the donation of one California Sycamore by Julie Wahlstedt to be located at Castaways Park. Motion carried by acclamation.

### **NEW / CONTINUED BUSINESS**

8. **Tree Removal Request.** Director Harmon stated that staff received a request from Mr. & Mrs. Chambers property owners at 2407 Holly Lane to remove a ficus tree which has caused significant problems with the sewer system and the underground utilities for that property. The Chambers have also expressed concern that the roots of the ficus tree will cause significant to a new driveway and walkway and that the fruit from the tree may cause damage to the automobiles. He went on to say that the Chambers have filed a report with a claim to the City to have the tree removed because of damage. He noted that it is not real clear in reading their application that they have incurred in excess of \$5000 in damage or that they have a quote for that work. But to address the claim staff did hire an outside arborist to look at the tree and the potential for damage that it may have. Director Harmon reported that this has been the direction from the Commission in the past to hire an outside arborist for a third party to look at the tree. He reported that staff hired Mr. Jensen an arborist that the City has used before and that he made some significant findings regarding that tree and there are two that he would like to bring to the attention of the Commission. Director Harmon stated that the first was that Certified Arborist Jensen determined that the tree is not a healthy specimen of a ficus tree and that 70% of the tree roots have been removed to accommodate infrastructure improvements; curb and gutter and new driveway.. Director Harmon stated that the tree is very large and that 70% of the roots are a very significant reduction to the stability of the tree. He went on to say that Mr. Jensen in all fairness does go on to say that with a certain amount of care that possibly those roots could continue to grow and that the tree could become healthy again. Director Harmon reports that staff recommends that the Commission approve the removal of the tree based on Mr. Jensen's report.

Chair Marston noted that staff has two conflicting arborist determinations by one saying that the tree is healthy and the other stating that it is not healthy.

Director Harmon stated that this was correct as the staff arborist felt that there are aspects they do agree with Mr. Jensen regarding the color of the leaves and that the branches are not of the size that comparable trees in the area. He went on to say that staff feels that the tree can still be qualified as a healthy tree. He stated that there is no disagreement on the loss of roots for that tree and that is the concern that staff has.

Chair Marston stated that there are several trees on that street of the same type and appear to be the same size and wondered if this was the only one that has had problems.

Director Harmon stated that he does not have the records of the other trees on that street but that this tree has certainly caused issues with this property.

Commissioner Brown stated that it is safe to assume that the homeowner wants the tree removed.

Chair Marston stated that it looks to be their next door neighbor's tree.

Director Harmon stated that it appears to be right on the property line.

Commissioner Hamilton asked if there was a stability problem with the tree.

Director Harmon stated you just really never know with trees but a 70% root structure for a heavy tree with a large canopy which means its prone to the wind moving it around. Staff's concerned with the significant loss of roots.

Commissioner Garrett stated that his position in the past on these types of trees are clear and that there is no doubt that it is a beautiful tree and why anyone would want it removed; however it probably is in the wrong spot as many of our trees are and would support having the tree removed. He went on to say that his big concern is the safety issue and that if the roots continue to be cut because of the sewer intrusion then that tree will be weakened and if there is another big storm then this could become an issue and so would support removing it.

**Chair Marston opened the public discussion.**

James Devling of Holly Lane and two doors down from the tree stated that two years ago he appeared before the Commission requesting that the tree in front of his house be removed. He went on to say that he does not doubt that these roots are intruding on his neighbor's door as they are extremely invasive; he stated it is very emotional when you are having sewer backups. Mr. Devling stated that when he was here the Commission denied his request and he had a 15 year track record of problems with the tree. He noted that he worked with John Conway and a root barrier was placed and a sewer lateral and quite frankly the Commission's decision was correct. He stated that he was wrong and noted that he believes that the Commission is being misled from this report in that Mr. Conway has determined that the tree is a healthy tree and that if you look at the tree you would see that the tree is nowhere near the sewer lateral of the people requesting the removal and he is not debating that it is not effecting it but is not on top of it and it is immediately next to the driveway of the neighbor to the right at 2415 and that the address that the people are asking that the tree be removed is the next one over. He stated that they did not remove any big roots for the construction of the people that are requesting the removal and that it is way to the right of their house. He noted that they may have removed some small roots but if you look at these trees the roots are very big at the surface in that this is a long way away from their driveway as it is on the other side of the lot. Mr. Devling reiterated that the Commission is being misled and that the notice that the neighbors received stated that the meeting would be at 7pm so believes that the people that live in the house where the tree is in front were given the wrong time as well and stated that he is quite certain that they would not want the tree removed.

Chair Marston asked if he was talking about 2415 Holly Lane.

Mr. Devling stated that yes and that this tree did have some history about 15 years ago as the City put a root barrier in on the north west side immediately and replaced the driveway apron adjacent to the tree and does not believe that there have been any problems since then as far as he is aware and so believes that this 70 year old tree should not be removed without looking at or replacing the sewer lateral is just ridiculous.

**Chair Marston closed the public discussion.**

Chair Marston stated that she did go out to the property and had the same confusion because it appears that the next door neighbor is asking that it be removed with the driveway.

**Motion by Commissioner Brown** that the tree removal request from Mr. & Mrs. Chambers be tabled until the next month and re-notify the effected property owners. Motion carried by acclamation.

- 9. Newport Theatre Arts Center Digital Sign Request.** Superintendent Levin stated that staff had received a letter from Rae & Stan Cohen who have been running the theater on a volunteer basis since 1987 requesting that the existing illuminated marquee sign be changed to a digital sign with changeable copy. He went on to say that these types of signs are not allowed per the Municipal Code without City Council approval. He went on to say that staff is requesting that the PB&R Commission forward a request for the exemption to the City

Council for their approval. He noted that 145 residents within 500 feet of the theater were notified and no comments were received.

Discussion ensued regarding the type of light display.

Associate Planner Janet Brown discussed that the zoning code prohibits animated signs and some of the reasoning of prohibiting it is that it can cause distractions to motorists.

Director Detweiler confirmed that this would not be a scrolling sign but rather static and remain the same throughout the day.

Superintendent Levin stated that it would display the show name, the dates/times and the phone number for ticket information.

**Chair Marston opened the public discussion; hearing none the discussion was closed.**

**Motion by Commissioner Harrison** to forward the request an exemption of the provisions of Section 20.42.050 of the Newport Beach Municipal Code to the City Council to replace the existing illuminated marquee sign at the Newport Theatre Arts Center to a digital sign with changeable copy. Motion carried by acclamation.

**COMMITTEE REPORTS –**

Parks – Superintendent Levin stated that the Public Works Department received the confirmation letter from Coastal Commission regarding Sunset Ridge Park and will hear the issue within six months; and Marina Park has the State Lands issue pending and then that application should be deemed complete and a hearing date should be set with the Coastal Commission. He reminded the Commission that they can obtain up to date information on the City website under projects. Director Detweiler stated that the changes that have been made to the Marina Park project have provided more usable space for classes.

RSS – Nothing to report.

Budget – Nothing to report.

Community Service Award – Superintendent Levin stated that he has an application that he will forward to the Committee.

Youth Sports – *Nothing to report*

**AD- Hoc**

– Marina Park – Nothing to Report.

– Artificial Turf – Nothing to report.

– Reagan Statue Placement – Pending a recommendation from PBR.

**FUTURE AGENDA ITEMS**

- Discussion ensued regarding Blackball – Chair Marston asked staff to provide information to the Commission regarding blackball regulations on the beachfront.

**ADJOURNED @ 6:40pm**

Submitted by: \_\_\_\_\_  
Teri Craig, Admin Assistant



## Municipal Operations Department

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PB&R Commission Agenda  
Item No. 2  
June 7, 2011

**TO:** Parks, Beaches and Recreation Commission

**FROM:** Parks and Trees Maintenance Superintendent and Operations Support Superintendent

**SUBJECT:** *April and May Parks, Trees, and Operations Divisions Activity Report*

### **Parks Maintenance Division Activities**

1. Parks Maintenance Division staff continues working with the Public Works Department on numerous projects in the planning and construction phases.

#### **Projects currently underway:**

- Parking Lot at Washington Street
- Avon and Riverside Tree Planting
- Goldenrod Footbridge and Jamboree Road bridge retrofits
- Jamboree Road Widening at Bristol
- Bitterpoint Pump Station
- Balboa at 15<sup>th</sup> left - turn lane
- Sidewalk, Curb and Gutter Contract - various locations
- Civic Center

#### **Projects that are in the planning phases:**

- Sunset Ridge Park
- Marina Park
- China Cove Slope Stabilization
- CDM tree well planting by the Business Improvement District
- Bristol Street North Landscape
- Buck Gully Erosion Control
- Dover Drive Median
- San Miguel Park staircase rehabilitation

2. During the winter months, the Corona del Mar State Beach picnic area closed for its annual turf maintenance activities.

In addition to the maintenance activities, staff installed new barbecue grills, concrete pad and tables, and hot coal dispensers to the picnic area. Beachgoers are dissuaded from cooking or using open flames on the beaches other than in designated fire rings.



3. Recently, the Parks Division coordinated with the Recreation and Senior Services Department in the installation of a new shade structure at the west section of Bonita Canyon Sports Park. Along with the structure, two benches and a trash receptacle were ordered to match the existing amenities.



4. The weekend of May 20<sup>th</sup> through May 22<sup>nd</sup>, the Exchange Club of Newport Harbor hosted the Field of Honor event at Castaways Park. To commemorate the event, 1,776 United States Flags were placed along the trails at the Park. The Parks Division assisted organizers in identifying locations where the flags would not damage the Park's irrigation systems.



### **Trees Division Activities**

During the month of March, 911 trees were trimmed, 17 trees planted, 23 trees removed, and crews responded to 13 emergency tree calls.

During the month of April, 757 trees were trimmed, 12 trees planted, 19 trees removed, and crews responded to 6 emergency calls.

The City's tree services contractor, pruned trees within the Corona Del Mar, Newport Coast, Balboa Peninsula and Westcliff areas, as part of the City's overall grid trimming schedule. Additionally, the annual pruning of selected Eucalyptus, Ficus and Palm trees are currently taking place throughout the City.

The City's tree services contractor, pruned trees within the Corona Del Mar, Newport Coast, Balboa Peninsula and Westcliff areas, as part of the City's overall grid trimming schedule. Additionally, the annual pruning of selected Eucalyptus, Ficus and Palm trees are currently taking place throughout the City.

1. The 2011 Arbor Day Celebration was held at Harbor View Elementary School on Tuesday, April 19<sup>th</sup>. Staff planned the event with the assistance of School Principal Charlene Metoyer. Parks and Trees Superintendent Dan Sereno emceed the event and provided a presentation on the transformation of Newport Beach over the past 70 years, from an area with very few trees to one containing the beautiful urban forest of today. The day's festivities included:
  - Mayor Pro Tem Nancy Gardner presenting the Arbor Day Proclamation to Principal Metoyer and over 60 students;
  - Marie Marston, Chair of the Parks, Beaches, and Recreation Commission speaking on the importance of trees as a natural resource;
  - Thomas Shoots, Urban Forester (Southern Region) with the California Department of Forestry and Fire Protection, and City Parks and Trees Superintendent Dan Sereno presenting the Tree City USA Flag and Growth Award to Mayor Pro Tem Gardner and Principal Metoyer;
  - 3<sup>rd</sup> grade students reading original Arbor Day poems; and
  - Dan Sereno leading the Student Council in the planting of several trees adjacent to the school at Grant Howald Park.



2. In May 2011, the City approved the removal of a City Eucalyptus tree that is listed as a Special Tree, Neighborhood Tree, in accordance with the removal criteria of Council Policy G-1. The tree was severely leaning and hindering the City's sidewalk repair project.

*621 Carnation Ave on Fourth Ave*



The attached Tree Activity Report summarizes requests and field activities performed during the past months.

**Beach Maintenance Activities**

1. Municipal Operations Crews continue to clean-up following the recent storms that brought severe winds and rain to Newport Beach on Sunday, March 20<sup>th</sup>. These back-to-back storms brought 1.7” of rain measured at the Corporation Yard, which brings the annual rainfall total to over 18” since January 1.



Mechanical loaders, backhoes, bobcats, and even hand sweepers were used to perform additional cleaning at McFadden Plaza, Newport Pier, Balboa Pier, Corona Del Mar State Beach, oceanfront sidewalks, street ends, bike trails, walkways, and parking lots. These areas were inundated by several tons of wind-blown sand as pictured above.

Mechanical street sweeping equipment collected hundreds of cubic yards of material during the two week clean-up period. In conjunction with the mechanical equipment, hand crews were able to pick up larger branches, palm fronds, trash, as well as the small piles of sand left behind by the street sweeping equipment. In the coming weeks, staff will continue to clean and detail areas to ensure that everything is back in order.

2. Rainbow Disposal has now officially taken over the service of beach bin refuse collection. The City’s two six-wheel drive trash trucks (affectionately nicknamed “Queen Mary” or “Queenie”) that provided this service had become unserviceable and too costly to repair and replace. The iconic metal trash bins were also too costly to replace due to the many years of deterioration caused by the marine environment. Effective Friday, April 8<sup>th</sup>, 168 sand-colored plastic bins are now serviced by contract. Rainbow started servicing 60 bins February 4 during a “Pilot Phase” between the Newport Pier and the Santa Ana River Jetty.



Following the success of the Pilot Phase, Rainbow implemented the remainder of the program for the rest of the City's oceanfront beaches. This would include the areas from the Newport Pier to the Wedge as well as Corona del Mar State Beach. Rainbow's trucks are powered by clean-burning compressed natural gas (CNG) and Rainbow will also be responsible for the upkeep of the trash bins. These bins will prove to be an excellent addition with their hinged lids to prevent loose debris being scattered about by seagulls or strewn about from the wind.

See attached Municipal Operations Department, Activities Reports for March and April 2011.

Submitted by:

Dan P. Sereno  
Parks and Trees Maintenance Superintendent

Jim Auger  
Operations Support Superintendent

Attachments: (A) Tree Activity Report 2010-2011  
(B) Municipal Operations Department, March and April 2011 Activities Reports



# Municipal Operations Department

Parks and Trees Division  
 Reforestation and Tree Removal Activity Report  
 Fiscal Year 2010-2011

	July	August	September	October	November	December	January	February	March	April	May	June	Total
Tree Removals	5	15	3	1	3	0	10	4	19	17			<b>77</b>
Emergency Tree Removals	0	0	0	0	0	3	0	0	0	0			<b>3</b>
Claim Related Tree Removals	0	0	0	0	0	0	6	0	0	1			<b>7</b>
Reforestation Tree Removals	0	2	1	0	0	27	1	0	4	1			<b>36</b>
Problem Tree Removals	1	0	0	0	0	0	1	0	0	0			<b>2</b>
<b>Total Removals</b>												<b><u>125</u></b>	

Trees Planted	6	4	0	1	6	0	16	16	17	12			<b>78</b>
Reforestation Requests	0	1	1	2	0	1	0	0	1	1			<b>7</b>
Reforestation Approved	0	0	1	2	0	1	0	0	1	1			<b>6</b>
Removal Requests	0	0	0	0	0	0	0	0	0	0			<b>0</b>



# Municipal Operations Department

## Parks and Trees Division Fiscal Year 2010-2011

### Claim Removals

Month	# Trees	Location(s)
July-10	0	
August-10	0	
September-10	0	
October-10	0	
November-10	0	
December-10	0	
January-11	6	721 Orchid Avenue
February-11	0	

### Problem Tree Removals

Month	# Trees	Location(s)
July-10	1	217 Heliotrope Avenue
August-10	0	
September-10	0	
October-10	0	
November-10	0	
December-10	0	
January-11	1	1300 Keel Drive
February-11	0	

### Reforestation Tree Removals

Month	# Trees	Location(s)
July-10	0	
August-10	2	2800 Cliff Drive
September-10	2	1706 Paloma Drive
October-10	0	
November-10	0	
December-10	27	Cameo Community HOA
January-11	1	1220 Keel Drive, HVHS HOA
February-11	0	
March-11	4	1069 Buckingham Lane, 1601 & 1619 Bedford Lane
April-11	1	3721 Inlet Isle Drive, HVHS HOA

<b>General Services Department Activities Report - March 2011</b>	<b>This Month</b>	<b>This Month Last Year</b>	<b>Total To Date</b>	<b>TTD Last Year</b>
<b>Asphalt/Concrete</b>				
Street Patching (Tons of Blacktop)	280	271	1,798	2,213
Sidewalk Repaired (sq. ft.)	3,420	6,325	28,337	36,686
Curb & Gutter Replacement (lin. ft.)	265	538	2,186	2,188
Sweeping, Beach Cleaning, Demo Materials (tons)	331	535	2,606	3,669
Asphalt/Concrete Recycled (tons)	376	204	2,200	2,684
<b>Signs &amp; Traffic Markings</b>				
Signs Made	39	28	1,192	5,286
Signs Installed	196	199	1,569	1,702
Decals	2	2,100	496	2,441
Special Purpose Signs/Banners Made	55	19	443	229
Street Striping (lin. ft.) Added/Replaced	173,915	3,044	418,960	18,668
Pavement Markings (including reflective)	262	46	623	381
Parking Stalls	12	0	58	138
Curb Painting (lin. ft.)	165	577	13,219	67,560
Thermoplastic (lin. ft.)	13,576	0	29,183	14
Sign Posts Installed	15	38	150	206
<b>Graffiti</b>				
Graffiti Incidents Removed by Staff	10	16	193	121
Graffiti Incidents Removed by Contractor	22	71	391	899
<b>Refuse Collection</b>				
Residential (tons)	2,814	2,819	25,412	25,461
Liquid HazMat Incidents	23	19	235	172
E-Waste Incidents	10	7	137	170
U-Waste Incidents	7	10	118	101
Recyclables (tons)	1,159	1,187	10,640	10,754
<b>Trees</b>				
Trimmed by Staff	39	0	198	805
Trimmed by Contractor	911	646	8,261	8,022
Removed	23	30	115	96
Planted	17	9	66	81
Roots Pruned by Contractor	13	1	27	33
Roots Pruned by Staff	8	2	17	106
<b>Automotive</b>				
Repairs	233	314	2,281	2,510
Preventive Maintenance Completed	77	76	654	648
PM Labor Hours	161	152	1,595	1,445
<b>Beach Maintenance</b>				
Beach Area Refuse (tons)	81	85	921	937
Beach Debris (tons)	118	288	881	1,664
<b>Sweeping/Storm Drain</b>				
Gutter Miles Swept	2,809	4,399	32,940	38,940
Sweeping Debris (cubic yards)	470	508	4,677	4,666
Storm Drain Debris (cubic yards)	60	55	508	682

