



CITY OF NEWPORT BEACH PARKS, BEACHES & RECREATION AGENDA

CITY COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD
TUESDAY, October 2, 2012 – 6PM

PB&R Commission Members:

Kathy Hamilton, Chair
Tom Anderson, Vice Chair
Ron Cole
Roy Englebrecht
Phillip Lugar
Marie Marston
Jack Tingley

Staff Members:

Laura Detweiler, Recreation & Senior Services Director
Mark Harmon, Municipal Operations Director
Sean Levin, Recreation Superintendent
Teri Craig, Administrative Assistant

1) CALL MEETING OF THE PARKS BEACHES AND RECREATION COMMISSION TO ORDER

2) ROLL CALL

3) NOTICE TO THE PUBLIC

Public comments are invited on agenda items generally considered to be within the subject matter jurisdiction of the PB&R Commission. The City provides a yellow sign-in card to assist in the preparation of the minutes. The completion of the card is not required in order to address the PB&R Commission. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The PB&R Commission has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

4) CONSENT CALENDAR

All matters listed under Consent Calendar 4A-4C are considered by the PB&R 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. Members of the public who wish to discuss a Consent Calendar item should come forward to the lectern upon invitation by the Chair.

A. **Minutes of the September 4, 2012 regular meeting.**

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

B. **Parks & Operations Division Activity Report.**

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

C. **Recreation & Seniors Services Activity Report.**

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

5) CURRENT BUSINESS

A. **Proposed Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park**

Recommendation: Recommend to City Council the approval of an encroachment permit to allow Irvine Terrace Community Association to install a Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park.

B. **Special Tree Removal – 320 Evening Canyon Road**

Recommendation: Recommend removal of two Special City Trees – City Erythrina caffra (Kaffirboom Coral) located adjacent to 320 Evening Canyon Road.

This Parks, Beaches & Recreation Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Parks, Beaches & Recreation Commission agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Parks, Beaches & Recreation Commission and items not on the agenda but are within the subject matter jurisdiction of the Parks, Beaches & Recreation Commission. The Parks, Beaches & Recreation Commission may limit public comments to a reasonable amount of time, generally three (3) 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. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Parks, Beaches & Recreation Commission Secretary at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3151 or recreation@newportbeachca.gov.

6) PARKS, BEACHES & RECREATION COMMISSION / STAFF ANNOUNCEMENTS, UPDATES OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

7) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on **non-agenda** items generally considered to be within the subject matter jurisdiction of the PB&R Commission. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The PB&R Commission has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers.

8) ADJOURNMENT

**Parks, Beaches & Recreation Commission
Regular Meeting
September 4, 2012 – 6pm**

1) CALL MEETING TO ORDER – 6:00 p.m.

2) ROLL CALL

Present: Kathy Hamilton, Chair
Tom Anderson, Vice Chair (Arrived 6:10 p.m.)
Roy Englebrecht
Phillip Lugar
Marie Marston
Jack Tingley

Absent: Ron Cole

Staff: Laura Detweiler, Recreation and Senior Services Director
Sean Levin, Recreation Superintendent
Janet Cates, Recreation Manager
Teri Craig, Recreation Administrative Assistant

3) NOTICE TO THE PUBLIC

4) CONSENT CALENDAR

Recreation and Senior Services Director Detweiler requested that Item 4A be pulled for separate discussion and consideration.

Interested parties were invited to address the Commission on this item.

Jim Mosher reported having submitted written comments and requested that Item 4E be pulled for separate discussion and consideration.

There being no others wishing to address the Commission, Chair Hamilton closed public comments for this item.

A. Minutes of the August 7, 2012 regular meeting.

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

B. Parks & Operations Division Activity Report.

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

C. Recreation & Seniors Services Activity Report.

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

D. Bench Donation.

Recommendation: Approve bench donation from Anthony Codianni to be installed at Rhine Wharf Park.

E. Donation of Fitness Equipment & Furniture to the OASIS Senior Center

Recommendation: Approve donation of 350 banquet chairs and one New Step fitness machine.

Motion by Commissioner Lugar to accept Items 4B through 4D as presented. The motion carried by acclamation.

Regarding Item 4A, Recreation and Senior Services Director Detweiler acknowledged receipt of comments by Mr. Mosher and reported the typographical errors will be reflected on the minutes as noted.

Motion by Chair Hamilton to waive reading of the minutes as amended, approve and order filed. The motion carried by acclamation.

Regarding Item 4E, Jim Mosher noted the generous donation to the OASIS Senior Center by Friends of the OASIS. He referenced a recently-approved donation policy and a related 10% maintenance fee to be paid by the donor. He wondered why the policy is not being applied to the donation of equipment by the Friends of the OASIS and suggested that the policy may need to be reconsidered.

Recreation and Senior Services Director Detweiler reported that the items were donated prior to the policy change and is not applicable in this instance. She reported that Council policies are reviewed yearly and commented that this specific policy may warrant reconsideration.

Motion by Chair Hamilton to approve Item 4E as presented. The motion carried by acclamation.

5) CURRENT BUSINESS

A. 2011-12 Youth Sports Groups Maintenance Fund Review and Proposed Modifications to Fund Procedures in the Allocation Policy.

Recommendation: Consider proposed change to the funding procedures in the Field Allocation & Use Policy.

Recreation Manager Cates presented details of the report including background and previous related consideration and actions by the Commission, annual review of field maintenance fees and recommendations to changes in fees and policies. She addressed revenue received and use of revenues, a summary of groups contributing to the fund, amount spent and fund balance and presented specific policy changes including assessment of field maintenance fees and procedures for assessing fees for groups that are not part of the group field allocation process.

Interested parties were invited to address the Commission on this item. There was no response and Chair Hamilton closed public comments for this item.

Motion by Commissioner Anderson to approve the proposed changes to the funding procedures in the Field Allocation and Use Policy. The motion carried by acclamation.

6) PARKS, BEACHES & RECREATION COMMISSION / STAFF ANNOUNCEMENTS, UPDATES OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

None

7) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chair Hamilton invited those interested in addressing the Commission on non-agenda items to do so at this time.

Jim Mosher reported submitting written comments regarding fire rings and regulations within the Fire Code that affect the operation of fire rings on City beaches. He noted the existence of regulations regarding smoke, open burning and recreational fires and related policies.

Bruce Hensley requested that the Commission reconsider restrictions on the beach volleyball court on China Cove. He provided a brief background regarding the court and restrictions regarding prohibiting volleyball play between 11:00 a.m. and 3:00 p.m. because of overcrowding. He opined that it is not crowded and asked that the restriction be reconsidered as well as the requirement to remove the net every

night. He presented copies of photographs showing that the beach is not overcrowded during volleyball play.

Recreation and Senior Services Director Detweiler reported speaking with the group, asking them to address the Commission for their consideration of placing the matter on a future agenda.

Dan Purcell stated his opposition and noted that he would be in favor of removing the subject volleyball court, completely.

Steve Vralovich indicated his support of the comments by Mr. Hensley noting that almost no one uses the subject beach. He stated that volleyball is a popular sport in Newport Beach and that there have been no complaints made regarding the volleyball court and its use.

There being no others wishing to address the Commission, Chair Hamilton closed public comments for this item.

The Commission took a straw vote to determine if the matter should be placed on a future agenda and it failed due to lack of a majority.

8) ADJOURNMENT

There being no further business to come before the Parks, Beaches and Recreation Commission, Chair Hamilton adjourned the meeting at 7:10 p.m.