<b>General Services Department Activities Report - April 2011</b>	<b>This Month</b>	<b>This Month Last Year</b>	<b>Total To Date</b>	<b>TTD Last Year</b>
<b>Asphalt/Concrete</b>				
Street Patching (Tons of Blacktop)	265	491	2,063	2,704
Sidewalk Repaired (sq. ft.)	3,740	5,504	32,077	42,190
Curb & Gutter Replacement (lin. ft.)	316	140	2,502	2,328
Sweeping, Beach Cleaning, Demo Materials (tons)	212	339	2,818	4,008
Asphalt/Concrete Recycled (tons)	316	532	2,516	3,216
<b>Signs &amp; Traffic Markings</b>				
Signs Made	54	184	1,246	5,470
Signs Installed	207	236	1,776	1,938
Decals	0	67	496	2,508
Special Purpose Signs/Banners Made	20	296	463	525
Street Striping (lin. ft.) Added/Replaced	33,858	2,556	452,818	21,224
Pavement Markings (including reflective)	61	33	684	414
Parking Stalls	25	94	83	232
Curb Painting (lin. ft.)	60	3,908	13,279	71,468
Thermoplastic (lin. ft.)	2,209	0	31,392	14
Sign Posts Installed	27	23	177	229
<b>Graffiti</b>				
Graffiti Incidents Removed by Staff	15	28	208	149
Graffiti Incidents Removed by Contractor	63	305	454	1,204
<b>Refuse Collection</b>				
Residential (tons)	2,622	2,763	28,035	28,224
Liquid HazMat Incidents	26	22	261	194
E-Waste Incidents	13	19	150	189
U-Waste Incidents	10	10	128	111
Recyclables (tons)	1,092	1,155	11,732	11,909
<b>Trees</b>				
Trimmed by Staff	27	13	225	818
Trimmed by Contractor	757	803	9,018	8,825
Removed	19	0	134	96
Planted	12	20	78	101
Roots Pruned by Contractor	2	7	29	40
Roots Pruned by Staff	9	16	26	122
<b>Automotive</b>				
Repairs	201	295	2,482	2,805
Preventive Maintenance Completed	72	78	726	726
PM Labor Hours	161	152	1,755	1,596
<b>Beach Maintenance</b>				
Beach Area Refuse (tons)	94	87	1,014	1,024
Beach Debris (tons)	47	44	928	1,708
<b>Sweeping/Storm Drain</b>				
Gutter Miles Swept	3,329	4,482	36,269	43,422
Sweeping Debris (cubic yards)	258	532	4,935	5,198
Storm Drain Debris (cubic yards)	25	59	533	741

## Recreation Services Monthly Activities Report

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To: Parks, Beaches & Recreation Commission

From: Sean Levin, Recreation Superintendent

Re: Recreation Division Monthly Activities Report

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### **NEWPORT BEACH AT THE WATER FESTIVAL**

For the past three years, Newport Beach's Marine Protection & Education group has hosted a booth focusing on *No Dumping - Drains to the Ocean* at the annual Orange County Water Education Festival.

Over 8,000 fourth, fifth and sixth graders from more than 70 Orange County schools, descended upon the Nixon Library on March 23 and 24 for the 15<sup>th</sup> annual event. The two-day festival educates children about local water issues and how water effects their environment.

At the Newport Beach booth, children learned what happens to common everyday items that people carelessly leave behind and tracking the journey of a toy found floating in Upper Newport Bay. They children soon learned that what was once a beloved toy soon became ocean pollution. Students left the booth with a better understanding of the impact of pollution and urban run-off on marine life, and what each of us can do to prevent it.



More than 60 California organizations participated in this annual festival educating children on a variety of water issues ranging from how a water treatment plant works to how groundwater sinks into underground aquifers.

### **WESTERN SNOWY PLOVERS HAVE MONITORS**

On March 24 and again on April 2, interested volunteers attended meetings to discover more about the threatened Western Snowy Plovers that nest along the Balboa Peninsula and how they could help preserve this threatened species from becoming endangered. Beginning immediately, these volunteer monitors will generously donate 8 hours a month walking the "dunes" between B and G Streets observing the bird's behavior as well as public outreach.

The Western Snowy Plover is a small shorebird that weighs up to 2 ounces and is between 6 and 6½ inches long. Its average life span is about 3 years. These birds breed along the coast from early March to late September. Snowy Plover chicks leave the nest within hours after hatching to search for food, but are not able to fly for about a month. Human activity on beaches, such as walking, jogging, walking pets during the plover breeding season can inadvertently cause destruction of eggs and chicks.



The Western Snowy Plover was designated as a threatened species by the U.S. Fish and Wildlife Service (FWS) in 1991. Biologists estimate that no more than 2,270 Snowy Plovers breed along the Pacific Coast of the United States. The species' decline has been attributed to the loss of nesting habitat, human disturbance, and encroachment of invasive plants on nesting grounds and predation. FWS has issued a new proposal that nearly doubles the acreage designated as Critical Habitat. Critical Habitat is a provision under the Endangered Species Act that identifies geographic areas containing features essential for the conservation of a threatened or endangered species, which may require special management.

In addition to the observations of the trained monitors, the Marine Protection division is in the process of erecting dune fencing to deter people, dogs and other predators from the Snowy Plovers' nesting areas, and also will be issuing a letter to nearby residents explaining the purpose of these actions and asking their assistance with compliance.



Marine Protection is always seeking more volunteers to help with this effort. If interested, please contact Michelle Clemente by email [mclemente@newportbeachca.gov](mailto:mclemente@newportbeachca.gov) or phone 949-644-3036.

### **SPRING BREAK DAY CAMP**

During spring break, day campers enjoyed games, crafts, and a fun field trip to the California Natural History Museum and Science Center in Los Angeles! At the Museum, campers learned about mammals, dinosaurs, and California history. They also participated in activities and experiments provided at the Science Center. Forty-nine kids attended Spring Break Camp, which was the highest enrollment in the past five years. Congratulations to the Senior Recreation Leaders and Recreation Leaders for making this spring break a fun and educational week for the day campers!



### **BUSY EARTH DAY FOR MARINE PROTECTION & EDUCATION**

The Marine Protection & Education Division had a busy *Earth Day* weekend on April 16-17. Staff set up their "Drains to the Ocean" booth at the Santa Ana Earth & Health Fest held at Centennial Park on Saturday and were available to answer questions about the Newport Bay watershed and how the actions of residents, even in Santa Ana, affect what drains into the bay and ocean.

On Sunday, staff again set up their "Drains to Ocean" booth, but at the Peter & Mary Muth Interpretive Center. This Earth Day event was sponsored by the Newport Bay Conservancy. Over 1,000 people were at the event and many stopped by the booth. The topic of the day was the problem of trash in the ocean and how even the smallest



actions have great impact on the health of the bay and ocean.

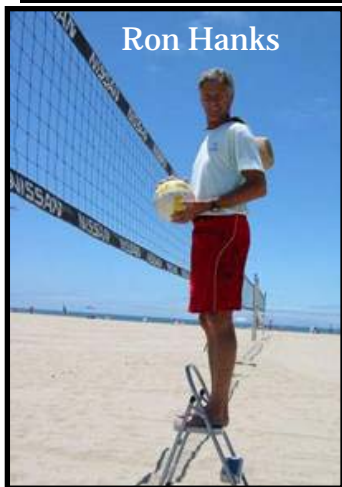


Along with discussions of personal responsibility regarding trash in the bay and ocean, the Marine educators spoke about tidepools and proper tidepool etiquette. Staff then encouraged guests to continue their Earth Day adventures by visiting the Back Bay Science Center. If you would like to see the Marine Protection & Education Division in action, they are set up daily in the summer at Little Corona at their Interpretive Table.

**Something to think about...**Did you know that most of our waste today is comprised of plastic and that this plastic never breaks down? Plastic waste is accumulating in swirling currents called "gyres." The largest of these garbage swirls is roughly twice the size of Texas containing approximately 3.5 million

tons of floating trash midway between Hawaii and San Francisco (for more information go to [greatgarbagepatch.org](http://greatgarbagepatch.org)).

### **BEACH VOLLEYBALL AT CDM STATE BEACH**



Ron Hanks

We are deeply saddened to announce that contract instructor Ron Hanks passed away April 9, 2011. Ron has been teaching Beach Volleyball at CdM Beach for over 14 years. Ron is survived by his wife Laura and two children, Summer and Connor and will be missed. Staff observed the class at CdM on April 16 to meet some of the long time students of Ron's, along with the instructor Ed Ratledge. Ed has worked and played with Ron over the last few years and is excited to follow in Ron's footsteps as coach. Ed is teaching two classes with registration full in both.



### **AQUATIC STAFF TO THE RESCUE**

Adina Zepfel, a freshman at George Washington University who went through the Newport Beach Aquatics training program last year and became certified in first aid and CPR, encountered a potentially life threatening situation on April 11 while at school. She and a friend witnessed a student experiencing a seizure on the floor. Someone called 9-1-1, while Adina who thought quickly on her feet approached the victim and turned him on his side to prevent choking. She then stayed with him until the paramedics arrived on scene to take over the situation. Adina's fast thinking and first aid experience potentially helped to save this student's life.

### **AQUATICS**

On April 30, private swim lessons began at Marian Bergeson Aquatic Center located at Corona del Mar High School. Spring lessons have increased in popularity. First session of lessons will run Saturdays for four weeks, with a second session beginning May 28 at a cost of \$90. Parents were excited to get their children back in the pool with their favorite instructors from last summer.

### **SATURDAY ON THE GREEN**

The Newport Harbor Lawn Bowling Club hosted "Saturday on the Green" on May 7. The lawn bowling open house was open to the public and enjoyed free lawn bowling lessons and a BBQ lunch!



## **SUMMER OF FUN IN NEWPORT BEACH**

The summer edition of the *Newport Navigator* will be mailed to residents on May 23 with summer class registration on May 26. The digital version of [Newport Navigator](#) is located on the City's homepage.

New classes and camps this summer include:

- Surf and Fun offered by Newport Surf Camp
- Youth Stand Up Paddle Camp offered by Newport Aquatic Center
- USC Futbol Academy - Training for Champions offered by USC Futbol Coaches
- Prehistoric Adventures
- GLEE Camp directed by Edutainment Arts
- Bridge the Gap Summer Camp for Kindergarten -1<sup>st</sup> grade, directed by Beginner Blocks
- Baking and Pastry Arts Camp directed by Erika Sauber Benveniste
- Girls Basketball Camp directed by Trifytt Sports.



## **CITY FRIDAY NIGHT LIGHTS FLAG FOOTBALL**

The following email was received congratulating Recreation staff on a job well done!!

**From:** Tom Thompson  
**Sent:** Monday, May 02, 2011 1:45 PM  
**To:** Detweiler, Laura  
**Cc:** Williamson, Scott; Harmon, Jonathon; Ethan Machado  
**Subject:** Corrected Version - Friday Night Flag Football

Tom Thompson  
Newport Coast, CA 92657

Ms. Laura Detweiler

Re. Scott Williamson, Jonathon Harmon, Ethan Machado

Dear Ms. Detweiler:

My son Hayden finished his 4<sup>th</sup> and final year of playing in the Newport Beach City Friday Nights Flag Football Program. I wanted to thank you for having a great program and would like to send special thanks to Scott Williamson, Jonathon Harmon and Ethan Machado. Jonathon not sitting on his laurels has continued to improve the program each year. Scott's videos & announcing may soon be up for a Newport Beach Film Festival Award! The parents I have talked to all agree that the program is well run and their kids all have a wonderful time which is the benchmark of a successful program. My son's first coach was Jonathon Harmon who was incredible with the kids and was able to teach them the basics of football, which is not an easy task for 3rd and 4th graders. His next coach was Ethan Machado. I am not sure how Ethan was able to juggle four teams this year? Somehow it was seamless to the boys. He was always on time to practice and was always full of energy – he found new ways to motivate the kids each week. The kids couldn't wait to see the new plays he would dream up for the next team they were facing. He has a unique gift of being able to coach 5<sup>th</sup> & 6<sup>th</sup> graders. Having a 6<sup>th</sup> grader, I can tell you from experience that it's no easy task! Twelve year olds should be called twelveteens.

The City of Newport Beach is fortunate to have such a great group involved in your Friday Nights Flag Football Program!

Thank you very much.

Sincerely,

Tom Thompson

## **FACILITY RENTALS**

During the period of March 16, 2011 – May 15, 2011 there were:

- 26 Picnic/Park Area Rentals
- 21 Room Rentals
- 14 Field Rentals
- 12 Gym Rentals

There was (1) wedding reservation rentals for this period:

Galaxy View Park, April 30, 2011, 75 guests

## **PARK PATROL**

Requested calls are assigned visits by staff or schedule or phone requests. Customer Contacts are the number of times they stopped and spoke to customers other than requested calls. Due to the timing of the meeting, these monthly summaries will be two months behind (i.e. in June you will receive April summary) During the months of **February** Park Patrol had the following number of contacts:

### 1. Requested Calls

- **265 with Youth Sports Groups**
- **584 Field related issues/checks**
- **36 Park/Picnic/reservation issues/checks**
- **308 Community Center issues/checks**
- **406 Playground checks**
- **22 other**
- **12 BBQ's**
- **9 Tents**
- **9 Pre-event check**
- **3 Post event check**

### 2. Public Contacts

- 197 education
- 4 alcohol
- 171 dog related

**Written Warnings Issued** –7 for dogs off leash and parking violation

**Citations Issued**— 1 parking violation at Arroyo Park; 1 for commercial private tennis instruction at Grant Howald Park.

## **SPECIAL EVENT PERMITS**

As of May 15, 2011, there were 88 Special Event Permits processed and issued for the year (Beginning January 1). Those events of note for this period were:

**Spirit Run** –Fashion Island, 4/27— Attendance: 4000

**Newport Beach Film Festival** – Fashion Island, 4/28-5/1— Attendance: 15,000

**Volcom Surf Contest** – 54<sup>th</sup> Street Beach, 5/12-15— Attendance: 800

# Senior Services Monthly Activities Report

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To: Parks, Beaches & Recreation Commission

From: Celeste Jardine-Haug, Senior Services Manager

Re: Senior Services Division Monthly Activities Report

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## **WHAT'S HAPPENING @ OASIS**

- **Lectures**

- ✚ In April the Center offered many informative medical lectures, such as "Stroke Prevention" presented by neurologist Dr. Vivek Jain at the UCI Medical Center.
- ✚ The second lecture by Dr. William Shankle, Program Director for Memory & Cognitive Disorders at the Hoag Neurosciences Institute. This lecture titled *Healthy Brain Aging* focused on how to prevent cognitive impairment. The Hoag Neurosciences Institute visits the OASIS twice a month with their Vital Aging Program. This community program promotes early detection and prevention of Alzheimer's and related disorders. In-person screenings are conducted at Hoag Hospital and at OASIS.
- ✚ NABPD Crime Prevention Specialist Andi Query presented a Personal Safety Lecture and discussed current crime trends and scams targeting seniors and offered offer some common sense suggestions on protecting yourself.
- ✚ The UCI medical lectures continued at OASIS with *The Prostate-from Benign Enlargement to Cancer* by Dr. Michael Louie, a UC Irvine Urologist specializing in the treatment of prostate enlargement and robotic prostate and kidney surgery.
- ✚ The California Telephone Access Program presented information on May 13 about adaptive telephone equipment and related services for people who have difficulty using standard telephones because of temporary or permanent hearing, speaking, seeing, moving or remembering issues. Demo equipment was displayed and information provided on how to order the equipment free of charge.

- **Tax Assistance** - OASIS has just completed 11 weeks of the AARP-IRS Tax Aide Program. Seven dedicated tax counselors met with 275 individuals to electronically file their Federal and State income tax returns. This Tax Program has been helping people file their tax returns for over 25 years at OASIS. The process has gone from paper returns to laptop computers supplied by the AARP-IRS Tax Aide Program to now utilizing the new OASIS Computer Lab to file online. This was the most efficient year to date and the clients were all extremely appreciative.

- **Special Events**

- ✚ OASIS hosted the Maple Youth Ballet in mid-April for an inside peek of their upcoming performance of "Alice in Wonderland." Dancers performed excerpts of the play, narrated by Director, Charles Maple, in full costume for the fifty seniors in attendance.
- ✚ On April 27, OASIS held its annual Volunteer Recognition Luncheon to recognize the many volunteers that drive many of the programs. Over 140 volunteers were in attendance to enjoy lunch and an enthusiastic Polynesian dance performance. Director Laura Detweiler gave opening remarks and the Friends of OASIS President Scott Paulsen recognized each volunteer group and provided insight into their dedication and efforts. City Manager Dave Kiff and Council Member Leslie Daigle were also there to show their support. Tupua Productions, a frequent performer at Don the Beachcomber and The Reef, performed a Polynesian dance show and serenade for volunteers. A Hawaiian style lunch was provided by Jay's Catering.

- **Classes and Activities –**

- ✚ Music classes and groups continue to grow at OASIS! The long-time ukulele group is going strong with close to 100 people strumming along with leader Tony Cappa every Monday afternoon. Senior Marianne Ripley leads a weekly hula lesson for 20 women.



- ✚ The “Sing and Pick Hootenanny Group” provides a place for senior musicians to jam together to folk and country songs. Other musical groups include Sing Along, Line Dancing, and Zumba- a Latin based dance/fitness class.



- ✚ Zumba Gold Flash Mob at Fashion Island - The OASIS Zumba classes took Fashion Island by storm on April 30 with a flash mob. Led by instructors Cathy Badum and Sandy McCormick, 40 students from their youth, adult and senior Newport Beach contract classes danced their Latin-based steps to two songs while close to 100 Fashion Island shoppers gathered, took pictures and cheered them on. Well over 100 seniors participate in Zumba classes at OASIS which are offered five days a week.