Submitted by: _____
Laura Detweiler, Director

Approved by: _____
Kathy Hamilton, Chair



Municipal Operations Department

PB&R Commission Agenda
 Item No. 4B
 October 2, 2012

TO: Parks, Beaches and Recreation Commission

FROM: Parks and Trees Maintenance Superintendent
 Operations Support Superintendent

SUBJECT: *August Parks and Trees, and Operations Support Divisions Activity Report*

Parks Maintenance Division Activities

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

Projects currently underway:

Jamboree Road Widening at Bristol	Bitterpoint Pump Station
Sidewalk, Curb and Gutter Contract - various locations	Civic Center
Buck Gully Lower Canyon Stabilization – complete	Irvine Terrace Park Shade Structure
Upper Buck Gully trail	San Miguel Park Shade Structure
Irvine Avenue, Westcliff to Dover	Bristol Street North Landscape
19 th Street Tide Valve	I Street median
China Cove Slope Stabilization	

Projects that are in the planning phases:

Sunset Ridge Park	Bristol Street South Landscape
Marina Park	Dover Drive Median
CDM left turn lane adjustments at Marguerite	Lido Village and existing City Hall site
CDM Entrance at MacArthur Blvd	Balboa Blvd medians
Irvine Terrace Park CERT storage	Playground donation at Balboa Blvd and Miramar Street
Cypress Street End	Sea wall repair at 37 th and Lake

In addition, recently, the irrigation system at Lincoln Elementary School was upgraded. The installation was managed by our Parks Maintenance staff members Tom Diaz, Anthony Petrarca, with assistance from Brett McCulloch, and Rich Trevino.

The upgrade was necessary to improve the water pressure. In recent years, the field was not receiving a consistent amount of water – some areas were dry while other areas were soaked. Lincoln Elementary School is used by different sports groups who expect the fields to be at a high standard of playing condition. The upgrade was funded by the AYSO District 57, Newport Beach Little League, and the Coed Adult Soccer sports groups.



Trees Division Activities

Month of:	Trees Trimmed	Trees Removed	Trees Planted
July	686	14	18
August	449	5	11

As part of the City's overall grid and annual trimming schedule, the City's tree service contractor pruned trees within the Spyglass Hill, Buffalo Ranch, and Newport Heights areas. Additionally, annual pruning palm and coral trees are occurring throughout the City.

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

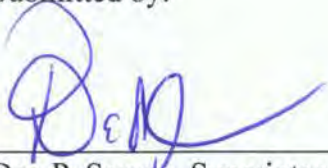
Beach Maintenance Activities

Beach maintenance activities are performed daily by crew members to ensure a safe and clean environment for the public. Since Memorial Day weekend, crew members have been working various shifts in order to maintain the beach areas when hand sweeping, collecting trash, street sweeping, fire ring maintenance, and other beach cleaning activities can be done effectively and safely.

The amount of trash collected on the beach and from adjacent street ends, sidewalks and parking lots exceeded 265 tons.

See attached Municipal Operations Department, Activities Report for August 2012.

Submitted by:



Dan P. Sereno, Superintendent
Parks and Trees Maintenance



James L. Auger, Superintendent
Operations Support

Attachments: (A) Tree Activity Report 2012-2013
(B) Municipal Operations Department, August 2012 Activities Reports



Municipal Operations Department

Parks and Trees Division Fiscal Year 2012-2013

Problem Tree Removals

Month	# Trees	Location(s)
July-12	0	
August-12	0	

Reforestation Tree Removals

Month	# Trees	Location(s)
July-12	0	
August-12	0	

Replacement Trees

Month	# Trees	Location(s)
July-12	16	
August-12	11	

Municipal Operations Department - General Services Divisions - Activities Report - August 2012	This Month	This Month Last Year	Total To Date	TTD Last Year
Asphalt/Concrete				
Street Patching (Tons of Blacktop)	170	269	305	490
Sidewalk Repaired (sq. ft.)	1,588	3,585	4,404	6,565
Curb & Gutter Replacement (lin. ft.)	390	139	522	301
Sweeping, Beach Cleaning, Demo Materials (tons)	331	231	682	595
Asphalt/Concrete Recycled (tons)	208	328	344	584
Signs & Traffic Markings				
Signs Made	315	201	315	237
Signs Installed	182	191	364	374
Decals	1	1	4,241	1
Special Purpose Signs/Banners Made	109	8	125	19
Street Striping (lin. ft.) Added/Replaced	93,430	19,358	279,865	70,650
Pavement Markings (including reflective)	183	67	479	117
Parking Stalls	0	4	0	11
Curb Painting (lin. ft.)	8,463	12,673	9,765	16,505
Thermoplastic (lin. ft.)	8,312	0	8,312	0
Sign Posts Installed	17	27	38	40
Graffiti				
Graffiti Incidents Removed by Staff	20	6	45	16
Graffiti Incidents Removed by Contractor	498	110	951	177
Refuse Collection				
Residential (tons)	3,073	3,048	6,143	6,041
Liquid HazMat Incidents	23	16	45	32
E-Waste Incidents	6	2	13	8
U-Waste Incidents	4	3	8	19
Recyclables (tons)	1,285	1,275	2,576	2,525
Trees				
Trimmed by Staff	14	8	29	19
Trimmed by Contractor	435	1,256	1,106	3,632
Removed	5	12	19	25
Planted	11	2	29	7
Roots Pruned by Contractor	0	12	0	14
Roots Pruned by Staff	9	6	18	10
Automotive				
Repairs	121	219	250	443
Preventive Maintenance Completed	76	72	140	130
PM Labor Hours	153	184	276	349
Beach Maintenance				
Beach Area Refuse (tons)	200	196	398	406
Beach Debris (tons)	70	76	155	151
Sweeping/Storm Drain				
Gutter Miles Swept	3,326	3,741	6,530	7,400
Sweeping Debris (cubic yards)	491	735	955	1,349
Storm Drain Debris (cubic yards)	39	23	76	48

**Recreation Services
Monthly Activities Report**

To: Parks, Beaches & Recreation Commission
From: Sean Levin, Recreation Superintendent
Re: Recreation Division Monthly Activities Report



After-School Enrichment Programs Another Success!

The City has collaborated for a second year with the Mariners School PTA and the Newport Elementary School Foundation to operate the after-school programs. Both after-school programs have partnered with the City staff to plan, organize and implement the enrichment activities at the school sites. City staff has contracted current and new recreation instructors in order to develop class courses on a quarterly basis. A variety of classes are offered such as, Zumba, Cooking, Science, Mandarin Chinese, Surf, Tennis, Tae Kwon Do, Computers, Engineering with Legos, Golf, Basketball, Yoga, Hip-Hop, Chess, Homework Club, Ceramics, drawing and more!

Total Enrolled:
Newport El 173 participants
Mariners El 148 participants



Active Kids

The much-anticipated Active Kids Afterschool Program is off to a great start as the school year began the week of September 4th. Registration is at an all time high with 160 children signed up for after school care this year! Recreation Leaders are running the Active Kids program at three sites: CYC, Mariners Library, and our newly relocated site at Newport Elementary School. Staff worked diligently with the NMUSD as well as Principal Nagy at Newport Elementary to get needed afterschool care onsite. The Newport Elementary location has 50 children enrolled!

Preschool 101

Our 3-5 year olds started their Pre-K adventures on September 10th. Our preschool program takes place at the Newport Coast Community Center and Mariner's Library Vincent Jorgenson Room. This program is full with 65 preschoolers enrolled!



Summer Camps & Classes Revenue is Up!

The numbers are in! Comparison reports for classes and camps from summer 2011 to summer 2012 shows an increase in total revenue collected. Summer revenue was up by 3.6% compared to last summer. The Recreation Division offered over 500 camps and 650 classes to the community this summer.

The success of this summer can be attributed to the quality recreation contract instructors and programs they offer through the *Newport Navigator* and the marketing efforts of the staff. Staff will begin planning summer 2013 next month!

CAMPS & CLASSES

Revenue Collected

Summer 2011 \$ 1,156,193

Summer 2012 \$ 1,199,803



Coastal Clean Up Day

Saturday, September 15th, was Coastal Clean Up Day statewide. Coastal Clean Up Day has been an annual event since 1985 and is the largest volunteer event in the world. The statewide count is estimated at 57,442 volunteers. Those volunteers picked up 534,115 pounds of trash and an additional 105,816 pounds of recyclable materials, for a total of 639,930 pounds or 320 tons. It is estimated that we dump the equivalent of 200 million elephants worth of trash each year into our oceans.



The City of Newport Beach participates every year and this year was no exception. There were over 450 dedicated volunteers who braved the hot temperatures and high humidity. Corporate groups, middle school students, and families spread out from Little Corona to the Balboa Peninsula. The majority of the trash reported by these volunteers was cigarette butts, plastic bottle caps and small pieces of Styrofoam and plastic. Each piece of debris picked up on the beach is one less piece that is washed out to the ocean by the tide. The Marine Protection & Education unit would like to give a big thank you to all these generous people for volunteering their Saturday morning in this effort.

PARK PATROL

On Monday September 10th, the quarterly Park Patrol meeting was held, and agenda items included recaps of CdM Beach summer patrol, dogs at Buck Gully, Repetitive Field Use Agreements, commercial activity and communication. Police Officer Brian Schlottach attended the meeting to further strengthen our relationship with the Police Department as we work together to make Newport Beach parks, facilities and beaches safe and enjoyable for everyone. We appreciate the Police Department taking the time to attend and learn more about Park Patrol as we continue to build a cooperative relationship.

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 month of **August**, Park Patrol had the following number of contacts:

1. Requested Calls

- 26 with Youth Sports Groups
- 4 Field related issues/checks
- 7 Park/Picnic/reservation issues/checks
- 41 Community Center issues/checks
- 2 Playground checks
- 14 other

2. CDM Beach Contacts

- 62 BBQ's
- 90 Tents
- 43 Charcoal
- 1 Pre-event check
- 1 Post-event check

3. Public Contacts

- 98 education
- 13 alcohol
- 94 dog related

NOV Written Warnings Issued – 0

Citations Issued – 1 citation issued for alcohol at Arroyo Park, 1 parking citation issued at CDM Beach

FACILITY RENTALS & SPECIAL EVENT PERMITS

During the period of Aug 16 –Sept 15, 2012 there were:

- 21 Picnic/Park Area Rentals
- 8 Room Rentals
- 2 Field Rentals
- 5 Gym Rentals

There were total of (2) wedding reservation rentals for this period:

Cliff Drive Park-Sept 1, 2012, 25 guests

Peninsula Park Field- Sept 15, 2012, 100 guests

As of August 15, 2012, there were 184 Special Event Permits processed and issued for the year. Those events of note for this period are:

Pacific Coast Triathlon: Crystal Cove State Beach, Sept. 9, 2012 - Attendance: 1000

CdM Chamber Car Show: Corona del Mar Beach, Sept 9, 2012 - Attendance: 1000

Taste of Newport Beach: Fashion Island, Sept 14-16, 2012 - Attendance: 17000/day

**Senior Services
Monthly Activities Report**

To: Parks, Beaches & Recreation Commission

From: Celeste Jardine-Haug, Senior Services Manager

Re: Senior Services Division Monthly Activities Report

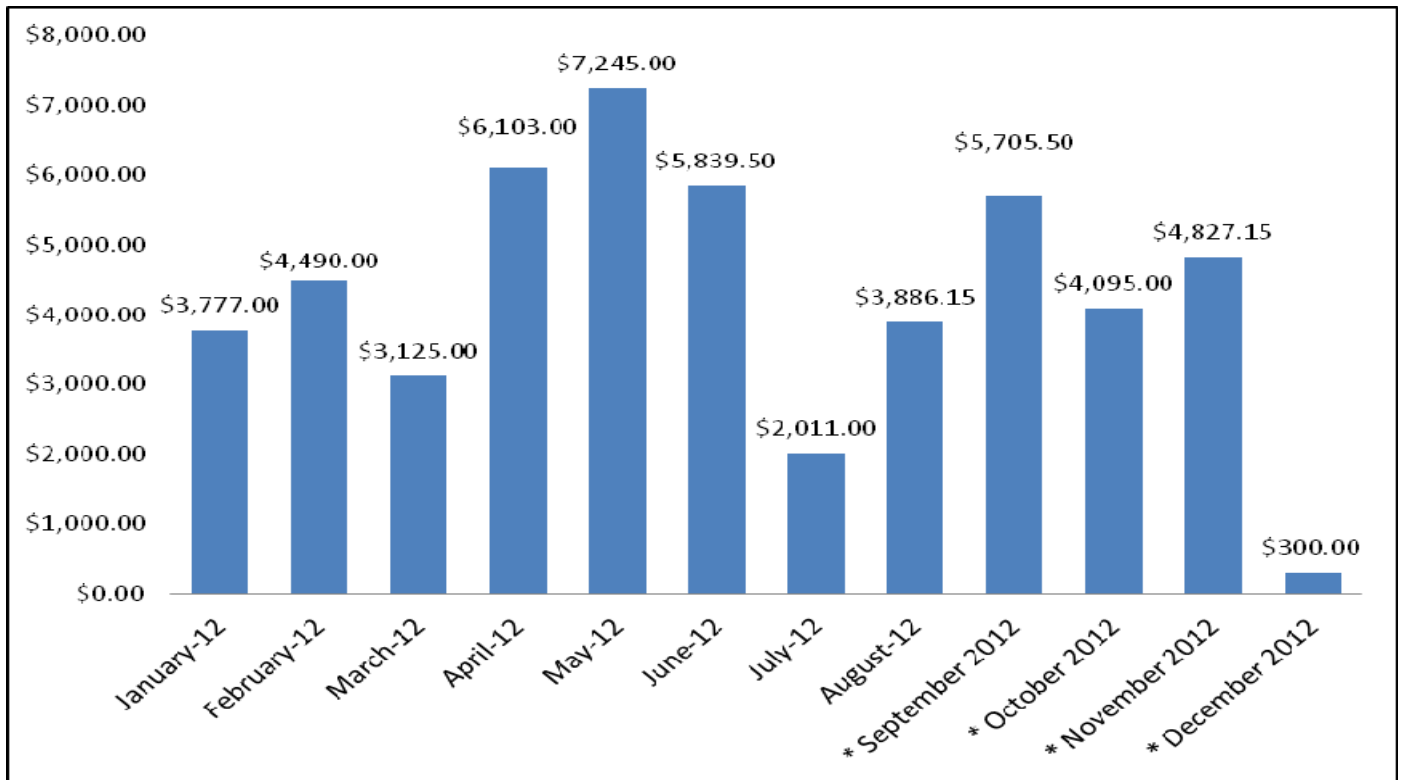
OASIS Rental Caterers

There has continued to be a lot of interest in renting the OASIS Center for various functions. The revenue from last fiscal year has almost doubled from the previous year. The facility is listed on a couple websites for weddings and word has traveled fast that OASIS is a great facility for events. In order to be able to optimally manage the facility and to protect the structure from damage and overuse, we have instituted an exclusive catering list. Research and interviews were used to develop a list of 7 Caterers who will work events for OASIS rentals. The caterers have proper licensing, insurance and reputation for providing a wonderful product as well as making sure that the facility is protected. The caterers selected also have a wide variety of price points and cultural capabilities. Potential renters will choose from a great selection appropriate for a simple high school banquet to a luxurious wedding. The process of renting the OASIS facility is very labor intensive for staff and we are hoping that this decision will help to streamline the process. Below are some charts showing the usage and inquiries in regard to rentals.