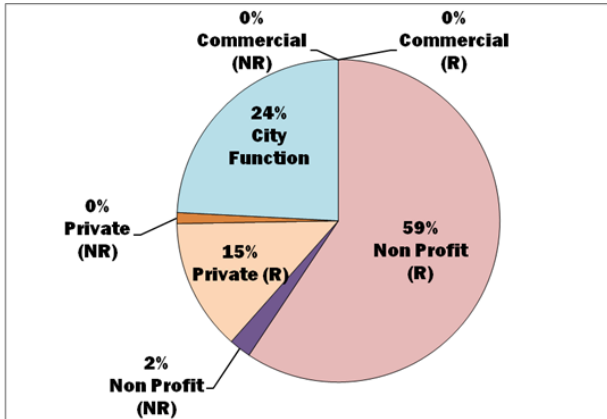


- ✚ **Senior Artists –** Senior art classes are growing and thriving at OASIS. Adults in their 50s, 60s, 70s, 80s and even 90s are developing their creative side in our state-of-the-art “Art Center”. OASIS offers a wide variety of art classes and workshops: beading, ceramics, drawing, knitting, oil painting, watercolor and woodcarving.

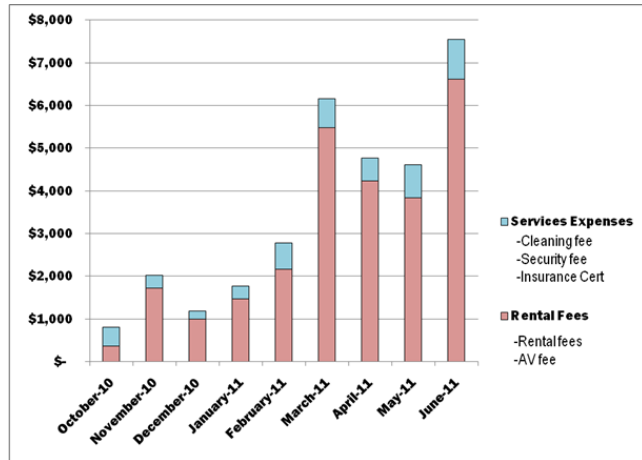


- Facility Rentals** - In April, OASIS facility rentals generated \$4,236 bringing FY 2010-11 revenue totals to over \$36,000. A typical rental of the OASIS Event Center (an average 6 hour event) can generate between \$800 and \$1200. To date, a strong majority of facility rentals at OASIS are from local non-profits and Newport Beach residents. However rental inquiries continue to grow from groups and individuals from all over Orange County.

**FEE CLASSIFICATIONS - FY 2010-11**



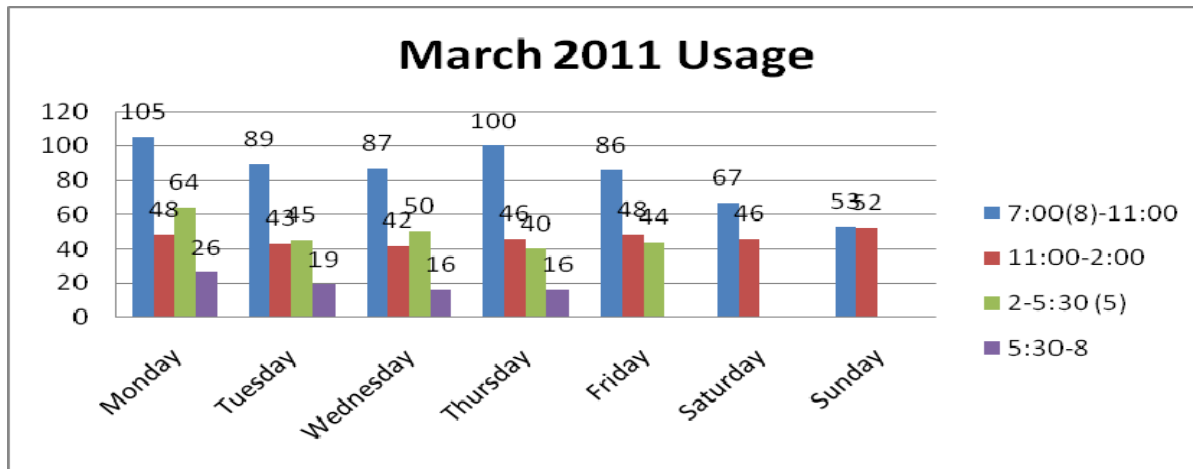
**RENTAL REVENUE (Svc Exp vs. Rental Fees FY 2010-11)**



- Fitness Center Update - March**  
 The OASIS Fitness Center (FC) is achieving its goal of providing a safe, fun and healthy environment for active seniors to stay fit:
  - The FC currently has 1586 members (*as of 4/3*).
  - Three volunteers donated 60 hours of service in the month of March.
  - The most popular time in the FC is between the hours of 7am and 11am.
  - In the month of March, 132 memberships were sold.
 The chart below displays the average daily use (by day) in the FC.

Average Daily Use	Monday	Tuesday	Wed	Thurs	Fri	Sat	Sun
	238	195	193	200	177	114	104

The graph below displays the usage numbers for March at the FC by hours and days of the week.



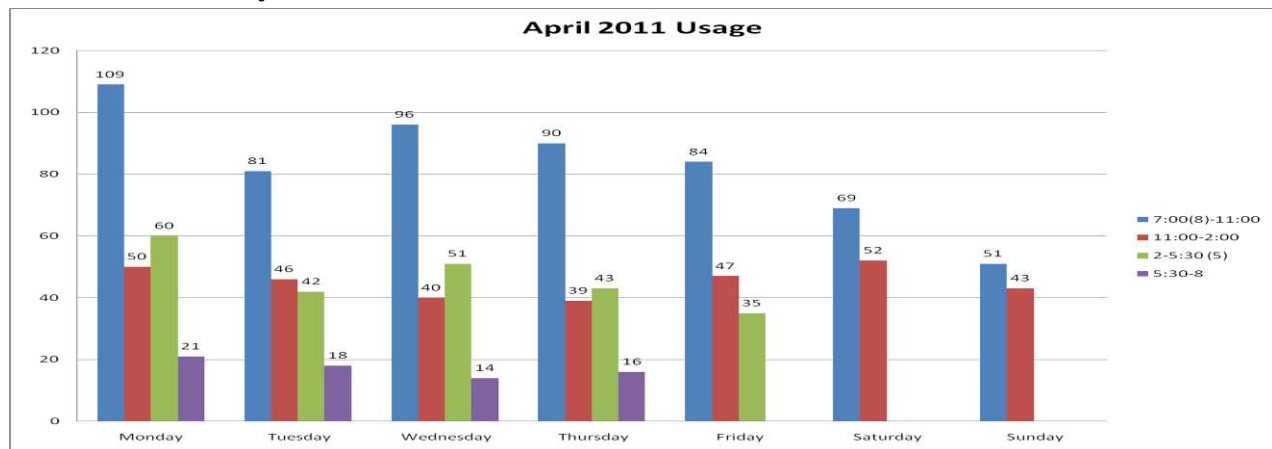
• **Fitness Center – April**

The OASIS Fitness Center (FC) is continuing to achieve its goal of providing a safe, fun and healthy environment for active seniors to stay fit:

- The FC currently has 1780 members
- The most popular time in the FC continues to be between the hours of 7:00 am and 11:00 am. Mondays are usually the busiest day of the week.
- In the month of April, 129 new memberships were sold.
- The following chart displays the average daily use (by day) in the FC.

Average Daily Use	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	238	185	200	188	166	121	93

- Two personal trainers Danielle Hernandez and Robert Keller were added to the FC and introduced to the members.
- The following graph displays “usage” numbers for the month of April in the FC, broken down by hours and days of the week.



<b>Upcoming Events</b>	<b>Date</b>	<b>Time</b>	<b>Responsible Staff</b>	<b>Phone</b>	<b>Location</b>
<i>Interpretive Table @ Little Corona</i>	<i>Daily</i>	<i>10am</i>	<i>Michelle Clemente</i>	<i>644-3038</i>	<i>Little Corona</i>
<i>Back Bay Science Center Cmty Days</i>	<i>Sundays</i>	<i>10am</i>	<i>Michelle Clemente</i>	<i>644-3038</i>	<i>Back Bay Science Ctr</i>
<i>Putnam County 25<sup>th</sup> Ann Spelling Bee</i>	<i>5/27-6/26</i>	<i>8pm</i>	<i>NTAC Staff</i>	<i>631-0288</i>	<i>Newport Theatre Arts Ctr</i>
<i>CdM 5K</i>	<i>6/4</i>	<i>7am</i>	<i>Janet Cates</i>	<i>644-3154</i>	<i>Ocean Blvd</i>
<i>Hike the Marine Protected Area</i>	<i>6/11</i>	<i>9am</i>	<i>Michelle Clemente</i>	<i>644-3038</i>	<i>Little Corona</i>
<i>Thanksgiving in June</i>	<i>6/17</i>	<i>Noon</i>	<i>Justin Schmillen</i>	<i>644-3244</i>	<i>OASIS Senior Center</i>
<i>Beach Clean Up Day</i>	<i>6/25</i>	<i>9am</i>	<i>Michelle Clemente</i>	<i>644-3038</i>	<i>Little Corona</i>
<i>39<sup>th</sup> Independence Day Parade</i>	<i>7/4</i>	<i>10:30am</i>	<i>Matt Lohr</i>	<i>644-3164</i>	<i>Mariners Park</i>
<i>Newport Peninsula Festival</i>	<i>7/4</i>	<i>9am</i>	<i>Matt L</i>	<i>644-3164</i>	<i>38<sup>th</sup> Street Park</i>
<i>OASIS Talent Show</i>	<i>7/6</i>	<i>2pm</i>	<i>Justin Schmillen</i>	<i>644-3244</i>	<i>OASIS Senior Center</i>
<i>Coastal Clean Up Day</i>	<i>9/16</i>	<i>9a</i>	<i>Michelle Clemente</i>	<i>644-</i>	<i>tle Corona</i>

*“Your First Choice for Connecting People, Play & Programs”*

# March – April 2011 OASIS SENIOR CENTER UTILIZATION REPORT

PARTICIPANTS ATTENDING	30,510 CUSTOMERS
RECREATIONAL CLASSES	7,563 CUSTOMERS
FITNESS CENTER	10,423 CUSTOMERS
PERSONALIZED SERVICES PROVIDED	6,271 CUSTOMERS

Includes:

Blood Pressure	117	Information/Referral	<b>4180</b>
Counseling-persons	130	Legal Assistance	23
Eldercare	5	Senior Assessment(hrs)	75
Employment	45	Telephone Reassurance	459
HICAP	17	Visual Screening	8
Housing counseling	80	Transportation Info	1000
		Taxes (Seasonal)	132

SENIORS RECEIVING TRANSPORTATION SERVICES	2,513 RIDERS
Care-A-Van/Shuttle	

CUSTOMERS RECEIVING NOON MEALS AT THE CENTER*	2,210 CUSTOMERS
*includes meals on wheels	

VOLUNTEER HRS. OF SERVICES PROVIDED AT THE CENTER	2,804.50 HOURS
Includes: Kitchen & Home Delivered Meals	(*equiv. to 9 full-time employees)

Front Office	Travel Office
Gift Shop	Library
Instructors	President
Treasurer	Vice President
Bookkeeper	Taxes

PARTICIPANTS IN FRIENDS OF OASIS TRAVEL	286 CUSTOMERS
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<u>Day Trips</u>		<u>Long Trips</u>	
Barona Casino	54	San Antonio Spring Fiesta	3
L.A. Walking Tour	44		
Resnik Pavillion- LACMA	45		
Palm Springs Follies	44		
Harrah's Casino	56		
Virginia Robinson Estate	40		

SPECIAL EVENTS/SCREENINGS/LECTURES	1,244 PERSONS		
Big Band Seminar	188	Braille Class	20
Trail Trekkies	64	Memory Screening	13
OASIS Golfers	<b>211</b>	Let's Go Trippin	67
Computer Friends	139	Jewelry Presentation	40
2 UCI Lectures	<b>62</b>	Police Safety Lecture	15
Memory Loss 101	20	Volunteer Luncheon	140
Hoag Lecture- Healthy Brain	<b>200</b>	Maple Youth Ballet	45



## Municipal Operations Department

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PB&R Commission Agenda

Item No. 4

June 7, 2011

**TO:** Parks, Beaches and Recreation Commission  
**FROM:** Mark Harmon, Director of Municipal Operations  
**SUBJECT:** *Bench Donation Request*

### Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission consider the bench donation request at Galaxy View Park. This bench donation would replace an existing wooden bench that will be refurbished and used as a bench replacement as needed.

### Discussion

City Council Policy B-17 establishes criteria for parks, facilities, and recreation program donations within the City. The policy is structured to establish a fair and uniform procedure for making gifts to the City, and to make the donation process easier for staff and donors.

The City has received a request from Ms. Beth Farrell (Attachment A) to donate a bench at Galaxy View Park. The donated bench (Attachment B) is included on the City's Official Bench List and will match the existing benches at this site. Attachment C shows the existing wooden bench and Attachment D depicts the location of the proposed bench donation.

Since the value of the bench is greater than \$1,000.00, the donation is eligible to receive a dedicatory plaque that will be placed on the bench. The submitted plaque verbiage, which complies with City Council Policy B-17, is "In Memory of Nancy C. Kirst".

Staff reviewed Galaxy View Park for additional bench donation sites, and feels if this donation is approved, the Park will have reached full capacity for bench sites. Once this donation is considered, staff recommends that this site be closed to any future bench donations.

Ms. Farrell, Council Member Rush Hill and Dover Shores Community Association have received a copy of this report and a notice of the Commission meeting. This bench donation does not require staff to notice the adjoining property owners, since this is a replacement bench.

Attachments: (A) Ms. Beth Farrell's Gifts for Tomorrow Order Request Form  
(B) Huntington Beach bench style picture  
(C) Picture of existing wooden bench  
(D) Aerial map of proposed location



## Gifts for Tomorrow Order Request Form

Item #

Description



**Park Bench, Galaxy Park,  
as per 03-22-11email photos**

Contact Information

**Beth Farrell**

Name

**1300 W. Nickerson St. #124**

Mailing Address

**Seattle, WA 98119**

**206-390-6628**

**beth@seacriptcompany.com**

Phone

Signature



### DEDICATION PLAQUE INFO

Donors may elect to provide a dedicatory plaque if the value of the donation is greater than \$1,000.

Contact city staff for more information.

**X Custom**

I am interested in dedicatory plaque for my donation.

Plaque is donated for,

**Nancy Kirst**

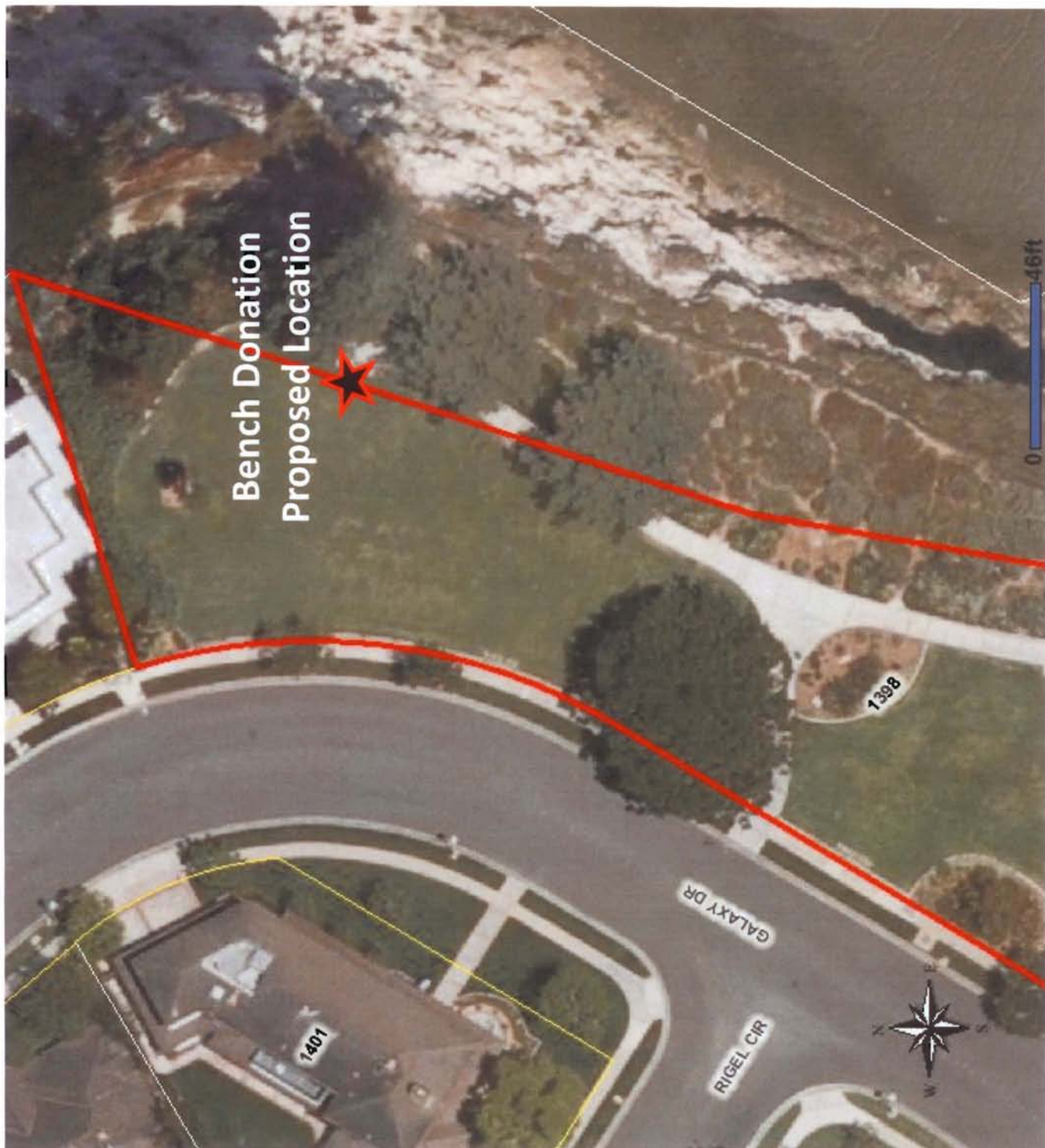
First Name

Last Name









Bench Donation  
Proposed Location

1401

1398

GALAXY DR

RIGEL CIR

0 46ft



## Municipal Operations Department

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PB&R Commission Agenda  
Item No. 5  
June 7, 2011

**TO:** Parks, Beaches and Recreation Commission  
**FROM:** Mark Harmon, Director of Municipal Operations  
**SUBJECT:** *Reforestation Request*

### Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission consider the reforestation request at 2000 Altura Drive within the Irvine Terrace community.

### Discussion

City Council Policy G-1, Reforestation of City Trees requires that individual property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

Per City Council Policy G-1, the Irvine Terrace Community Association, Board of Directors approved the removal of two City Tipu parkway trees.

The property owner has complied with the requirements of Policy G-1, and will submit the full costs of removal and replacement for two City trees, approximately \$728.00 (\$390 for two 24" box replacement trees and \$338 for the removals). However, property owner agreed to have the replacement trees planted elsewhere at a location the City deems appropriate.

Staff has attached a Tree Inspection Report, Tree Inventory Detail, photograph and map related to this request.

Mr. Dean Chandler, Council Member Edward D. Selich, and President of Irvine Terrace Community Association have received a copy of this report and a notice of the Commission meeting.

Attachments: (A) Reforestation Check List  
(B) Policy G-1, Retention or Removal of City Trees, Reforestation of City Trees, pages 6 - 9  
(C) Irvine Terrace Community Association, Resolution of the Board of Directors  
(D) Tree Removal Request Application  
(E) Tree Inspection Report  
(F) Tree Inventory Details  
(G) Existing City Tipu tree picture  
(H) Aerial Map



## TREE INSPECTION REPORT

**Name:** Val Skoro, President  
Irvine Terrace Community Association

**Property Owner:** Dean Chandler

**Tree Site Location:** 2000 Altura Drive / Front-2 & Front-3

**Request:** The Irvine Terrace Community Association is requesting on behalf of the property owner the removal and replacement of two City Tipu parkway trees, based on the criteria of City Council Policy G-1, Reforestation of City Trees.

**Tree Species/Site:** Tipuana tipu - Tipu

**Designated Street Tree:** N/A

**Estimated Tree Value:** \$6,520.00 (\$3,260 each)

**Damage:** Sidewalk damage

**Work History:** The Field Maintenance Division has the following work history recorded for this site:

- o 2007 – Sidewalk repairs, 175 square feet

**Parkway:**            **Concrete**            **Brick**            **Turf**            **(X) Other**

**Comments:** There are currently three City parkway trees adjacent to 2000 Altura Drive, however, the property owner is requesting removal of two City trees (tree sites 2 and 3), due to sidewalk damage as a result of the tree roots. Additionally, due to the insect infestation and micro-injections, the trees are dropping small white pellets which are falling onto the vehicles, causing frequent car washes to prevent paint damage.

The City trees at tree site 2 and 3 were planted at close proximity and have caused the branches to comingle making it difficult to maintain a good appearance.

A field inspection determined the trees are suffering from an insect infestation, however, the trees are treatable and will be treated twice a year to mitigate a future insect infestation. Although the trees were planted at close proximity, annual pruning can mitigate the branches from comingling.

The property owner agreed to pay for two suitable replacement trees at a location the City deems appropriate.

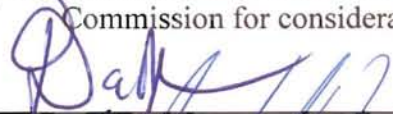
Estimated reforestation costs:

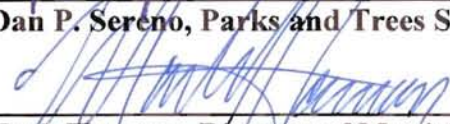
- Removals - \$338.00 (\$169 each x 2)
- Replacements (24" box tree) - \$390.00 (\$195.00 each x 2)

**Total Cost - \$728.00**

**Inspected by:**  **Date:** May 11, 2011  
**John Conway, Urban Forester**

**Recommendation:** Forward the reforestation request to the Parks, Beaches and Recreation Commission for consideration.

**Reviewed by:**  **Date:** May 11, 2011  
**Dan P. Sereno, Parks and Trees Superintendent**

**Reviewed by:**  **Date:** 5/17/11  
**Mark Harmon, Director of Municipal Operations**

Show/Hide Map    Print Report

### Inventory Detail

Dist: 13  
 Address: 2000 ALTURA DR  
 Fictitious: No  
 Location: Front-2  
 On Address: 2000 ALTURA DR  
 Species: *Tipuana tipu*, TIPU  
 DBH/Height: 13-18 / 15-30  
 Parkway Size: 5  
 Utility Overhead: No  
 Sidewalk Damage: No  
 Recommended Maintenance: Grid Trim  
 Estimated Value \$3,260

### WCA Work History

Date	Work Type	Amount	Job#
7/6/2010	Service Request Pruning	\$39.00	16789
7/1/2009	Grid Pruning	\$39.00	14394
7/10/2008	Grid Pruning	\$39.00	12665
5/16/2005	Grid Pruning	\$39.00	7334
6/17/1999	Grid Trimming	\$39.00	2438

### Other Work History

Date	Work Type	Crew	Acct#	Min
5/7/2007	City Raise and Thin Tree	CITY		0



Show/Hide Map

Print Report

### Inventory Detail

Dist: 13  
 Address: 2000 ALTURA DR  
 Fictitious: No  
 Location: Front-3  
 On Address: 2000 ALTURA DR  
 Species: *Tipuana tipu*, TIPU  
 DBH/Height: 13-18 / 15-30  
 Parkway Size: 5  
 Utility Overhead: No  
 Sidewalk Damage: No  
 Recommended Maintenance: Grid Trim  
 Estimated Value \$3,260



### WCA Work History

Date	Work Type	Amount	Job#
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### Other Work History

Date	Work Type	Crew	Acct#	Min
5/7/2007	City Raise and Thin Tree	CITY		0



# CITY OF NEWPORT BEACH General Services Department

## Tree Removal or Reforestation Application

Per City Council Policy G-1 (Retention or Removal of City Trees), I am **requesting** a tree removal(s) to be reviewed by staff and submitted to either the Parks, Beaches, and Recreation Commission for consideration at a future meeting or the appropriate City approving authority. Commission meetings are held on the first Tuesday of each month (except for holidays) at 7PM at the Council Chambers.

TWO (2) - TIJUANA TREES

Indicate the number and specie(s), (if known) of tree(s).

Located at: 2000 ALTURA DRIVE, CORONA DEL MAR

Please be as specific as possible

### Requestor

- Property Owner
- Community Association
- Other \_\_\_\_\_

### Address/ Phone (Daytime) / Email

2000 ALTURA DRIVE  
(949) 723-4847  
DEAN.CHANDLER@CBRE.COM

Signature: Dean Chandler

Date: 4/29/30

Print Name: DEAN CHANDLER

**If this is a reforestation request proceed to the reverse side of this form**

### Section A. For Tree Removal Requests Only

#### Removal Criteria (Check one or more)

Please provide copies of photos, bills, documents or any other related material that will verify the checked items.

- Proven and repeated history of damaging public or \*private, sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities or foundations.  
(\*Greater than \$500)
- Repeated history of significant interference with street or sidewalk drainage.
- Dying Has no prospect of recovery.
- Diseased Cannot be cured by current arboricultural methods.  
In advanced state of decline with no prospect of recovery.
- Hazardous Defective, potential to fail, could cause damage to persons/property upon failure. Assessment by Urban Forester will identify structural defects, parts likely to fail, targets-if fails, procedures and actions to abate.
- Beautification Project In conjunction with a City Council-approved City, commercial, neighborhood, or community association beautification program.

## Section B. For Reforestation Requests Only

Reforestation is the concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of tree(s) for the planted location.

### As initiated by:

- Property Owner  
 Community Association  
 Other \_\_\_\_\_

### Check all items applicable:

- Tree(s) causing curb, gutter, sidewalk or underground utilities damage.  
 Wrong tree species for location  
 View encroachment  
 Area has clearly defined contiguous boundaries that include the tree(s) proposed.  
 Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined.  
 Areas represented by a legally established community association, may submit a resolution of the Board of Directors formally requesting a reforestation.  
 Individual property owners must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners' association, if applicable.

\*A request for reforestation requires a written agreement submitted to the Parks, Beaches, and Recreation Commission by the petitioning sponsor (Individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the General Services Department using the City tree maintenance contractor.

\*There shall be a minimum of a one-for-one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 24" boxed trees and cost \$195 per tree, unless the parkway space will not accommodate a 24" boxed tree or a tree cannot be planted due to planting restrictions contained in City Council Policy G-6.

**This form does not replace the requirements of any of the City tree policies. Its use is intended to expedite the tree removal or reforestation requests and to ensure compliance with all City requirements. Please refer to individual City Council Policy G-1 for additional information.**

### Requestor Comments:

\_\_\_\_\_ . The reason for removal is the trees have damaged the sidewalk in the front of our property making it uneven ( City repaired this about two years ago , the trees get infested with a certain insect which requires the City to have to come out and inject the trees with some type of chemical which then causes the trees to drop small white pellets onto our cars ( we have 3 driving children so we have 5 cars ) which then mixed with the morning dew causes us to constantly have to wash our cars to keep the paint from getting damaged ; two trees have become overgrown and because they are close together the branches are comingled and difficult to maintain a good appearance .

*Removals, except emergency, will be subject to the notification processes, time frames and authority as specified in the City Council G-1 Policy.*



April 22, 2011

Dan Sereno  
Parks and Trees Superintendent  
Municipal Operations Department  
3300 Newport Blvd  
P.O. Box 1768  
Newport Beach, CA 92658

Re: 2000 Altura – Tree Removal

Dear Mr. Sereno:

This letter is to advise you that the Irvine Terrace Community Association held an Open Session Board of Directors meeting on Thursday, April 21, 2011. The Board placed the two (2) Tipuana trees whose roots have become invasive and are damaging the streets on the agenda for review and discussion. The agenda was also distributed to the membership in accordance with the open meeting act.

Please be aware that there was no objection from the membership regarding the tree removals. The Board of Directors motioned and approved the City of Newport Beach to consider removing the two (2) Tipuana trees. It would be appropriate for the City of Newport Beach to remove the trees as they are causing considerable damage to the City streets.

It is requested that you keep the Association informed of the decision made by the Parks, Beaches and Recreation Commission with respect to the tree removals.

If you should have any questions regarding this matter, please contact me at 949/448-6171.

On behalf of the Board of Directors,

A handwritten signature in cursive script that reads "Ryan Shoemaker".

Ryan Shoemaker, CCAM®  
Senior Community Manager



Reforestation Check List

	Verified by:	Urban Forester	Parks and Trees Superintendent	General Services Director
<input checked="" type="checkbox"/> Legally Established Homeowners Association		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Individual Private Property Owner(s)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Reforestation Application		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> (90) days Reforestation Request Compliance		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Resolution of the Board of Directors, Minutes, Notices (Legally Established Homeowners Association)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Damage/Impact

<input type="checkbox"/> Blue Water View Impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Incorrect Tree Species	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Hardscape Damage:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Curb/Gutter			
<input type="checkbox"/> Sidewalk			
<input type="checkbox"/> Utility			

Individual Private Property Owner(s) ONLY

	Verified by:	Urban Forester	Parks and Trees Superintendent	General Services Director
<input type="checkbox"/> Written Agreement by Individual Property Owner(s)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Staff Approved Petition		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Property Owners Signatures Verified		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meets 60% Reforestation Criteria:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#\_\_Property owners notified %\_\_Agreed with removal

Meets Minimum Reforestation Requirements: YES  NO

Department Signature: [Handwritten Signature]

Date: 5/17/11

City Attorney Reviewed: \_\_\_\_\_

Date: \_\_\_\_\_

General Services Director or designee concurs, then the applicant, the adjoining owners, private property owners on either side of the street within 500' in each direction of the tree location and a legally established community association, if applicable, shall be notified of the decision to remove or retain the tree within 30 days of the proposed removal. A legally established community association is responsible for notification of all association members pursuant to their established procedure. The General Services Director, or a designee, shall prepare a staff report for a regularly scheduled PB&R Commission meeting of all trees recommended for removal, except for those trees categorized in Paragraph C. (dead, diseased, or dying trees) or Paragraph E (claims and safety issues) in the preceding section on All Other City Trees. Only an applicant, an adjoining property owner, or a legally established community association, the City Manager, a PB&R Commissioner, or a Councilmember may appeal the decision of the General Services Director not to remove a tree to the Commission. The Commission, in considering any appeal, shall determine whether the removal meets the criteria outlined in this Policy, as well as any unique factors which may be pertinent to the removal or retention of tree(s). The decision of the Commission will be considered final unless called up by at least one Councilmember or the City Manager.

The General Services Department will delay any tree removal(s) for at least 14 calendar days following the date of the Commission decision in order to allow time for a Councilmember or the City Manager to call the item.

The City will replace all trees removed in accordance with the All Other City Trees removal criteria on a one for one basis. Replacement trees will be a minimum of a 36" boxed size. If 36" boxed trees are not available, or funding, or space constraints prevent planting of a large tree, then a minimum of a 24" boxed tree will be planted. The full costs of removal and replacement of Special or All Other Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s).

#### REFORESTATION OF CITY TREES

The concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of trees for the planted location is referred to as reforestation. The Urban Forester shall make a finding for the latter category of inappropriate tree species for a specific location. His determination may be appealed to the General Services Director whose decision will be final.

It is recognized and acknowledged that City trees were planted many years ago and in some cases were planted with specific species that when fully mature cause damage to curb, gutter, sidewalk or underground utilities. Within the geographical boundaries of certain view neighborhoods, City street trees may encroach into blue water views from public and private property depending on the length of time since the trees were last trimmed, or the age and height of the trees. In other cases, the wrong species of tree was planted originally and simply does not conform to the current treescape or represents a safety hazard.

Arborists continue to develop lists of tree species which will grow in restricted parkway areas without causing significant damage to curb, gutter, sidewalk, utilities or loss of views. The City Street Tree Designation List, which specifies a species for each City street reflects an effort by the City to prescribe appropriate tree species that will not cause future problems.

As a City which understands the importance of trees and the beauty they bring to a community, the City desires to continually improve the urban forest through reforestation. In areas where City trees have been removed through City initiation, the City will endeavor to replace the trees with the appropriate designated City tree.

Individual private property owners, as well as legally established community associations, may apply for single or multiple tree reforestations in their respective area by submitting a request to the General Services Director for consideration by the Commission that meets the following requirements:

- A. The proposed area must have clearly defined contiguous geographical boundaries that include the tree(s) proposed for removal and replacement, street address(es), block number(s), or other geographical information. This section applies to individual and group requests.
- B. Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined for reforestation. The petition content must be approved and dated by City staff prior to distribution by the petitioner. The staff-approved petition must be distributed by the petitioner to a maximum of 30 private property owners (up to 15 contiguous private property owners on both sides of the street up to 500' in either direction from the location of the proposed reforestation). Signatures by non-property owners are not acceptable for petition purposes. All petition signatures shall be verified by City staff for

property owner status of the person(s) signing the petition. As an alternative to the above requirements, areas represented by a legally established community association, may submit a resolution of the Board of Directors formally requesting a reforestation with a statement that all members of the community association having their residential views affected, have been officially notified and given an appropriate opportunity to respond before the Board voted on the request. Individual private property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

- C. Individual private property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners' association, if applicable. The petition content must be approved and dated by staff prior to distribution. All petition signatures shall be verified by City staff for private property owner status of the person(s) signing the petition.
- D. A written agreement must be submitted to the Parks, Beaches, and Recreation Commission by the petitioning sponsor (individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the General Services Department. The total costs shall include only the contractor's removal and replacement costs and be paid in advance of any removal actions.
- E. The replacement tree(s) for reforestation shall be the Designated Street Tree(s) as prescribed by City Council Policy G-6, or the organization must request and obtain approval from the Commission of the designation of a different tree species prior to submitting any reforestation request for a tree species other than the designated street tree. This section applies to individual or group requests.
- F. There shall be a minimum of a one-for-one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 24" boxed trees, unless the parkway space will not accommodate a 24" boxed tree or a tree cannot be planted due to planting restrictions contained in Council Policy G-6. If

there is not room for the replacement tree(s) at a specific site as prescribed by City Council Policy G-6, then the replacement tree(s) shall be planted in a public area in the same neighborhood at the option of the petitioner. This section applies to individual or group requests.

- G. Reforestation requests must be completed and submitted in a timely manner by the petitioner. Petitions that are dated more than 90 days in arrears from date stamped by staff before distribution will not be forwarded to the PB&R Commission for consideration.

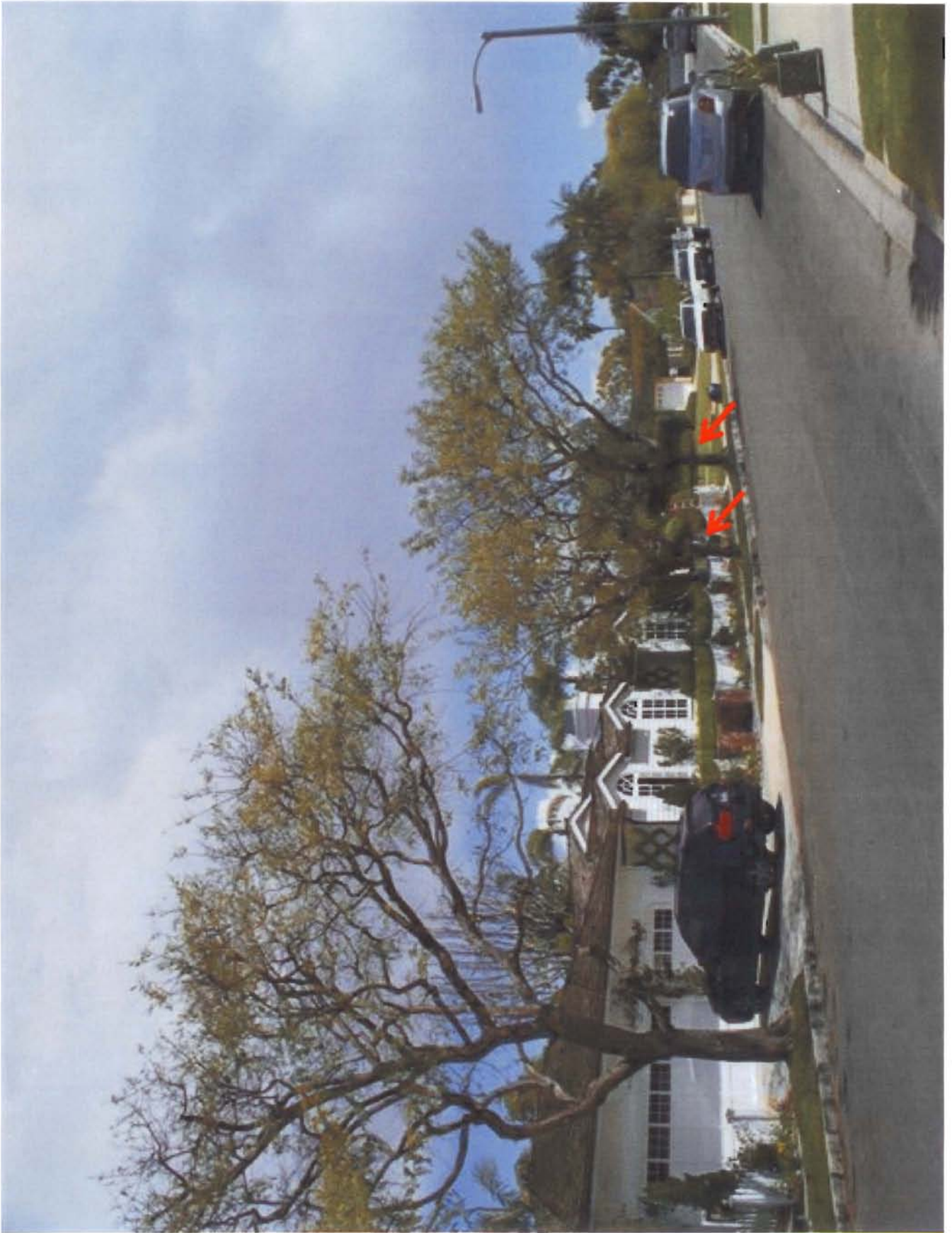
The decision of the Commission on reforestation requests will be considered final unless called up by at least one Councilmember or the City Manager.