2012 Rental Revenue

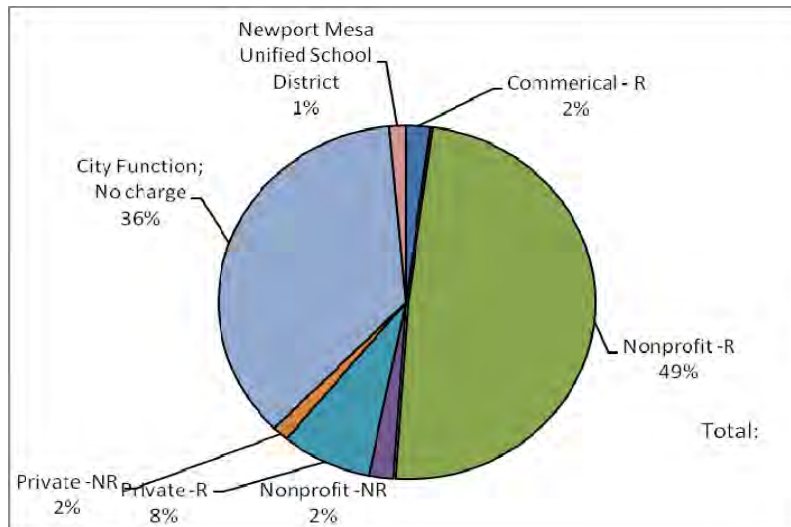
Note: Chart reflects revenue for calendar year (Jan-Dec 2012)

**Anticipated revenue*



Fee Classifications

Note: Chart reflects events held during calendar year (Jan – Dec 2012).



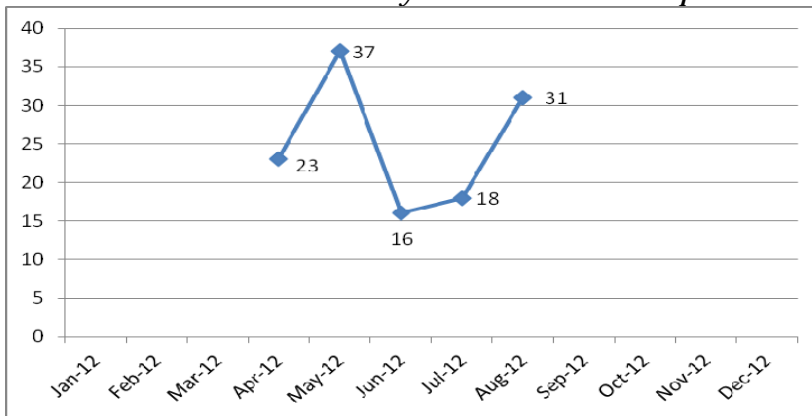
Includes paid rentals, discounted rentals, and no charge rentals.

Facility Rental Inquiries

Note: Chart reflects inquiries for calendar year to date (January-August 2012).

All phone calls, walk-ins and emails per month. Includes City of NB inquiries.

**No data available for January-March 2012 due to position vacancy.*



Library Programs at OASIS

OASIS is fortunate to be able to have the Newport Beach Public Library come to the facility and help participants learn how to use the wonderful and informative library programs on the computer. Students will be learning about Reference USA, Morningstar, Value line, Hoovers Company Records, Health and Medical Complete, and Novelist. These are all programs that one can access from home using a library card.

OASIS Special Events

A Tea and Fashion show was held this month that was very successful. The models were the OASIS senior ³ and the clothing came from Drapers and Damon's located in West Cliff Plaza. The event was catered by Jay's Catering. 175 people, mostly ladies, enjoyed a wonderful afternoon of music, fashion and food. OASIS will be participating in the National Take Back Event which is being coordinated by the Drug Enforcement Agency (DEA) and the Newport Beach Police Department. People will be able to drive by and drop off their unused prescription drugs in a safe manner. The DEA will dispose them in a manner that will ensure the drugs stay out of the wrong hands. This event will take place on Saturday, September 29 from 10:00am to 2:00pm.

August 2012 OASIS UTILIZATION REPORT

PARTICIPANTS ATTENDING **15,817 CUSTOMERS**

RECREATIONAL CLASSES **2,231 CUSTOMERS**

FITNESS CENTER **6,060 CUSTOMERS**

PERSONALIZED SERVICES PROVIDED **2,458 CUSTOMERS**

Includes:

Blood Pressure	56	Rental Inquiries	31
Counseling-persons	85	Rentals (Paid)	7
Eldercare	0	Senior Assessment(hrs)	30
Employment	35	Telephone Reassurance	170
HICAP	9	Visual Screening	0
Housing counseling	25	Taxes (Seasonal)	
Information and Referral	2000		
Legal Assistance	10		

SENIORS RECEIVING TRANSPORTATION SERVICES **1,241 RIDERS**

Care-A-Van/Shuttle

CUSTOMERS RECEIVING NOON MEALS @ THE CENTER* **2,172 CUSTOMERS**

*includes meals on wheels

VOLUNTEER SERVICES PROVIDED AT THE CENTER **1,296 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 **117 CUSTOMERS**

Day Trips

Viva la Fiesta	25
Disney Concert Hall	38
Pechanga Casino	54
Lake Arrowhead	44

Long Trips

SPECIAL EVENTS/SCREENINGS/LECTURES **1,538 PERSONS**

Trail Trekkies	17	Successful Aging	26
OASIS Golfers	55	UCI Lecture: Osteoporosis	60
Computer Friends	N/A	Senior Resources Expo	400
Let's Go Trippin'	70	A Taste at OASIS	300
Big Band Seminar	75		
Movie:	75		
BBQ	65		
Game Show	20		
Talent Show	375		



== CITY OF ==

NEWPORT BEACH

PB&R Commission Staff Report

Agenda Item No. 5A
October 2, 2012

TO: Parks, Beaches & Recreation Commission

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

PREPARED BY: Sean Levin, Recreation Superintendent
949-644-3159, SLevin@newportbeachca.gov

TITLE: Proposed Community Emergency Preparedness Supply Storage
Container within Irvine Terrace Park

ABSTRACT:

The Irvine Terrace Community Association requests approval to install a Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park which requires City Council approval of an encroachment permit.

RECOMMENDATION:

Forward a recommendation to City Council for approval of an encroachment permit to allow Irvine Terrace Community Association to install a Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The Irvine Terrace Community Association (ITCA) is requesting to install a Community Emergency Preparedness Supply (CEPS) Storage Container within Irvine Terrace Park adjacent to the intersection of Evita Drive and Chubasco Drive. Several Irvine Terrace residents, as well as, members of the ITCA Board of Directors have completed the required training and are active members of the Newport Beach Fire Department Community Emergency Response Team (CERT) program. As part of CERT training the Newport Beach Fire Department encourages, as directed by Federal Emergency Management Agency (FEMA), residents to organize emergency supplies and materials in at least two locations; (1) at their homes for immediate family use; and (2) within the community to aid community residents and neighbors.

The storage location within the community is recommended to be in a location that is easily accessible to the City's emergency responders and central to the residents being served. These centralized locations are typically located on community association property, such as Clubhouses, community pool areas, etc. ITCA does not own any property; therefore, ITCA requests permission to install the CEPS container in Irvine Terrace Park. The CEPS container is proposed to be located near the restroom facility adjacent to the block wall near East Coast Highway (Attachment A). The proposed CEPS storage container would not impact programmed or drop in use of the park. The 10-foot wide by 20-foot long by 10-foot tall CEPS container will house emergency equipment (Attachment B) and will service an Operations Command Post for the Irvine Terrace community in the event of an emergency.

Newport Beach Fire Department staff has reviewed and approved the list of emergency equipment to be stored in the container. Modifications to the approved list of equipment will require review by the Newport Beach Fire Department. The storage container will be painted to match the existing restroom facility and will be secured by padlock. ITCA board of directors and the City of Newport Beach Fire Department will have access to the container. The following modifications to Irvine Terrace Park will need to be made to accommodate the CEPS container; all proposed work will be performed by the ITCA contractor at the expense of the Association (Attachment C):

- Minor grading around proposed container area;
- Installation of a 10-foot wide by 30-foot long by 3.5-inch thick concrete slab and curb; and
- Existing park irrigation and landscaping will be modified per the direction of the Municipal Operations Department.