#### TREE MAINTENANCE

The City shall require the proper care and watering of replacement trees by the reforestation petitioner to ensure their proper growth and development as outlined in City Council Policy G-6. Furthermore, no person shall tamper with City trees in violation of Section 13.08.040 of the Municipal Code. Further, the City will endeavor to fund the care of the Urban Forest to the highest level possible through the efficient use of regular tree trimming, root pruning, root barrier and pesticide programs.

#### ENCROACHMENT AND DEMOLITION PERMITS

All encroachment permits (permits for private property development which are proposed to encroach upon the City right of way) or demolition permits that involve the removal or replacement of City tree(s) must be specifically noticed by the property owner to City staff prior to the building and/or demolition permit process whenever possible. The proposed construction plans must indicate preservation of existing City trees wherever possible (exempt: dead, dying, or in an advanced state of decline). If the proposed development, as deemed by the General Services Director, requires the removal of City trees, the property owner must submit a tree removal request to the General Services Director, shall pay all related tree removal and replacement costs (one for one replacement) and meet all provisions of Council Policies L-2 and L-6 and City Ordinances 13.08 and 13.09. Approval or disapproval of all tree removal/replacement requests associated with encroachment and demolition permits will be the responsibility of the General Services Director or a designee.







== CITY OF ==  
**NEWPORT BEACH**  
**PB&R Commission Staff Report**

Agenda Item No. 6  
June 7, 2011

**TO:** Parks, Beaches & Recreation Commission

**FROM:** Recreation Department  
Laura Detweiler, Rec & Sr Services Director  
949-644-3157, LDetweiler@newportbeachca.gov

**TITLE:** **RULES AND REGULATIONS FOR PARKS, PARK FACILITIES  
AND BEACHES**

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**ABSTRACT:**

The Parks, Beaches & Recreation Commission is requested to review the omnibus changes of Chapter 11.04 of the Newport Beach Municipal Code pertaining to rules and regulations for parks, park facilities and beaches and make a recommendation to the City Council.

**RECOMMENDATION:**

Staff recommends that the Parks, Beaches & Recreation Commission review and make recommendations regarding the proposed amendments to Chapter 11.04 of Title 11 of the Newport Beach Municipal Code which in summary includes:

- a. General language clean-up.
- b. Inclusion of definitions for:
  1. "Beach" or "Beaches" means any public oceanfront or bay front beach within the City of Newport Beach, including municipal piers, public walkways and strands adjoining beach areas.
  2. "Instructional Activity" means any educational or recreational program or activity involving individual, team, or group instruction that is conducted or performed when there is monetary or other consideration provided for participation in the program or activity.
  3. "Smoke" or "Smoking" means the carrying or holding of a lighted pipe, a lighted cigarette or lighted cigarette of any kind, or any other lighted smoking equipment, and a lighting of a pipe, cigar or cigarette, of any kind, and, inhaling, emitting, or exhaling the smoke of a pipe, cigar, or cigarette of any kind or any other smoking equipment.

c. Inclusion of prohibited conduct:

1. Smoking in a park.
2. Conduct or perform any Instructional Activity in a Park, Park Facility, or on a Beach without first obtaining a written agreement from the Director to conduct or perform said Instructional Activity in a Park, Park Facility, or on a Beach.
3. Continuing to conduct or perform any event, activity, behavior or conduct that is determined to be unsafe, a nuisance, or a disturbance to the public by the Director, a Park Patrol Officer, Code Enforcement Officer, or peace officer after first issuing a verbal or written warning to the person or group of people conducting or performing the event, activity, behavior or conduct that has been determined to be unsafe, a nuisance, or a disturbance to the public.

**DISCUSSION:**

The City of Newport Beach presently owns (or is the assigned trustee of) and operates 73 parks and recreational facilities, 6.7 miles of ocean beaches and 2.5 miles of bay beaches. In order to assure maximum public use and enjoyment of the City's public recreational facilities, staff believes it is necessary to establish rules and regulations governing the operation of their use. In addition, when it is necessary to enforce these rules and regulations the City needs to provide peace officers, code enforcement officers and park patrol officers the necessary authority to ensure the safety and enjoyment of those utilizing these amenities.

The Recreation & Senior Services Department administers the use and scheduling of the City's public park facilities and Instructional Activity on beaches. The Department's staff and Park Patrol program plays a major role in monitoring these uses and enforcement of Chapter 11.04. The Chapter was last amended in 2004 and was in need of review to assure the language was up to date and inclusive of regulations necessary to successfully program and manage the use of recreational facilities. Additionally, at the direction of the City Council and based upon a recommendation of the Environmental Quality Affairs Citizen Advisory Committee, language has been included in the proposed ordinance to prohibit smoking within parks and open space.

Additional definitions are being recommended as the Chapter was silent on "Beaches." The inclusion of "Beaches" within this Chapter is necessary as the Department regularly schedules instructional activities on the City's beachfront. The provision of no smoking in parks or open space necessitates defining the terms "Smoke" and "Smoking."

Recommended changes to prohibited conduct include no smoking in parks, park parking lots and the abutting sidewalks within the public right of way for the health and enjoyment of those visiting City parks and open spaces. The City of Newport Beach currently prohibits smoking on beaches, Ocean Front Walk and piers and within twenty-

five (25) feet of a playground, twenty (20) feet of a community center, or in any building or a portion thereof.

This would reduce exposure to second hand smoke, eliminate cigarette waste being deposited in parks, and reduce the risk of fires associated with discarded smoking materials. Prohibiting smoking supports the philosophy of providing healthy outdoor living, fitness, and recreation activities for the community. There are over 1,900 localities across the United States that restrict smoking in outdoor spaces with several Orange County cities included.

Additionally, recommended prohibited conduct includes performing any Instructional Activity for monetary gain or other consideration provided for participation in the program or activity on public property without first obtaining a written agreement from the Director. The Department frequently encounters private businesses or individuals using the City's public parks and beaches to perform Instructional Activities. These unauthorized Instructional Activities interfere with staff's ability to effectively program and manage the City's parks and beaches and can also significantly limit the general public's ability to utilize these areas. Moreover, these individuals are using public parks and beaches for personal financial gain while at the same time their increased use of the parks and beaches is draining the City's limited resources to maintain them. Staff believes requiring persons who desire to engage in Instructional Activities at a City park or beach to have a written agreement with the City will resolve these issues.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Parks, Beaches & Recreation Commission considers the item).

Submitted by:

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Laura Detweiler, Director  
Recreation & Senior Services Department

Attachments: A. Chapter 11.04 (Track Changes Document)  
B. Chapter 11.04 (Amended Document)

**Chapter 11.04**  
**PARKS, PARK FACILITIES, AND BEACHES—RULES AND REGULATIONS**

Sections:

- 11.04.010 Intent and Purpose.
- 11.04.020 Definitions.
- 11.04.030 General Administration.
- 11.04.040 Park Hours.
- 11.04.050 Closed Park Areas.
- 11.04.060 Permit Requirement.
- 11.04.070 Athletic Leagues—Permit Required.
- 11.04.080 Prohibited Conduct.
- 11.04.090 Violation of Rules and Policies of Department.
- 11.04.100 Ejection.
- 11.04.110 Prohibition Against Obstructing Performance of City Employee.
- 11.04.120 Exemption.
- 11.04.130 Penalty.

**11.04.010 Intent and Purpose.**

It is the policy of the City of Newport Beach to allow maximum public use of the City's public ~~p~~Park f~~Facilities and Beaches~~ subject to rules and regulations necessary for administration and maintenance of the City's public pParks and fFacilities and Beaches. All persons using the City's public ~~p~~Park f~~Facilities and Beaches~~ shall comply with the provisions of this ~~e~~Chapter, ~~in addition to any other provisions contained within this Code. Consistent with the provisions of this Chapter, ~~T~~ the Director of Recreation & Senior Services shall be the City official primarily responsible for administering the use of the City's public pPark fFacilities and Beaches and shall be authorized to establish and enforce this Chapter and establish and enforce all applicable codes, policies, rules and rRegulations regarding the use and administration of the City's public pPark fFacilities and Beaches ~~within the City of Newport Beach.~~~~

**11.04.020 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meaning set forth in this section.

"Beach" or "Beaches" means any public oceanfront or bay front beach within the City of Newport Beach, including municipal piers, public walkways and strands adjoining beach areas.

**Director:** ~~The term "Director" shall means the Director of the Recreation & Senior Services Department, or his or her designee.~~

"Instructional Activity" means any educational or recreational program or activity involving individual, team, or group instruction that is conducted or performed when there is monetary or other consideration provided for participation in the program or activity.

**Park or Park Facility:** ~~The term "pPark" or "pPark fFacility" shall means all publicly owned or leased property, grounds, parking lots, roadways, venues, bike paths, walking or hiking trails, parks and park-related buildings, facilities and improvements, together with the sidewalks or walkways abutting or adjoining the same, and any school facilities when they are in use as recreational or community center facilities and under the control of the Director.~~

**Park Patrol:** ~~The term "Park Patrol" and "Park Patrol Officer" shall means and includes the park patrol officers authorized under Municipal Code Section 1.12.020 of Chapter 1.12.~~

**Person:** ~~The term "Person" shall means an individual, group, organization, association, corporation or any business entity.~~

**Regulations:** ~~The Term "rRegulations" shall means the provisions of this eChapter and such rules, policies and regulations established from time to time by the City Council or the Director for the administration of this eChapter.~~

"Smoke" or "Smoking" means the carrying or holding of a lighted pipe, a lighted cigarette or lighted cigarette of any kind, or any other lighted smoking equipment, and a lighting of a pipe, cigar or cigarette, of any kind, and, inhaling, emitting, or exhaling the smoke of a pipe, cigar, or cigarette of any kind or any other smoking equipment.

#### **11.04.030 General Administration.**

- A. Any activity held at a Park, pPark fFacility, or Beach will be conducted according to the Rregulations of this eChapter and all applicable laws, including fire and safety regulations and applicable municipal code provisions.
- B. Any person or group of people violating the rRegulations or conditions of any permit shall be subject to the immediate revocation of Park or pPark fFacility use privileges and the City will retain all fees previously paid.

- C. Any persons using a Park or pPark fFacility shall be responsible for paying for any damage to or loss of City property connected with such use.
- D. When groups or organizations desire to use a Park or pPark fFacility on an ongoing basis, such use shall be subject to the Director's approval through a separate Park or pPark fFacility use agreement.
- E. Use of a a Park or pPark fFacilityies for group activities or events shall not interfere with the public enjoyment of the pPark or Park Facility; detract from the health, safety, welfare or recreation of the general public; cause unusual or extraordinary expense to the City; nor draw crowds in excess of the capacity of the Park or pPark fFacility.
- F. Scheduling procedures, use regulations and application processes for City Park and pPark fFacilities shall be determined by the Director.

**11.04.040 Park Hours.**

No person shall enter or remain upon any Park ore pPark fFacility between the hours of eleven (11:00) p.m. and six (6:00) a.m.

**11.04.050 Closed Park Areas.**

When necessary for the protection of the public interest, health, or welfare, the Director shall have the authority to close from public access or use, any public pPark, Park Facility, or portion thereof, on a temporary basis. No person shall enter or remain upon areas posted or publicly noticed as closed.

**11.04.060 Permit Requirement.**

- A. The Director may issue permits allowing use of a Park or pPark fFacilityies by one or more persons to the exclusion of others in connection with planned social occasions such as birthday parties, programs and recreational activities. No person(s) other than the person(s) authorized by the permit shall enter or remain on designated Park or pPark Facility areas during the period covered by the permit. All Park or pPark fFacility use permits issued may only be used by the permit holder. Director permits are non-transferable.
- B. The Director shall have the authority to post reservation notices at a Park or pPark fFacilityies notifying the public that a Park or pPark fFacility is reserved for exclusive use during a specified time period, pursuant to a permit. No person shall disobey any reservation notice posted or issued by the Director relating to the use of any Park or pPark fFacility, site, tables or other public accommodations identified in the permit.

- C. Any person not having a permit for the use of a Park or pPark fFacility shall surrender or turn over possession of the Park or pPark fFacility to any person having possession of a valid permit from the Director. It shall be unlawful for any person not having a permit from the Director to refuse to or fail to surrender the use of such Park or pPark fFacility to any person who has a permit for the use of such Park or pPark fFacility from the Director.

**11.04.070 Athletic Leagues—Permit Required.**

Any person(s) organized to engage in repetitive athletic leagues, groups, athletic competition, or any other organized activity for any type of sport at a designated pPark area shall first obtain a permit prior to occupying any City Park or pPark fFacility for games, practices, clinics, or other related events.

**11.04.080 Prohibited Conduct.**

It shall be ~~is~~ unlawful for any person or group of people to conduct, perform or participate in any of the following activities at any Park, pPark fFacility, Beach, or other public property, unless otherwise authorized to do so by the Director.

- A. Hit, strike or chip a golf ball except in designated areas for such purposes.
- B. Rollerblade, roller skate or skateboard on any public tennis or sport court.
- C. Remove, damage or destroy any athletic equipment or paraphernalia provided by the City for use, this section shall not apply to an employee of the City who removes athletic equipment, or paraphernalia while engaged in the course and scope of his or her employment.
- D. Play basketball on any outdoor public basketball court within three hundred (300) feet of any residentially zoned parcel, between sunset or 7seven p.m., whichever is later, and 8eight a.m.
- E. Use any Park or Ppark fFacility for which a City fee is charged or City permit is required without first having paid the required fee and/or having received any required permit.
- F. Drive, propel, ride or park or leave standing any bicycle, ~~or any vehicle~~ propelled by a motor, or remote controlled device except in areas designated for such

purposes, however, this section shall not apply to an employee of the City acting in the course and scope of his or her employment, or to activities authorized by a special event permit issued pursuant to the provisions of Chapter 11.03 of this Code. This section does not permit public parking of event attendees.

G. ~~To Smoke or be Smoking within twenty five (25) feet of a playground, and 20 feet of a community center, or in any building or a portion thereof where signs are in place prohibiting smoking. The Director shall have the authority to designate buildings or portions thereof where smoking is prohibited.~~

H. Camp or lodge except in places designated for such purposes and with specific permission from the City to do so.

I. Conduct or perform any Instructional Activity in a Park, Park Facility, or on a Beach without first obtaining a written agreement from the Director to conduct or perform said Instructional Activity in a Park, Park Facility, or on a Beach.

J. Continuing to conduct or perform any event, activity, behavior or conduct that is determined to be unsafe, a nuisance, or a disturbance to the public by the Director, a Park Patrol Officer, Code Enforcement Officer, or peace officer after first issuing a verbal or written warning to the person or group of people conducting or performing the event, activity, behavior or conduct that has been determined to be unsafe, a nuisance, or a disturbance to the public.

#### **11.04.090 Violation of Rules and Policies of Department.**

No person shall disobey or violate any of the rules, policies ~~or regulations of the Recreation & Senior Services Department~~ issued by the Director governing the use and enjoyment by the public of any pPark, or pPark fFacility, or Beach.

#### **11.04.100 Ejection.**

Any person who violates any of the prohibited conduct provisions in this eChapter shall be guilty of disorderly conduct and may be ejected from the pPark, Park Facility, or Beach by the Director, a Park Patrol Officer, a Code Enforcement Officer or a peace officer. ~~or his or her designee or the Police Department.~~

#### **11.04.110 Prohibition Against Obstructing Performance of City Employee.**

No person shall willfully delay or obstruct any City employee in the performance of his or her duties in a Park, pPark fFacility, or on a Beach.

#### **11.04.120 Exemption.**

The provisions of this Chapter shall not apply to an employee of the City acting in the course and scope of his or her employment, or to activities or programs of the Recreation and Senior Services Department or authorized by a Special Event permit issued by the Director pursuant to the provisions of Chapter 11.03 of this Code.

**11.04.130 Penalty**

A. Any violation of this Chapter is subject to those remedies provided for in Chapters 1.04 and 1.05 of this Code in addition to any other remedies allowed by State and Federal law.

B. Any violation of this Chapter is hereby declared to be a public nuisance.

**SECTION 3:** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 4:** The Mayor shall sign and the City Clerk shall attest to the passage of this ordinance. The City Clerk shall cause the same to be published once in the official newspaper of the City, and it shall be effective thirty (30) days after its adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach, held on the \_\_\_ day of \_\_\_\_\_, 2011, and adopted on the \_\_\_ day of \_\_\_\_\_, 2011, by the following vote, to wit:

AYES, COUNCILMEMBERS \_\_\_\_\_

NOES, COUNCILMEMBERS \_\_\_\_\_

ABSENT COUNCILMEMBERS \_\_\_\_\_

MAYOR \_\_\_\_\_

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By \_\_\_\_\_  
DAVID R. HUNT, CITY ATTORNEY

ATTEST:

\_\_\_\_\_  
LEILANI I. BROWN, CITY CLERK

**Attachment B**  
**ORDINANCE NO. 2011-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
NEWPORT BEACH AMENDING CHAPTER 11.04 OF TITLE  
11 OF THE NEWPORT BEACH MUNICIPAL CODE,  
PERTAINING TO RULES AND REGULATIONS FOR  
PARKS, PARK FACILITIES AND BEACHES**

**SECTION 1: LEGISLATIVE FINDINGS**

The City Council, in adopting this Ordinance makes the following findings:

- A. The City of Newport Beach presently owns and operates 73 parks and recreational facilities in the City to serve residents and visitors alike and is in the planning stages to build additional parks and recreational facilities.
- B. The City of Newport Beach has 6.2 miles of ocean beaches and 2.5 miles of bay beaches which annually attract up to ten million beach visitors.
- C. In order to ensure the maximum public use and enjoyment of the City's public parks, beaches and recreation facilities, the City Council finds it necessary to establish rules and regulations governing their operation and use.
- D. The City Council also finds it necessary to provide a method to enforce these rules and regulations by providing peace officers, code enforcement officers and park patrol officers with the authority to cite residents and visitors for violating these rules and regulations.

**NOW THEREFORE, in consideration of the findings made in SECTION 1, the City Council of the City of Newport Beach hereby ordains as follows:**

**SECTION 2:** Chapter 11.04 of the Newport Beach Municipal Code is hereby amended, in full, to read as follows:

**Chapter 11.04**  
**PARKS, PARK FACILITIES, AND BEACHES—RULES AND REGULATIONS**

Sections:

- 11.04.010 Intent and Purpose.
- 11.04.020 Definitions.
- 11.04.030 General Administration.
- 11.04.040 Park Hours.
- 11.04.050 Closed Park Areas.
- 11.04.060 Permit Requirement.
- 11.04.070 Athletic Leagues—Permit Required.

- 11.04.080 Prohibited Conduct.
- 11.04.090 Violation of Rules and Policies of Department.
- 11.04.100 Ejection.
- 11.04.110 Prohibition Against Obstructing Performance of City Employee.
- 11.04.120 Exemption.
- 11.04.130 Penalty.

**11.04.010 Intent and Purpose.**

It is the policy of the City of Newport Beach to allow maximum public use of the City's public Park Facilities and Beaches subject to rules and regulations necessary for administration and maintenance of the City's public Park Facilities and Beaches. All persons using the City's public Park Facilities and Beaches shall comply with the provisions of this Chapter in addition to any other provisions contained within this Code. Consistent with the provisions of this Chapter, the Director shall be responsible for administering the use of the City's public Park Facilities and Beaches and shall be authorized to enforce this Chapter and establish and enforce policies, rules and Regulations regarding the use and administration of the City's public Park Facilities and Beaches.

**11.04.020 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meaning set forth in this section.

"Beach" or "Beaches" means any public oceanfront or bay front beach within the City of Newport Beach, including municipal piers, public walkways and strands adjoining beach areas.

"Director" means the Director of the Recreation and Senior Services Department, or his or her designee.

"Instructional Activity" means any educational or recreational program or activity involving individual, team, or group instruction that is conducted or performed when there is monetary or other consideration provided for participation in the program or activity.

"Park" or "Park Facility" means all publicly owned or leased property, grounds, parking lots, roadways, venues, bike paths, walking or hiking trails, parks and park-related buildings, facilities and improvements, together with the sidewalks or walkways abutting or adjoining the same, and any school facilities when they are in use as recreational or community center facilities and under the control of the Director.

"Park Patrol" and "Park Patrol Officer" means and includes the park patrol officers authorized under Municipal Code Section 1.12.020 of Chapter 1.12.

"Person" means an individual, group, organization, association, corporation or any business entity.

“Regulations” means the provisions of this Chapter and such rules, policies and regulations established from time to time by the City Council or the Director for the administration of this Chapter.

“Smoke” or “Smoking” means the carrying or holding of a lighted pipe, a lighted cigarette or lighted cigarette of any kind, or any other lighted smoking equipment, and a lighting of a pipe, cigar or cigarette, of any kind, and, inhaling, emitting, or exhaling the smoke of a pipe, cigar, or cigarette of any kind or any other smoking equipment.

#### **11.04.030 General Administration.**

- A. Any activity held at a Park, Park Facility, or Beach will be conducted according to the Regulations of this Chapter and all applicable laws, including fire and safety regulations and applicable municipal code provisions.
- B. Any person or group of people violating the Regulations or conditions of any permit shall be subject to the immediate revocation of Park or Park Facility use privileges and the City will retain all fees previously paid.
- C. Any person using a Park or Park Facility shall be responsible for paying for any damage to or loss of City property connected with such use.
- D. When groups or organizations desire to use a Park or Park Facility on an ongoing basis, such use shall be subject to the Director’s approval through a separate Park or Park Facility use agreement.
- E. Use of a Park or Park Facility for group activities or events shall not interfere with the public enjoyment of the Park or Park Facility; detract from the health, safety, welfare or recreation of the general public; cause unusual or extraordinary expense to the City; nor draw crowds in excess of the capacity of the Park or Park Facility.
- F. Scheduling procedures, use regulations and application processes for City Park and Park Facilities shall be determined by the Director.

#### **11.04.040 Park Hours.**

No person shall enter or remain upon any Park or Park Facility between the hours of eleven (11:00) p.m. and six (6:00) a.m.

#### **11.04.050 Closed Park Areas.**

When necessary for the protection of the public interest, health, or welfare, the Director shall have the authority to close from public access or use, any Park, Park Facility, or

portion thereof, on a temporary basis. No person shall enter or remain upon areas posted or publicly noticed as closed.

**11.04.060 Permit Requirement.**

- A. The Director may issue permits allowing use of a Park or Park Facility by one or more persons to the exclusion of others in connection with planned social occasions such as birthday parties, programs and recreational activities. No person other than the person authorized by the permit shall enter or remain on designated Park or Park Facility areas during the period covered by the permit. All Park or Park Facility use permits issued may only be used by the permit holder. Director permits are non-transferable.
- B. The Director shall have the authority to post reservation notices at a Park or Park Facility notifying the public that a Park or Park Facility is reserved for exclusive use during a specified time period, pursuant to a permit. No person shall disobey any reservation notice posted or issued by the Director relating to the use of any Park or Park Facility, site, tables or other public accommodations identified in the permit.
- C. Any person not having a permit for the use of a Park or Park Facility shall surrender or turn over possession of the Park or Park Facility to any person having possession of a valid permit from the Director. It shall be unlawful for any person not having a permit from the Director to refuse to or fail to surrender the use of such Park or Park Facility to any person who has a permit for the use of such Park or Park Facility from the Director.

**11.04.070 Athletic Leagues—Permit Required.**

Any person organized to engage in repetitive athletic leagues, groups, or any other organized activity for any type of sport at a designated Park area shall first obtain a permit prior to occupying any City Park or Park Facility for games, practices, clinics, or other related events.

**11.04.080 Prohibited Conduct.**

It is unlawful for any person or group of people to conduct, perform or participate in any of the following activities at any Park, Park Facility, Beach, or other public property, unless otherwise authorized to do so by the Director.

- A. Hit, strike or chip a golf ball except in designated areas for such purposes.
- B. Rollerblade, roller skate or skateboard on any public tennis or sport court.
- C. Remove, damage or destroy any athletic equipment or paraphernalia provided by the City for use, this section shall not apply to an employee of the City who removes athletic equipment, or paraphernalia while engaged in the course and scope of his or her employment.

- D. Play basketball on any outdoor public basketball court within three hundred (300) feet of any residentially zoned parcel, between sunset or seven p.m., whichever is later, and eight a.m.
- E. Use any Park or Park Facility for which a City fee is charged or City permit is required without first having paid the required fee or having received any required permit.
- F. Drive, propel, ride or park or leave standing any bicycle, vehicle propelled by a motor, or remote controlled device except in areas designated for such purposes, however, this section shall not apply to an employee of the City acting in the course and scope of his or her employment, or to activities authorized by a special event permit issued pursuant to the provisions of Chapter 11.03 of this Code. This section does not permit public parking of event attendees.
- G. To Smoke or be Smoking.
- H. Camp or lodge except in places designated for such purposes and with specific permission from the City to do so.
- I. Conduct or perform any Instructional Activity in a Park, Park Facility, or on a Beach without first obtaining a written agreement from the Director to conduct or perform said Instructional Activity in a Park, Park Facility, or on a Beach.
- J. Continuing to conduct or perform any event, activity, behavior or conduct that is determined to be unsafe, a nuisance, or a disturbance to the public by the Director, a Park Patrol Officer, Code Enforcement Officer, or peace officer after first issuing a verbal or written warning to the person or group of people conducting or performing the event, activity, behavior or conduct that has been determined to be unsafe, a nuisance, or a disturbance to the public.

**11.04.090 Violation of Rules and Policies of Department.**

No person shall disobey or violate any of the rules, policies or regulations issued by the Director governing the use and enjoyment by the public of any Park, Park Facility, or Beach.

**11.04.100 Ejection.**

Any person who violates any of the prohibited conduct provisions in this chapter shall be guilty of disorderly conduct and may be ejected from the Park, Park Facility, or Beach by the Director, a Park Patrol Officer, a Code Enforcement Officer or a peace officer.

**11.04.110 Prohibition Against Obstructing Performance of City Employee.**

No person shall willfully delay or obstruct any City employee in the performance of his or her duties in a Park, Park Facility, or on a Beach.

**11.04.120 Exemption.**

The provisions of this chapter shall not apply to an employee of the City acting in the course and scope of his or her employment, or to activities or programs of the Recreation and Senior Services Department or authorized by a Special Event permit issued by the Director pursuant to the provisions of Chapter 11.03 of this Code.

**11.04.130 Penalty**

- A. Any violation of this Chapter is subject to those remedies provided for in Chapters 1.04 and 1.05 of this Code in addition to any other remedies allowed by State and Federal law.
- B. Any violation of this Chapter is hereby declared to be a public nuisance.

**SECTION 3:** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 4:** The Mayor shall sign and the City Clerk shall attest to the passage of this ordinance. The City Clerk shall cause the same to be published once in the official newspaper of the City, and it shall be effective thirty (30) days after its adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach, held on the \_\_\_ day of \_\_\_\_\_, 2011, and adopted on the \_\_\_ day of \_\_\_\_\_, 2011, by the following vote, to wit:

AYES, COUNCILMEMBERS \_\_\_\_\_  
\_\_\_\_\_

NOES, COUNCILMEMBERS \_\_\_\_\_  
\_\_\_\_\_

ABSENT COUNCILMEMBERS \_\_\_\_\_

---

MAYOR \_\_\_\_\_

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By \_\_\_\_\_  
DAVID R. HUNT, CITY ATTORNEY

ATTEST:

\_\_\_\_\_  
LEILANI I. BROWN, CITY CLERK



## Municipal Operations Department


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PB&R Commission Agenda

Item No. 7

June 7, 2011

**TO:** Parks, Beaches and Recreation Commission

**FROM:** Mark Harmon, Director of Municipal Operations 

**SUBJECT:** *Reforestation Request*

### Recommendation

Staff recommends that the Parks, Beaches and Recreation Commission consider for approval the reforestation request for Mr. Jon W. Myers, property owner at 321 Anade Avenue.

### Discussion

City Council Policy G-1, Reforestation of City Trees requires that individual property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of property owners within the area defined for reforestation (see attached Council Policy G-1, pages 6-9, Reforestation of City Trees). The defined area (see attached color map) included a total of 27 property owners. This required the applicant to obtain 16 signatures in favor of the reforestation request of which 22 were obtained.

Per City Council Policy G-1, the City has received a petition from Mr. Jon W. Myers with the required property owner signatures approving the removal of two City parkway trees adjacent to 321 Anade Avenue.

The property owner has complied with the requirements of Policy G-1, and has agreed to assume the full costs of the removal and replacement of the two City trees, approximately \$830.00 (\$220 each for two 24" box replacement trees and \$195.00 each for two removals).

The designated parkway street tree is a Water Gum tree and is a suitable specimen for this 2 foot growth-space tree well.

Staff has attached a Tree Inspection Report, Tree Inventory Detail, and photographs related to the request.

Mr. Myers and Mayor Michael F. Henn have received a copy of this report and a notice of the Commission meeting. Adjacent property owners were also notified of the Commission meeting.

- Attachments:
- (A) Reforestation Check List
  - (B) City Council Policy G-1, Reforestation of City Trees
  - (C) Tree Removal Request Application
  - (D) Tree Inspection Report
  - (E) Petitions
  - (F) Tree Inventory Detail
  - (G) Designated Street Tree Picture
  - (H) Picture of existing City trees
  - (I) Map of reforestation area



Reforestation Check List

Table with 4 columns: Verified by, Urban Forester, Parks and Trees Superintendent, General Services Director. Rows include: Legally Established Homeowners Association, Individual Private Property Owner(s), Reforestation Application, (90) days Reforestation Request Compliance, Resolution of the Board of Directors, Minutes, Notices (Legally Established Homeowners Association).

Damage/Impact

Table with 4 columns: Verified by, Urban Forester, Parks and Trees Superintendent, General Services Director. Rows include: Blue Water View Impact, Incorrect Tree Species, Hardscape Damage: Curb/Gutter, Sidewalk, Utility.

Individual Private Property Owner(s) ONLY

Table with 4 columns: Verified by, Urban Forester, Parks and Trees Superintendent, General Services Director. Rows include: Written Agreement by Individual Property Owner(s), Staff Approved Petition, Property Owners Signatures Verified, Meets 60% Reforestation Criteria.

#27 Property owners notified %81 Agreed with removal

Meets Minimum Reforestation Requirements: YES [checked] NO [ ]

Department Signature: [Signature]

Date: 5-27-11

City Attorney Reviewed: \_\_\_\_\_

Date: \_\_\_\_\_

General Services Director or designee concurs, then the applicant, the adjoining owners, private property owners on either side of the street within 500' in each direction of the tree location and a legally established community association, if applicable, shall be notified of the decision to remove or retain the tree within 30 days of the proposed removal. A legally established community association is responsible for notification of all association members pursuant to their established procedure. The General Services Director, or a designee, shall prepare a staff report for a regularly scheduled PB&R Commission meeting of all trees recommended for removal, except for those trees categorized in Paragraph C. (dead, diseased, or dying trees) or Paragraph E (claims and safety issues) in the preceding section on All Other City Trees. Only an applicant, an adjoining property owner, or a legally established community association, the City Manager, a PB&R Commissioner, or a Councilmember may appeal the decision of the General Services Director not to remove a tree to the Commission. The Commission, in considering any appeal, shall determine whether the removal meets the criteria outlined in this Policy, as well as any unique factors which may be pertinent to the removal or retention of tree(s). The decision of the Commission will be considered final unless called up by at least one Councilmember or the City Manager.

The General Services Department will delay any tree removal(s) for at least 14 calendar days following the date of the Commission decision in order to allow time for a Councilmember or the City Manager to call the item.

The City will replace all trees removed in accordance with the All Other City Trees removal criteria on a one for one basis. Replacement trees will be a minimum of a 36" boxed size. If 36" boxed trees are not available, or funding, or space constraints prevent planting of a large tree, then a minimum of a 24" boxed tree will be planted. The full costs of removal and replacement of Special or All Other Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s).

#### REFORESTATION OF CITY TREES

The concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of trees for the planted location is referred to as reforestation. The Urban Forester shall make a finding for the latter category of inappropriate tree species for a specific location. His determination may be appealed to the General Services Director whose decision will be final.

It is recognized and acknowledged that City trees were planted many years ago and in some cases were planted with specific species that when fully mature cause damage to curb, gutter, sidewalk or underground utilities. Within the geographical boundaries of certain view neighborhoods, City street trees may encroach into blue water views from public and private property depending on the length of time since the trees were last trimmed, or the age and height of the trees. In other cases, the wrong species of tree was planted originally and simply does not conform to the current treescape or represents a safety hazard.

Arborists continue to develop lists of tree species which will grow in restricted parkway areas without causing significant damage to curb, gutter, sidewalk, utilities or loss of views. The City Street Tree Designation List, which specifies a species for each City street reflects an effort by the City to prescribe appropriate tree species that will not cause future problems.

As a City which understands the importance of trees and the beauty they bring to a community, the City desires to continually improve the urban forest through reforestation. In areas where City trees have been removed through City initiation, the City will endeavor to replace the trees with the appropriate designated City tree.

Individual private property owners, as well as legally established community associations, may apply for single or multiple tree reforestations in their respective area by submitting a request to the General Services Director for consideration by the Commission that meets the following requirements:

- A. The proposed area must have clearly defined contiguous geographical boundaries that include the tree(s) proposed for removal and replacement, street address(es), block number(s), or other geographical information. This section applies to individual and group requests.
- B. Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined for reforestation. The petition content must be approved and dated by City staff prior to distribution by the petitioner. The staff-approved petition must be distributed by the petitioner to a maximum of 30 private property owners (up to 15 contiguous private property owners on both sides of the street up to 500' in either direction from the location of the proposed reforestation). Signatures by non-property owners are not acceptable for petition purposes. All petition signatures shall be verified by City staff for

property owner status of the person(s) signing the petition. As an alternative to the above requirements, areas represented by a legally established community association, may submit a resolution of the Board of Directors formally requesting a reforestation with a statement that all members of the community association having their residential views affected, have been officially notified and given an appropriate opportunity to respond before the Board voted on the request. Individual private property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

- C. Individual private property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners' association, if applicable. The petition content must be approved and dated by staff prior to distribution. All petition signatures shall be verified by City staff for private property owner status of the person(s) signing the petition.
- D. A written agreement must be submitted to the Parks, Beaches, and Recreation Commission by the petitioning sponsor (individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the General Services Department. The total costs shall include only the contractor's removal and replacement costs and be paid in advance of any removal actions.
- E. The replacement tree(s) for reforestation shall be the Designated Street Tree(s) as prescribed by City Council Policy G-6, or the organization must request and obtain approval from the Commission of the designation of a different tree species prior to submitting any reforestation request for a tree species other than the designated street tree. This section applies to individual or group requests.
- F. There shall be a minimum of a one-for-one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 24" boxed trees, unless the parkway space will not accommodate a 24" boxed tree or a tree cannot be planted due to planting restrictions contained in Council Policy G-6. If

there is not room for the replacement tree(s) at a specific site as prescribed by City Council Policy G-6, then the replacement tree(s) shall be planted in a public area in the same neighborhood at the option of the petitioner. This section applies to individual or group requests.