Upon completion of the installation of the CEPS container ITCA shall maintain the permitted improvements in accordance with generally prevailing standards of maintenance, and pay all costs and expenses incurred in doing so. Additionally, the association shall maintain the required general liability insurance policy and paint the exterior of the container to match the existing restroom facility and add any additional screening as directed by the City.

A draft of the City Council staff report is attached (Attachment D) which includes a draft encroachment permit and letter of request from the ITCA.

NOTICING:

The agenda item has been noticed to 43 residents within 300 feet of Irvine Terrace park according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

- Attachments:
- A. Location Map
 - B. Equipment List
 - C. Site Map
 - D. Draft Public Works City Council Report

**ATTACHMENT A
LOCATION MAP**

**COMMUNITY EMERGENCY
PREPAREDNESS SUPPLY
STORAGE CONTAINER**



**LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER**

SEARCH & RESCUE TOOLS & EQUIPMENT

Stretcher

- One Fold Stretcher (SOS Survival Products)
Check with NB Paramedics (Matt B.) for old units

Tools & Equipment

- Batteries "AA" - Energizer 36 pack
- Batteries "D" - Energizer 4 pack
- Axe - 23" Chopping
- Bolt cutter - Workforce 24"
- CERT Search books

- Cutter/trimmers - Corona 20" Bypass Lopper
- Drill bits - Ryobi 90 Piece Straight Shank Drill Kit
- Duct tape - Roberts 1 7/8"
- Dust mask Cordova Nuisance protecto 50 pack
- Electrical Tape
- Fire Extinguisher - Kiddie single use Multi-purpose
- Flashlights - Mag-Lite Mini with holster + 2AA
- Gas & Water shutoff key - Orbit
- Glass cutter - 9 1/2"
- Gloves - G&F Cut resistant, Kevlar
- Goggles - MSA Safety Works Chemical
- Hack saw - Stanley 12"
- Hammer - plumb
- Hand saws - Fatmax 15 in. Saw with BladeArmor
- Hard hat - 3M Tekk
- Hoe - Ames Garden
- Lantern SOS Hurricane with 22 oz oil
- Marking crayons/pens - C.H. Lumber (red/yellow)
- Nails - Simpson 1 1/2 8D & 3 1/2 10D - 5 pound box
- Pick - Atlas 2 1/2 pound
- Zip ties - Gardner Bender 11" & 24" - 500 pack
- Pre-cut wood cribbing
- Prybar - Stanley 24" Ripping
- Pulley Hoist SOS Heavy Duty
- Rope - SOS Poly Truck 3/8"
- Safety Cone - 3M 18" Orange
- Screwdrivers Flat & Phillips assorted sizes - Husky 40 piece
- Shovel - Ames Tru Temper Square 48"
- Shovel - Ames Tru Temper Square 48"
- Sledge Hammer - Atlas tools. 16 pound
- Two way Radios - Motorola 10 mile
- Wheelbarrow - True Temper 6 cu ft steel
- Wrenches - Husky 32 assorted

**LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER**

MEDICAL SUPPLIES & TRIAGE

AED Defibrillator Kit (and refill supplies)
Bottled water Case
Blankets SOS polyester
First Aid Guide NSC SOS
First Aid Kit SOS Industrial for 75
Latex gloves SOS 100 pack (large & medium)
Non-latex gloves (large and medium)
Safety Mate
Splints - SOS Arm
 SOS Hand/Wrist
 SOS Leg
Stretcher - SOS 2 pole
Triage tags SOS 50 pack
Triage Tape SOS Yellow/Red/Black (use in lieu of triage tags)
Triage tarps: Yellow/Red / Black SOS
OTHER

SANITATION

Portable toilet SOS Haddock Portable Chemical
Toilet Bags SOS 250 pack
Toilet paper SOS double ply
Paper towels - Bounty -12 pack Costco
Waterless Hand sanitizer SOS 16oz
Privacy shelter (for toilet) SOS

**LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER**

INCIDENT COMMAND CENTER

Electrical

Generator - Husky 3,650-Watt Gasoline Powered Subaru engine
Spider box
100 foot heavy duty (12 guage) power cord - Husky
Electric work lights - Designers Edge 1200 Watt Halogen Power
Gas can 5 gallon
DC to AC converter
Ball siphon hose with hand/foot pump

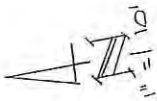
Administration

3 x 5 cards
AM/FM/Marine Radio - portable/battery
Bottled water for CERT Command Center
Canopy with side and entry panels
CERT Manual
Clip board
Corkboard
File folders
File storage box
Folding chair
Folding table
Paper clips
Pens & Pencils
Portable toilet and supplies
Post-It Notes
Push pins
Stapler
Tape
White board
White board markers and eraser
Yellow tablets 8 1/2 x 11

Communications

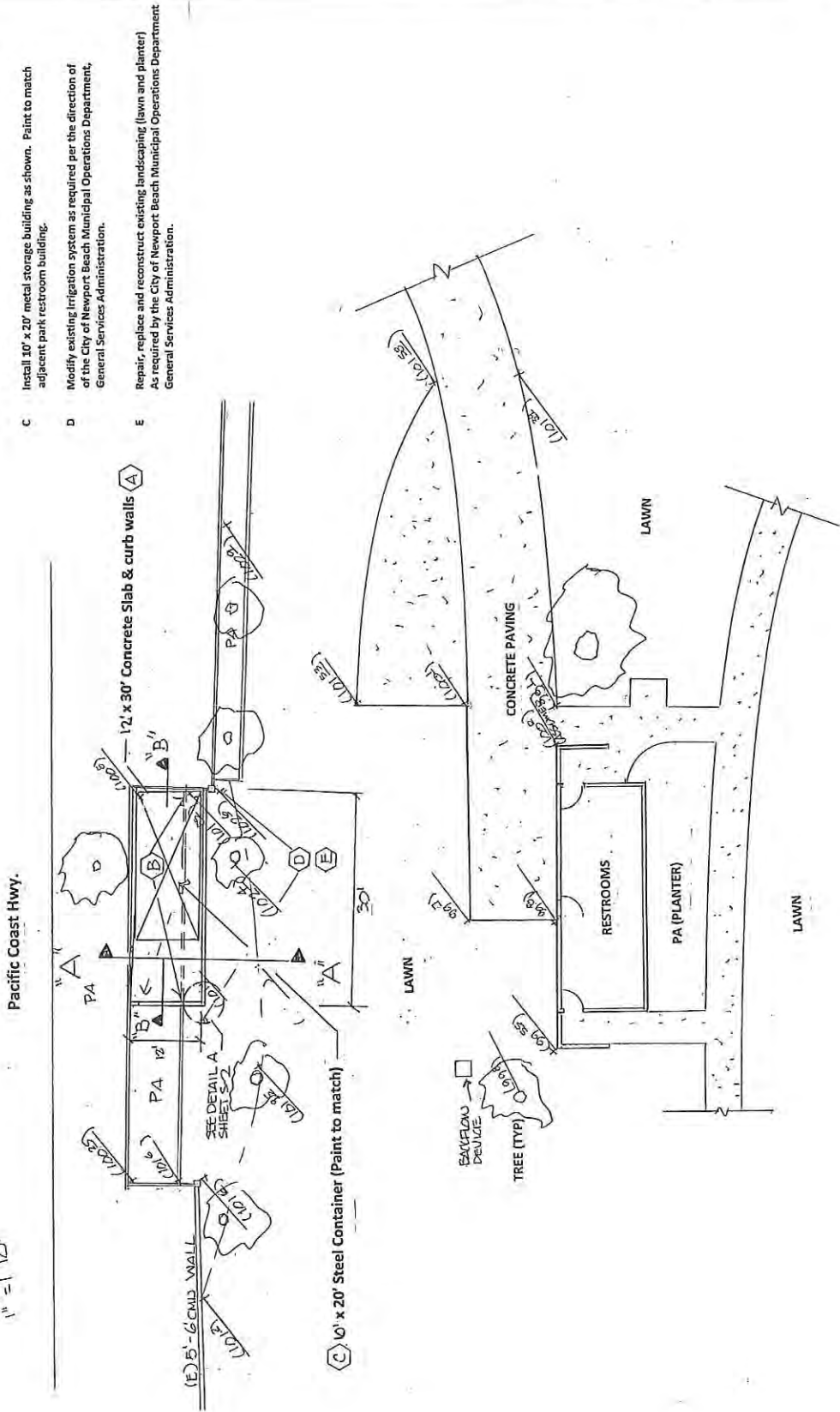
Two way Radios - Motorola 10 mile
GMRS Dual Service Radio (22 channels) + supplies*

IRVINE TERRACE COMMUNITY ASSOCIATION EMERGENCY STORAGE BUILDING

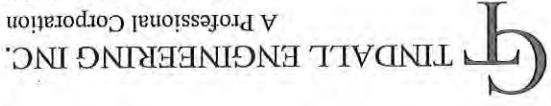


CONSTRUCTION NOTES:

- A Construct concrete pad for Storage Shed (f_c = 2500 psi) per plan including concrete curbing as shown on the plans
- B Remove existing concrete plan curb and interring landscaping per CITY's direction.
- C Install 10' x 20' metal storage building as shown. Paint to match adjacent park restroom building.
- D Modify existing irrigation system as required per the direction of the City of Newport Beach Municipal Operations Department, General Services Administration.
- E Repair, replace and reconstruct existing landscaping (lawn and planter) As required by the City of Newport Beach Municipal Operations Department General Services Administration.



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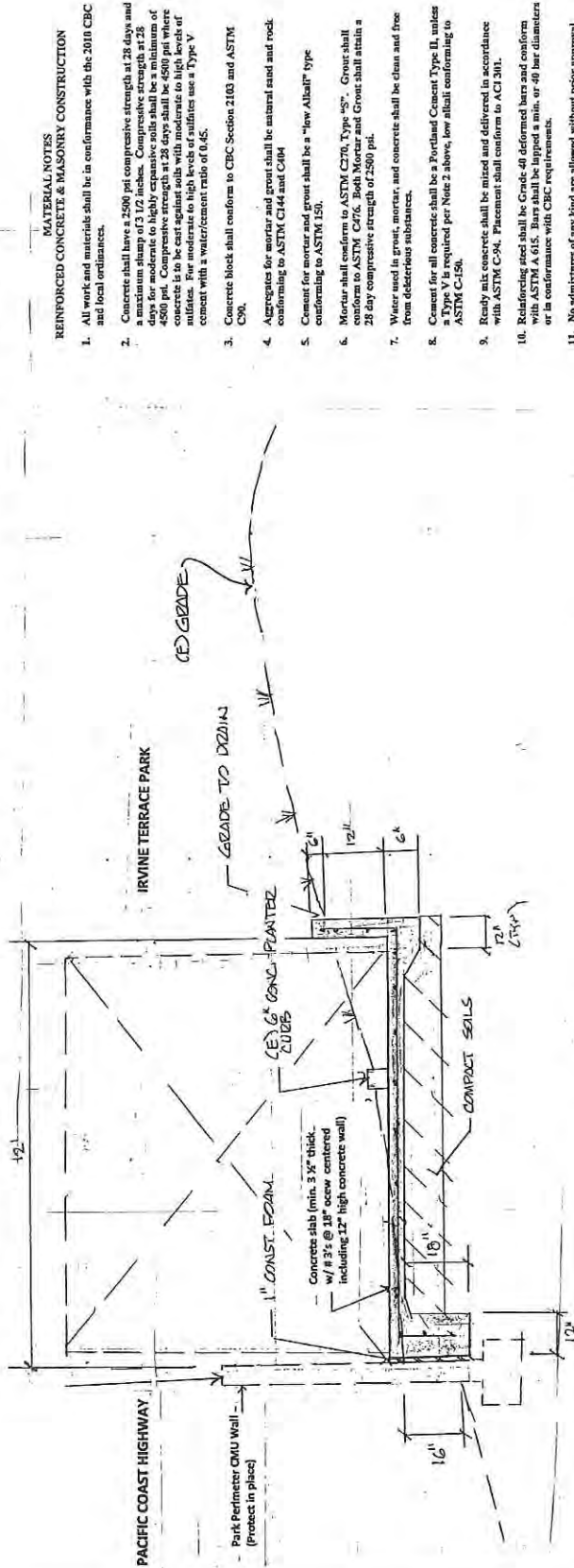


JOB ADDRESS:
 ITCA
 EMERGENCY
 BUILDING AT
 IRVINE TERRACE
 PARK

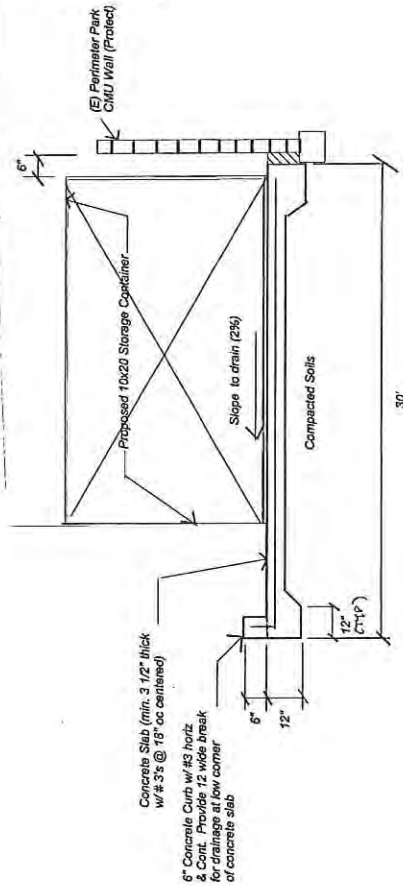
PLOT PLAN
 FOR
 EMERGENCY
 STORAGE CONTAINER

SCALE: (AS NOTED)
 DATE: 03/2012
 DRAWN: GT.
 JOB #: NA
 REVISED:

IRVINE TERRACE COMMUNITY ASSOCIATION EMERGENCY STORAGE BUILDING



SECTION "A-A"
(1/2" = 1' horiz. & vert.)



Section "B-B"
(nts)

MATERIAL NOTES
REINFORCED CONCRETE & MASONRY CONSTRUCTION

- All work and materials shall be in conformance with the 2010 CBC and local ordinances.
- Concrete shall have a 2500 psi compressive strength at 28 days and a maximum slump of 12 inches. Compressive strength at 28 days shall be determined by testing a minimum of 4500 psi. Compressive strength at 28 days shall be 4500 psi and concrete is to be cast against soils with moderate to high levels of sulfates. For moderate to high levels of sulfates use a Type V cement with a water/cement ratio of 0.45.
- Concrete block shall conform to CBC Section 2103 and ASTM C90.
- Aggregates for mortar and grout shall be natural sand and rock conforming to ASTM C144 and C404.
- Cement for mortar and grout shall be a "low alkali" type conforming to ASTM 150.
- Mortar shall conform to ASTM C270, Type "S". Grout shall conform to ASTM C476. Both Mortar and Grout shall attain a 28 day compressive strength of 2500 psi.
- Water used in grout, mortar, and concrete shall be clean and free from deleterious substances.
- Cement for all concrete shall be a Portland Cement Type II, unless a Type V is required per Note 2 above, low alkali conforming to ASTM C-150.
- Ready mix concrete shall be mixed and delivered in accordance with ASTM C-94. Placement shall conform to ACI 301.
- Reinforcing steel shall be Grade-40 deformed bars and conform with ASTM A 615. Bars shall be lapped a min. of 40 bar diameters or in conformance with CBC requirements.
- No admixtures of any kind are allowed without prior approval from the Engineer or from the Building Official.
- Construct expansion joints in all walls at 16' oc