- G. Reforestation requests must be completed and submitted in a timely manner by the petitioner. Petitions that are dated more than 90 days in arrears from date stamped by staff before distribution will not be forwarded to the PB&R Commission for consideration.

The decision of the Commission on reforestation requests will be considered final unless called up by at least one Councilmember or the City Manager.

#### TREE MAINTENANCE

The City shall require the proper care and watering of replacement trees by the reforestation petitioner to ensure their proper growth and development as outlined in City Council Policy G-6. Furthermore, no person shall tamper with City trees in violation of Section 13.08.040 of the Municipal Code. Further, the City will endeavor to fund the care of the Urban Forest to the highest level possible through the efficient use of regular tree trimming, root pruning, root barrier and pesticide programs.

#### ENCROACHMENT AND DEMOLITION PERMITS

All encroachment permits (permits for private property development which are proposed to encroach upon the City right of way) or demolition permits that involve the removal or replacement of City tree(s) must be specifically noticed by the property owner to City staff prior to the building and/or demolition permit process whenever possible. The proposed construction plans must indicate preservation of existing City trees wherever possible (exempt: dead, dying, or in an advanced state of decline). If the proposed development, as deemed by the General Services Director, requires the removal of City trees, the property owner must submit a tree removal request to the General Services Director, shall pay all related tree removal and replacement costs (one for one replacement) and meet all provisions of Council Policies L-2 and L-6 and City Ordinances 13.08 and 13.09. Approval or disapproval of all tree removal/replacement requests associated with encroachment and demolition permits will be the responsibility of the General Services Director or a designee.



# CITY OF NEWPORT BEACH

## General Services Department

### Tree Removal or Reforestation Application

Per City Council Policy G-1 (Retention or Removal of City Trees), I am **requesting** a tree removal(s) to be reviewed by staff and submitted to either the Parks, Beaches, and Recreation Commission for consideration at a future meeting or the appropriate City approving authority. Commission meetings are held on the first Tuesday of each month (expect for holidays) at 7PM at the Council Chambers.

Indicate the number and specie(s), (if known) of tree(s). 2 Canary pine trees

Located at: parkway in front of 321 Anacle Ave, Newport Beach

Please be as specific as possible

#### Requestor

- Property Owner
- Community Association
- Other \_\_\_\_\_

#### Address/ Phone (Daytime) / Email

11039 Maple St.  
Whittier CA 90601  
562/692-5239 jon-myers1@verizon.net

Signature: Jon W. Myers

Date: April 23, 2011

Print Name: Jon W. Myers

**If this is a reforestation request proceed to the reverse side of this form** ✓

#### Section A. For Tree Removal Requests Only

##### Removal Criteria (Check one or more)

Please provide copies of photos, bills, documents or any other related material that will verify the checked items.

- Proven and repeated history of **damaging** public or \*private, sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities or foundations.  
(\*Greater than \$500)
- Repeated history** of significant interference with street or sidewalk drainage.
- Dying** Has no prospect of recovery.
- Diseased** Cannot be cured by current arboricultural methods.  
In advanced state of decline with no prospect of recovery.
- Hazardous** Defective, potential to fail, could cause damage to persons/property upon failure. Assessment by Urban Forester will identify structural defects, parts likely to fail, targets-if fails, procedures and actions to abate.
- Beautification Project** In conjunction with a City Council-approved City, commercial, neighborhood, or community association beautification program.

## Section B. For Reforestation Requests Only

Reforestation is the concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of tree(s) for the planted location.

### As initiated by:

- Property Owner  
 Community Association  
 Other \_\_\_\_\_

### Check all items applicable:

- Tree(s) causing curb, gutter, sidewalk or underground utilities damage.  
 Wrong tree species for location  
 View encroachment  
 Area has clearly defined contiguous boundaries that include the tree(s) proposed.  
 Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined.  
 Areas represented by a legally established community association, may submit a resolution of the Board of Directors formally requesting a reforestation.  
 Individual property owners must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners' association, if applicable.

\*A request for reforestation requires a written agreement submitted to the Parks, Beaches, and Recreation Commission by the petitioning sponsor (Individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the General Services Department using the City tree maintenance contractor.

\*There shall be a minimum of a one-for-one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 24" boxed trees and cost \$195 per tree, unless the parkway space will not accommodate a 24" boxed tree or a tree cannot be planted due to planting restrictions contained in City Council Policy G-6.

**This form does not replace the requirements of any of the City tree policies. Its use is intended to expedite the tree removal or reforestation requests and to ensure compliance with all City requirements. Please refer to individual City Council Policy G-1 for additional information.**

#### Requestor Comments:

The pine trees now in the parkway drip sap onto parked cars, shed needle leaves constantly, drop pine cones, and are becoming quite large for the street.

*Removals, except emergency, will be subject to the notification processes, time frames and authority as specified in the City Council G-1 Policy.*



## Municipal Operations Department

### TREE INSPECTION REPORT

**Property Owner:** Jon W. Myers  
11039 Maple Street  
Whittier, CA 90601

**Tree Location:** 321 Anade Avenue, Front 1 and Front 2

**Request:** The property owner is requesting removal of two City trees in accordance with the removal criteria of City Council Policy G-1, Reforestation of City Trees.

**Tree Species:** Pinus canarensis, Canary Island Pine

**Designated Street Tree:** Tristania laurina – Water Gum

**Estimated Tree Value:** \$9,780.00 (\$4,890 each)

**Damage:** N/A

**Work History:** The Field Maintenance Division has no record of work history recorded for this site. However, a field inspection determined the sidewalk was replaced approximately within the last ten years by an unknown source.

**Parkway:** **Concrete**    **Brick**    **Turf**    **(X) Other**

**Comments:** A field inspection determined the two City trees were planted within a limited growth space. The trees are the incorrect species for this location.

Estimated costs for reforestation of two City trees:

- o Removals – \$390.00 (\$195.00 each x 2)
- o Replacement trees, 24” box - \$440.00 (\$220 each x 2)

**Total Costs - \$830.00**

**Inspected by:** John Conway **Date:** May 18, 2011  
**John Conway, Urban Forester**

**Recommendation:** Forward the reforestation request to the Parks, Beaches and Recreation Commission for review.

**Reviewed by:** Dan P. Sereno **Date:** May 18, 2011  
**Dan P. Sereno, Parks and Trees Superintendent**

**Reviewed by:** Mark Harmon **Date:** 5-27-11  
**Mark Harmon, Director of Municipal Operations**

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Lisa K. Clifford

Business Name (if applicable): \_\_\_\_\_

Address: 308 Anade Ave.

Phone #: 408-656-6411

Lisa Clifford  
Signature

3-21-11  
Date

In favor of tree removal  LC (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Roberta Ives deNoon

Business Name (if applicable): \_\_\_\_\_

Address: 315 Anade Ave.

Phone #: 675-8347

Roberta Ives deNoon  
Signature

3-22-11  
Date

In favor of tree removal  \_\_\_\_\_ (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Address: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): John B. Empfield

Business Name (if applicable): \_\_\_\_\_

Address: 318 Anade Ave.

Phone #: 949 458 8909

John B. Empfield  
Signature

3-16-2011  
Date

In favor of tree removal  JE (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Barbara A. Freedman

Business Name (if applicable): BARBARA A. FREEDMAN

Address: 305 Anade Ave.

Phone #: 702-245-0029

BA Freedman  
Signature

3-18-11  
Date

In favor of tree removal  BA (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Caroline C. Halford Trust

Business Name (if applicable): \_\_\_\_\_

Address: 306 Anade Ave.

Phone #: (949) 244-2478

Caroline C. Halford  
Signature

3-15-2011  
Date

In favor of tree removal  CH (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Jerome P Greubel

Business Name (if applicable): \_\_\_\_\_

Address: 310 Anade Ave.

Phone #: 714-322-6769

[Signature]  
Signature

\_\_\_\_\_  
Date

In favor of tree removal  JG (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): James A. Komarek

Business Name (if applicable): \_\_\_\_\_

Address: 314 Anade Ave.

Phone #: 949-673-8093 (work hours 949-261-6577x801)

James A. Komarek  
Signature

\_\_\_\_\_  
Date

In favor of tree removal  J.K. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: good luck

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Jerry Wayne Layton

Business Name (if applicable): \_\_\_\_\_

Address: 304 Anade Ave.

Phone #: \_\_\_\_\_

Jerry Wayne Layton  
Signature

\_\_\_\_\_  
Date

In favor of tree removal  \_\_\_\_\_ (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: I feel it would be an improvement to our neighborhood.

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Richard D. Lober

Business Name (if applicable): \_\_\_\_\_

Address: 325 Anade Ave

Phone #: \_\_\_\_\_

Richard D Lober  
Signature

3-16-11

\_\_\_\_\_  
Date

In favor of tree removal  \_\_\_\_\_ (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): James L. McKellar

Business Name (if applicable): \_\_\_\_\_

Address: 326 Anade Ave.

Phone #: 626-355-7990

James L. McKellar  
Signature

3-15-'11  
Date

In favor of tree removal  JM (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: VERY DEFINATELY YES. THEY MAKE A MESS OF THE STREET -

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Kevin C. Olswang

Business Name (if applicable): \_\_\_\_\_

Address: 311 Anade Ave. N.B.

Phone #: \_\_\_\_\_

Kevin Olswang  
Signature

3-15-11  
Date

In favor of tree removal  K.O. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Jon Myers

Business Name (if applicable): \_\_\_\_\_

Address: ~~11039 Maple St.~~ 321 Anade Ave.

Phone #: 562/692-5239

Jon W. Myers  
Signature

4/23/2011  
Date

In favor of tree removal  JWM (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Basil Pafe

Business Name (if applicable): \_\_\_\_\_

Address: 317 Anade Ave.

Phone #: 949/723-8250

Basil Pafe  
Signature

Mar 17, 2011  
Date

In favor of tree removal  BP (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: strongly support removal of pines

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Robert J. Physisic

Business Name (if applicable): \_\_\_\_\_

Address: 329 Anade Ave

Phone #: (949) 673-1711

Robert J Physisic  
Signature

\_\_\_\_\_  
Date

In favor of tree removal  rjs (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments:

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Beverly K. Purdum

Business Name (if applicable): \_\_\_\_\_

Address: 307 Anade Ave.

Phone #: \_\_\_\_\_

Beverly K. Purdum  
Signature

3/19/11  
Date

In favor of tree removal  BP (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments:

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Dean Stanton Roberts

Business Name (if applicable): \_\_\_\_\_

Address: 313 Anada Ave.

Phone #: 626/366-7180

Dean Roberts  
Signature

3-19-2011  
Date

In favor of tree removal  DR (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Gary Thomas Robson Trust

Business Name (if applicable): \_\_\_\_\_

Address: 320 Anade Ave.

Phone #: \_\_\_\_\_

GR (Trustee)  
Signature

2/16/11  
Date

In favor of tree removal  GTR (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Barbara Snow

Business Name (if applicable): \_\_\_\_\_

Address: 312 Anade Ave NB, CA 92661

Phone #: \_\_\_\_\_

Barbara Snow  
Signature

\_\_\_\_\_  
Date

In favor of tree removal  BS (initial)

Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Edward I. Sturtevant

Business Name (if applicable): \_\_\_\_\_

Address: 110 E. Bay Ave., Newport Beach, CA

Phone #: \_\_\_\_\_

Edward I. Sturtevant Signature 3/15/2011 Date

In favor of tree removal  EIS (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments:

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Roy Truesdell

Business Name (if applicable): \_\_\_\_\_

Address: 323 Anade Ave.

Phone #: (949) 548-7808

Roy Truesdell Signature 3-16-11 Date

In favor of tree removal  R.T. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: Good for you, thanks.

Address: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Douglas S. Wilkinson

Business Name (if applicable): \_\_\_\_\_

Address: 109 E. Edgewater Ave., Newport Beach, CA

Phone #: \_\_\_\_\_

Douglas S. Wilkinson Signature 3/26/11 Date

In favor of tree removal  DSW (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_

Please list the address of the property(s) owned within the surrounding area of the proposed reforestation request (see attached map)

February 16, 2011

Property Owner First and Last Name (please print): Steve Varner

Business Name (if applicable): \_\_\_\_\_

Address: 327 Anade Ave.

Phone #: 310-995-9811

Steve Varner Signature 3/24/11 Date

In favor of tree removal  \_\_\_\_\_ (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_  
\_\_\_\_\_

Property Owner First and Last Name (please print): Siw Varner

Business Name (if applicable): \_\_\_\_\_

Address: 327 Anade Ave.

Phone #: 310-995-9803

Siw Signature 3/15/11 Date

In favor of tree removal  SV (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: \_\_\_\_\_  
\_\_\_\_\_

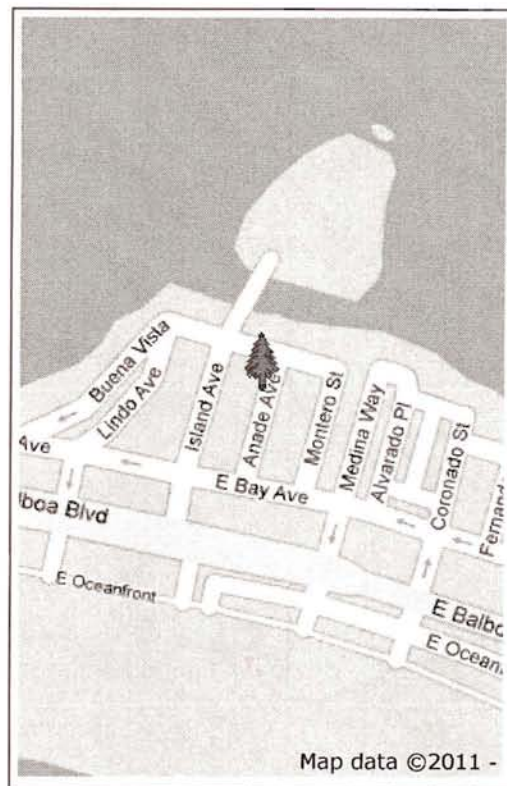
Property Owner First and Last Name (please print): \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

Show/Hide Map    Print Report

### Inventory Detail

Dist: 17  
 Address: 321 ANADE AV  
 Fictitious: No  
 Location: Front-1  
 On Address: 321 ANADE AV  
 Species: *Pinus canariensis*, CANARY ISLAND PINE  
 DBH/Height: 13-18 / 30-45  
 Parkway Size: 2  
 Utility Overhead: No  
 Sidewalk Damage: No  
 Recommended Maintenance: Grid Trim  
 Estimated Value \$4,890



### WCA Work History

Date	Work Type	Amount	Job#
9/23/2008	Grid Pruning	\$39.00	12665
8/1/2006	Grid Pruning	\$39.00	9762
8/31/2003	Grid Trimming	\$39.00	6071
7/18/2000	Grid Trimming	\$39.00	3581

### Other Work History

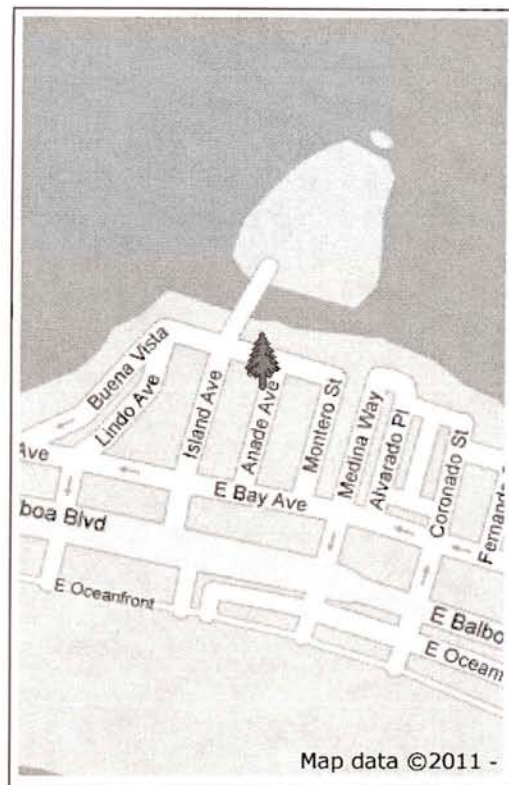
Date	Work Type	Crew	Acct#	Min
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Show/Hide Map

Print Report

### Inventory Detail

Dist: 17  
 Address: 321 ANADE AV  
 Fictitious: No  
 Location: Front-2  
 On Address: 321 ANADE AV  
 Species: *Pinus canariensis*, CANARY ISLAND PINE  
 DBH/Height: 13-18 / 30-45  
 Parkway Size: 2  
 Utility Overhead: No  
 Sidewalk Damage: No  
 Recommended Maintenance: Grid Trim  
 Estimated Value \$4,890



### WCA Work History

Date	Work Type	Amount	Job#
9/23/2008	Grid Pruning	\$39.00	12665
8/1/2006	Grid Pruning	\$39.00	9762
8/31/2003	Grid Trimming	\$39.00	6071
7/18/2000	Grid Trimming	\$39.00	3581

### Other Work History

Date	Work Type	Crew	Acct#	Min
------	-----------	------	-------	-----



**Tristania laurina (Water Gum)**  
**Designated Street Tree**  
**321 Anade Avenue**










# 321 Anade Ave Reforestation Request



 Reforestation Area

 Applicant

 In Favor = 22

N

0 100 200  
Feet



## Municipal Operations Department

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PB&R Commission Agenda  
Item No. 8  
June 7, 2011

**TO:** Parks, Beaches and Recreation Commission  
**FROM:** Mark Harmon, Director of Municipal Operations  
**SUBJECT:** *City Street Tree Designation*

### **Recommendation**

Consideration of the request to designate the Archontophoenix cunninghamiana-King Palm Tree as the designated street tree on Buckingham Lane.

### **Background**

The City Street Tree Designation List was adopted by the City Council in May 2000 (Attachment A) after a thorough review by the Parks, Beaches, and Recreation (PB & R) Commission. The list designates specific species of trees for future planting in parkways and/or medians of a City street to promote uniformity of the street treescapes.

The Street Tree Designation List is maintained and reviewed on an annual basis by City staff in accordance with Section 13.08.020 of the Municipal Code (Official Tree List) and City Council Policy G-6 (Maintenance and Planting of Parkway Trees). Any changes, recommendations, or resident request for changes are forwarded to the PB & R Commission for consideration.