JOB ADDRESS:

ITCA
EMERGENCY
BUILDING AT
IRVINE TERRACE
PARK

**PLOT PLAN
FOR
EMERGENCY
STORAGE CONTAINER**

SCALE: (AS NOTED)
DATE: 03/20/12
DRAWN: GT.
JOB #: NA
REVISED:



== CITY OF ==
NEWPORT BEACH
City Council Staff Report

Agenda Item No. _____
September 25, 2012

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: Public Works Department
David Webb, Public Works Director
949-644-3311, dwebb@newportbeachca.gov

Recreation and Senior Services Department
Laura Detweiler, Recreation and Senior Services Director
949-644-3157, ldetweiler@newportbeachca.gov

PREPARED BY: David Keely, Senior Civil Engineer

APPROVED: _____

TITLE: Proposed Community Emergency Preparedness Supply Storage
Container within the Irvine Terrace Park – Approval of
Encroachment Permit and Agreement (N2012-0225)

ABSTRACT:

The Irvine Terrace Community Association requests approval to install a Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park.

RECOMMENDATION:

1. Allow the City to enter into an Encroachment Agreement with the Irvine Terrace Community Association for the installation of a Community Emergency Preparedness Supply Storage Container within Irvine Terrace Park, contingent upon all conditions of the Encroachment Permit process being met. Authorize the City Manager to execute the Encroachment Agreement.

FUNDING REQUIREMENTS:

A. No Fiscal Impact

There is no fiscal impact related to this item.

DISCUSSION:

The Irvine Terrace Community Association (ITCA) is requesting to install a Community Emergency Preparedness Supply (CEPS) Storage Container within Irvine Terrace Park

adjacent to the intersection of Evita Drive and Chubasco Drive. Several Irvine Terrace residents, as well as, members of the ITCA Board of Directors have completed the required training and are active members of the Newport Beach Fire Department Community Emergency Response Team (CERT) program. As part of CERT training the Newport Beach Fire Department encourages, as directed by Federal Emergency Management Agency (FEMA), residents to organize emergency supplies and materials in at least two locations; (1) at their homes for immediate family use; and (2) within the community to aid community residents and neighbors.

The storage location within the community is recommended to be in a location that is easily accessible to the City's emergency responders and central to the residents being served. These centralized locations are typically located on community association property, such as Clubhouses, community pool areas, etc. ITCA does not own any property; therefore, ITCA requests permission to install the CEPS container in Irvine Terrace Park. The CEPS container is proposed to be located near the restroom facility adjacent to the block wall near East Coast Highway (Attachment A). The proposed CEPS storage container would not impact programmed or drop in use of the park.

The 10-foot wide by 20-foot long by 10-foot tall CEPS container will house emergency equipment (Attachment B) and will service an Operations Command Post for the Irvine Terrace community in the event of an emergency. Newport Beach Fire Department staff has reviewed and approved the list of emergency equipment to be stored in the container. Modifications to the approved list of equipment will require review by the Newport Beach Fire Department. The storage container will be painted to match the existing restroom facility and will be secured by padlock. ITCA board of directors and the City of Newport Beach Fire Department will have access to the container.

The following modification to Irvine Terrace Park will need to be made to accommodate the CEPS container; all proposed work will be performed by the ITCA contractor at the expense of the Association (Attachment C):

- Minor grading around proposed container area;
- Installation of a 10-foot wide by 30-foot long by 3.5-inch thick concrete slab and curb; and
- Existing park irrigation and landscaping will be modified per the direction of the Municipal Operations Department.

Upon completion of the installation of the CEPS container ITCA shall:

- Maintain the permitted improvements in accordance with generally prevailing standards of maintenance, and pay all costs and expenses incurred in doing so;

- Maintain a general liability insurance policy in the amount of not less than One Million Dollars (\$1,000,000) per occurrence for injuries to persons or damages to property, that may arise from or in connection with the work performed under this Agreement by HOA, its agents, representatives, employees or subcontractors, or which may arise from or in connection with the design, construction, operation, maintenance or continued existence of the New or Existing Improvements. If commercial general liability insurance or other form with a general aggregate limit is used, whether the general aggregate limit shall apply separately to the work to be performed under this Agreement, or the general aggregate limit shall be at least twice the required occurrence limit; and
- Paint the exterior of the container to match the existing restroom facility and add any additional screening as directed by the City.

Typically, encroachment requests of this nature not covered under Council Policy L-6 would only require City Council review and approval, however, since this requests is within a City Park staff requested a recommendation from the Parks, Beaches and Recreation (PBR) Commission. The request to install the CEPS Container went before the PBR Commission on _____, 2012. PBR commission recommended approval of the container contingent upon all conditions of the Encroachment Permit process is met and an encroachment agreement is executed for the said improvements.

Comment [d1]: Insert dates once approved

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this project exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15301 (Class 1 Existing Facilities) of the CEQA of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

Submitted by:

David Webb
Public Works Director

Laura Detweiler
Recreation and Senior Services
Director

Attachments:

- A. Location Map
- B. Equipment List
- C. Site Plans
- D. Encroachment Agreement
- E. Irvine Terrace Community Association Letter
- F. ~~Parks, Beaches and Recreation Commission Staff Report~~

Draft Report

**ATTACHMENT A
LOCATION MAP**

**COMMUNITY EMERGENCY
PREPAREDNESS SUPPLY
STORAGE CONTAINER**



**LIST OF ITEMS TO STORED IN THE
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OTHER

SANITATION

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Toilet Bags SOS 250 pack
Toilet paper SOS double ply
Paper towels - Bounty -12 pack Costco
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Privacy shelter (for toilet) SOS

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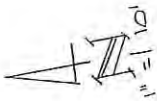
Administration

3 x 5 cards
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Canopy with side and entry panels
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Communications