On February 1, 2011, the PB & R Commission approved a City Street Tree Designation on Bedford Lane. Mr. Boldea Bujor, Property Manager at 1728 Bedford Lane, requested to change the designated street tree from the Lemon Scented Gum to King Palm on that street. The existing Eucalyptus tree species were planted within a limited growth space and caused curb, gutter and sidewalk damage (Attachment B).

### **Discussion**

Mr. Bujor, also manages three properties on Buckingham Lane, and is requesting to change the designated street tree from the Lemon Scented Gum to King Palm on this street as well. City staff inspected and determined that the Eucalyptus tree species were planted within a limited growth space and have caused curb, gutter and sidewalk damage (Attachment C). This is a high density residential area with significant pedestrian traffic.

Staff has determined that the King Palm variety of tree will help mitigate any future public property damage, since the tree is suitable for a tree well with a five foot growth space. There are currently 6 mature King Palms and 13 King Palm trees that were recently planted on

Bedford Lane and funded by Mr. Bujor. The trees are in good health and compatible with the tree well size. A map and information regarding the proposed tree are attached (Attachments D & E). The tree will be a welcome enhancement to this community.

If this designated street tree is approved by Commission, Mr. Bujor intends to bring forth for consideration a reforestation request for Buckingham Lane at a future Commission meeting.

Mr. Boldea Bujor and Council Member Rush Hill have received a copy of this report. The affected property owners received a notice of the Commission meeting.

- Attachments:
- (A) City of Newport Beach Designated Street Tree List May 2000
  - (B) City Street Tree Designation Report, February 1, 2011
  - (C) Eucalyptus citriodora – Lemon Scented Gum tree pictures
  - (D) Description and photo of proposed designated street tree, King Palm
  - (E) Aerial map

# City of Newport Beach Street Tree Designation List

May 2000

STREET	ID	FROM	TO	Available	Required	DESIGNATED TREE SPECIES	
				Grow Space	Grow Space	BOTANICAL NAME	COMMON NAME
BOWSPRIT DR	Median	3700	3710	8		<i>Acrocarpus fraxinifolius</i>	PINK CEDAR
BRAEMAR WY		1850	1867	5		<i>Sapium sebiferum</i>	CHINESE TALLOW TREE
BRIGHTON RD		4501	4651	5	5	<i>Bauhinia blakeana</i>	HONG KONG ORCHID TREE
BROAD ST		2800	3350	8	8	<i>Agonis flexuosa</i>	PEPPERMINT TREE
BUCK GULLY DR		4000	4001	5	8	<i>Tristania laurina</i>	TRISTANIA LAURINA
BUCKEYE ST		2401	2639	5	2	<i>Calodendrum capense</i>	CAPE CHESTNUT
BUCKINGHAM LN ✓		998	1000	5	5	<i>Eucalyptus citriodora</i>	LEMON-SCENTED GUM
BUNYA ST		2401	2645	5	2	<i>Eriobotrya deflexa</i>	BRONZE LOQUAT
BUTTONSHELL LN		1800	1828	5	5	<i>Magnolia g. 'Samuel Sommers'</i>	SAMUEL SOMMERS MAGNOLIA
CACAO ST		700	701	8	8	<i>Pinus canariensis</i>	CANARY ISLAND PINE
CACAO ST	Median	700	799	3	8	<i>Hymenosporum flavum</i>	SWEETSHADE
CAMBRIA DR		1	67	5	5	<i>Tabebuia avellaneda</i>	LAVENDER TRUMPET TREE
CAMBRIA DR		2	2	8	5	<i>Tristania laurina</i>	TRISTANIA LAURINA
CAMBRIDGE LN		1100	1250	2	3	<i>Tabebuia chrysostricha</i>	GOLDEN TRUMPET TREE
CAMDEN DR	Parkway	4501	4699	5	8	<i>Eriobotrya deflexa</i>	BRONZE LOQUAT
CAMDEN DR	Slope	4500	4599	8	8	<i>Eriobotrya deflexa</i>	BRONZE LOQUAT
CAMEO HIGHLANDS DR		500	735	5	8	<i>Lagerstroemia indica</i>	GRAPE MYRTLE
CAMEO SHORES RD	Parkway	101	346	5	8	<i>Lagerstroemia indica</i>	GRAPE MYRTLE
CAMEO SHORES RD	Slope	100	350	8	8	<i>Lagerstroemia indica</i>	GRAPE MYRTLE
CAMPHOR ST	Even	700	820	5	8	<i>Sapium sebiferum</i>	CHINESE TALLOW TREE
CAMPHOR ST	Slope	701	827	8	8	<i>Cinnamomum camphora</i>	CAMPHOR TREE
CAMPUS DR		3700	4678	3	8	<i>Tristania laurina</i>	TRISTANIA LAURINA
CAMPUS DR	Median	3700	4400	8	8	<i>Magnolia g. 'St. Mary'</i>	SAINT MARY MAGNOLIA
CANDLESTICK LN	*2	1700	1751	5	8	<i>Eucalyptus citriodora</i>	LEMON-SCENTED GUM
CARMEL BAY DR		1	31	5	8	<i>Tristania laurina</i>	TRISTANIA LAURINA
CARMEL BAY DR		2	20	8	8	<i>Tristania laurina</i>	TRISTANIA LAURINA
CARNATION AV	200 blk see G-3	300	720	3	8	<i>Tristania laurina</i>	TRISTANIA LAURINA
CAROB ST		2800	3061	5	8	<i>Tabebuia avellaneda</i>	LAVENDER TRUMPET TREE
CASSIA ST		2800	2951	5	5	<i>Cassia leptophylla</i>	GOLD MEDALLION TREE
CATALINA DR		200	550	8	8	<i>Melaleuca linariifolia</i>	FLAXLEAF PAPERBARK
CATALPA ST		2800	2975	5	5	<i>Magnolia g. 'Russett'</i>	SOUTHERN MAGNOLIA
CATAMARAN DR		3400	3630	5	8	<i>Metrosideros excelsus</i>	NEW ZEALAND CHRISTMAS TREE
CEIBA PL		800	821	5	5	<i>Melaleuca linariifolia</i>	FLAXLEAF PAPERBARK
CELTIS PL		900	915	5	5	<i>Sophora japonica 'Regent'</i>	JAPANESE PAGODA TREE
CENTELLA PL		1730	1759	5	5	<i>Magnolia g. 'Samuel Sommers'</i>	SOUTHERN MAGNOLIA
CENTELLA PL		2000	2025	5	5	<i>Eucalyptus nicholii</i>	WILLOW LEAFED PEPPERMINT
CERCIS PL		900	915	5	5	<i>Geijera parviflora</i>	AUSTRALIAN WILLOW
CHANNEL RD		2200	2301	5	8	<i>Pittosporum phillyraeoides</i>	WILLOW PITTOSPORUM
CHESTNUT PL		900	915	5	5	<i>Calodendrum capense</i>	CAPE CHESTNUT
CHUBASCO DR		1900	1900	8	5	<i>Sapium sebiferum</i>	CHINESE TALLOW TREE
CHUBASCO DR		1901	2015	5	5	<i>Magnolia g. 'Majestic Beauty'</i>	SOUTHERN MAGNOLIA
CITRUS PL		900	921	5	5	<i>Pittosporum undulatum</i>	VICTORIAN BOX
CLAY ST		900	3350	8	5	<i>Tristania conferta</i>	BRISBANE BOX

GROWSPACE: 2=2'+ 3=3'+ 5=5'+ 8=8'+

\*PRESERVATION OF SPECIAL TREES PER G-1 POLICY



## Municipal Operations Department

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PB&R Commission Agenda

Item No. \_\_\_\_\_  
February 1, 2011

**TO:** Parks, Beaches and Recreation Commission  
**FROM:** Mark Harmon, Director of Municipal Operations  
**SUBJECT:** *City Street Tree Designation*

A handwritten signature in black ink, appearing to read "Mark Harmon", written over a horizontal line.

### **Recommendation**

Consideration of the request to designate the Archontophoenix cunninghamiana-King Palm Tree as the designated street tree on Bedford Lane.

### **Background**

The City Street Tree Designation List was adopted by the City Council in May 2000 (Attachment A) after a thorough review by the Parks, Beaches, and Recreation (PB & R) Commission. The list designates specific species of trees for future planting in parkways and/or medians of a City street to promote uniformity of the street treescapes.

The Street Tree Designation List is maintained and reviewed on an annual basis by City staff in accordance with Section 13.08.020 of the Municipal Code (Official Tree List) and City Council Policy G-6 (Maintenance and Planting of Parkway Trees). Any changes, recommendations, or resident request for changes are forwarded to the PB & R Commission for consideration.

### **Discussion**

Mr. Boldea Bujor, Property Manager at 1728 Bedford Lane, requested to change the designated street tree from the Lemon Scented Gum to King Palm. City staff inspected and determined that the Eucalyptus tree species were planted within a limited growth space and have caused curb, gutter and sidewalk damage (Attachment B). This is a high density residential area with significant pedestrian traffic.

Staff has determined that the King Palm variety of tree will help mitigate any future public property damage, since the tree is suitable for a tree well with a five foot growth space. There are currently six King Palm trees planted on Bedford Lane that are in good health and compatible with the tree well size. A map and information regarding the proposed tree are attached (Attachments C & D). The tree will be a welcome enhancement to this community.

Council Member Rush Hill has received a copy of this report. The affected property owners received a notice of the Commission meeting.











*Archontophoenix cunninghamiana*

(*Seaforthis elegans*)

(King Palm)

Palmae (Palm family)

Origin: Australia

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ar-kon-toe-FEE-niks  
kun-ing-HAM-ee-an-uh

**Species characteristics:**

Form - Feather palm. Moderate growth rate to 30 - 40' with a 10 - 20' spread. Handsome and stately.

Trunk - Dead fronds shed cleanly, leaving a smooth gray trunk at maturity.

Foliage - The feathery fronds on mature trees are 8 - 10' long, green above and gray beneath.

Flowers/fruit - Prominent clusters of lavender flowers are bunched at the base of the crownshaft during spring and early summer, followed by colorful groups of small, waxy bright red fruits that are 3/8" long.

No significant pest problems are known at this time.

**Site suitability:**

Sunset zones - 21-24. Hardy to 29°

Clearances - Suitable for 3' minimum parkways, medians or cutouts. Do not use under utility lines.

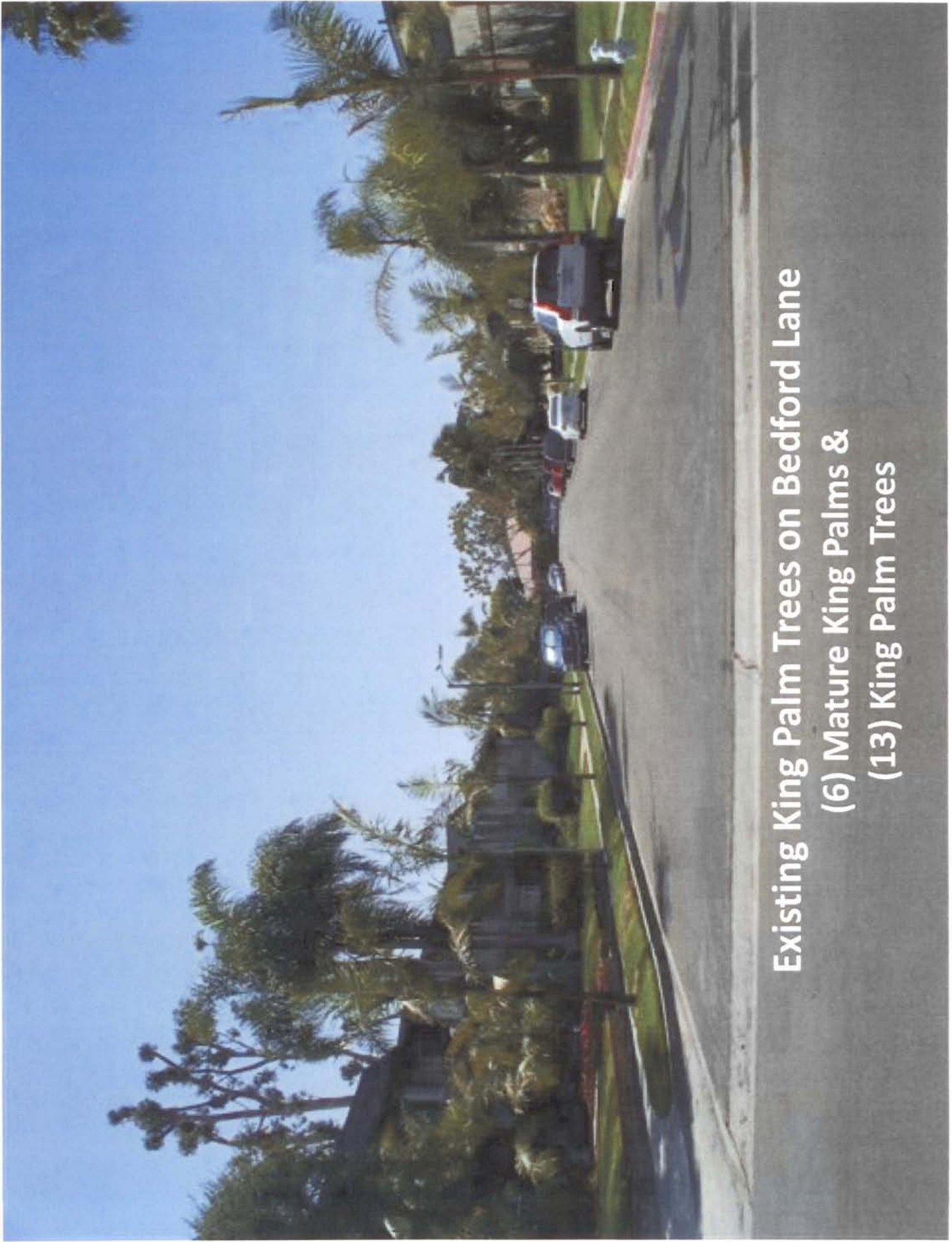
Good for street sides, medians, parks and lawns. Excellent for group planting.

**Culture considerations:**

Good in coastal areas. Avoid planting where future watering cannot be assured or where frost prone. Temperature extremes and dry winds limit success inland.

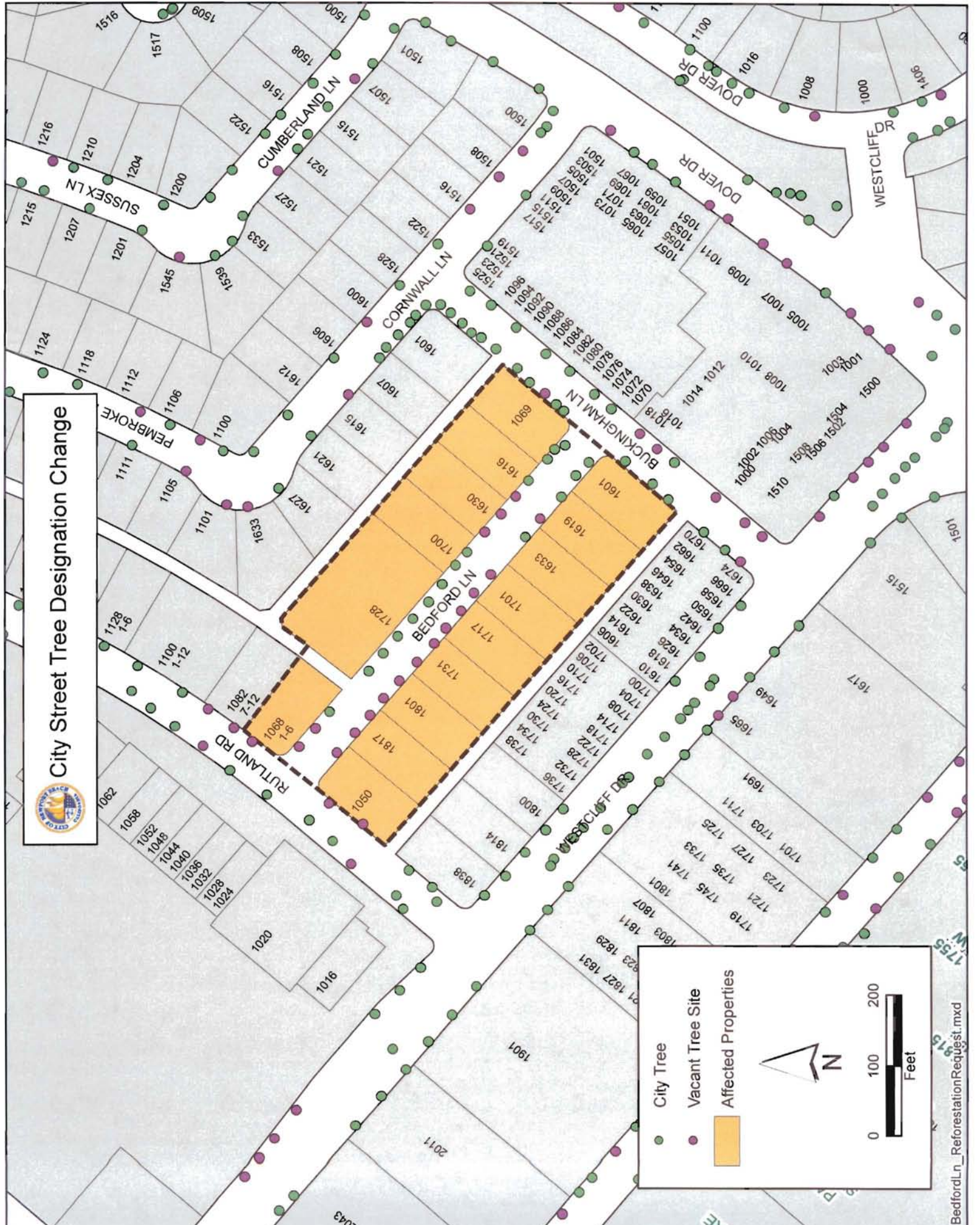
Tolerates sun from an early age, as well as shade, and can grow for many years grouped under tall trees.

**Comments, notes:**



**Existing King Palm Trees on Bedford Lane  
(6) Mature King Palms &  
(13) King Palm Trees**

# City Street Tree Designation Change



**City Tree** ●

**Vacant Tree Site** ●

**Affected Properties** ■

0 100 200  
Feet