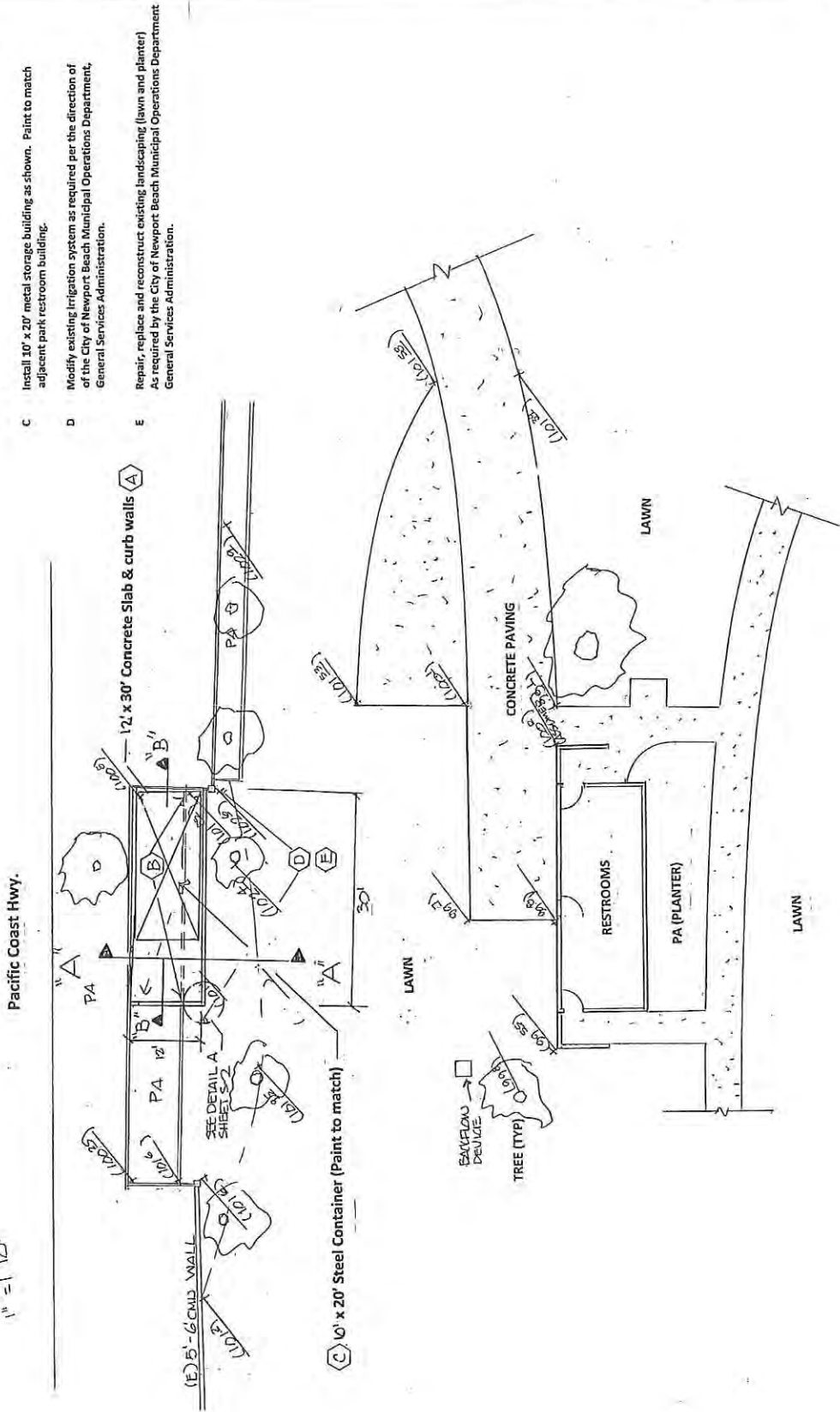
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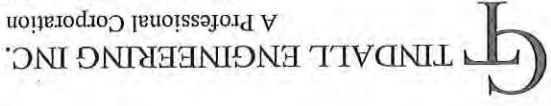


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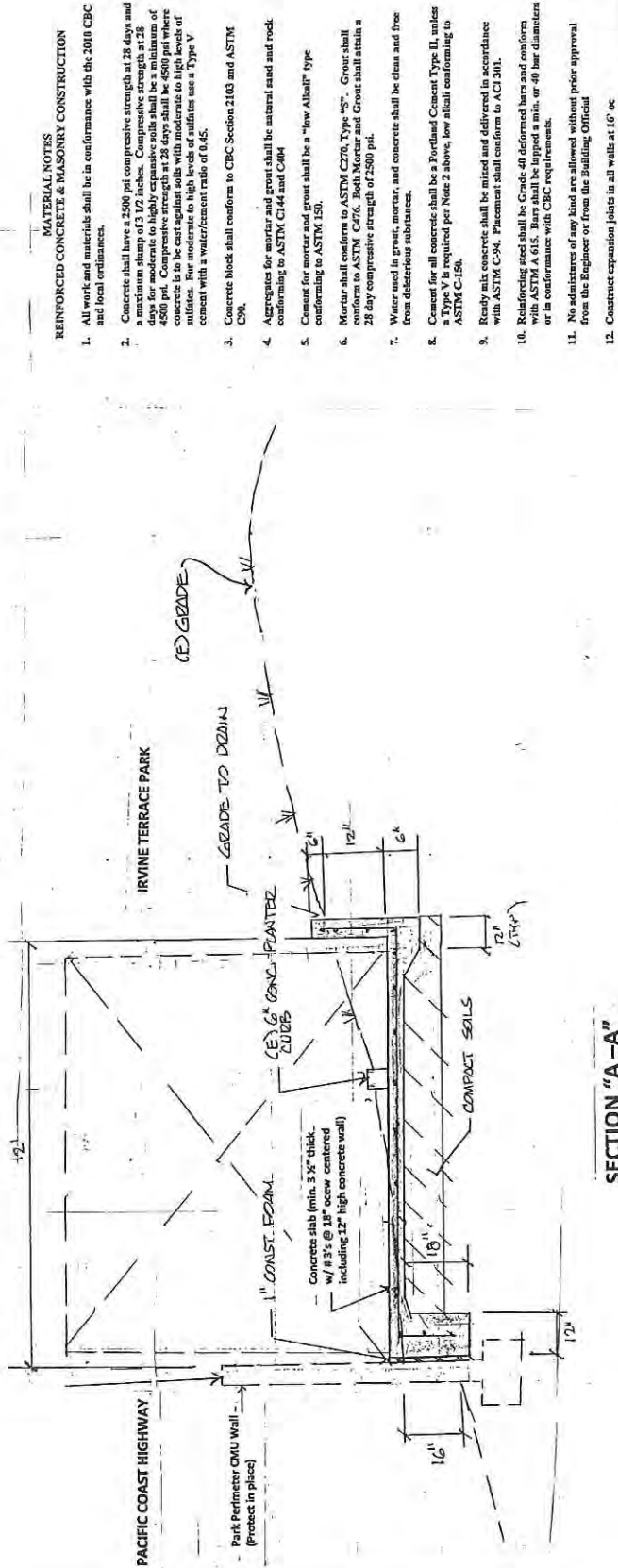


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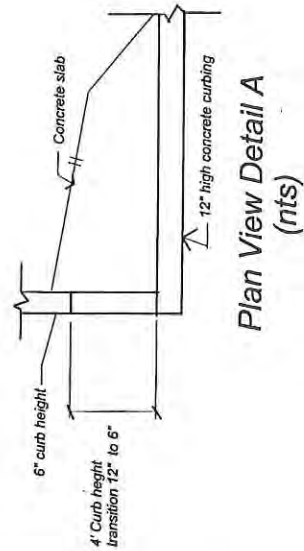
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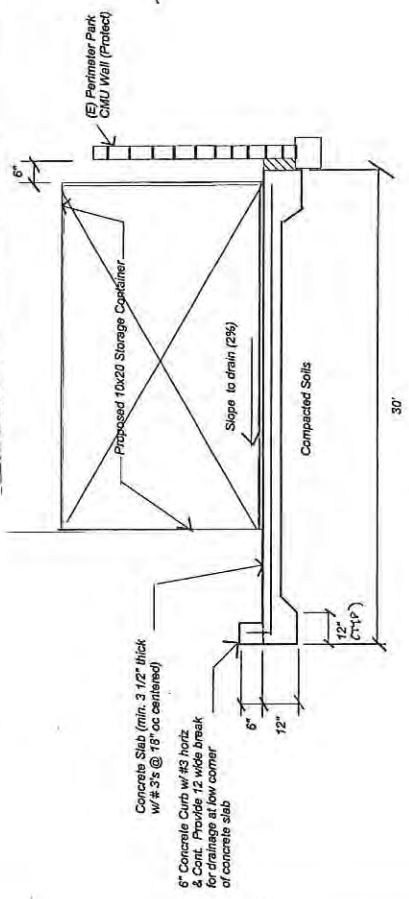
IRVINE TERRACE COMMUNITY ASSOCIATION EMERGENCY STORAGE BUILDING



SECTION "A-A"
(1/2" = 1' horiz. & vert.)



Plan View Detail A
(nts)



Section "B-B"
(nts)

MATERIAL NOTES
REINFORCED CONCRETE & MASONRY CONSTRUCTION

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FTINDALL ENGINEERING INC.
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JOB ADDRESS:
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**PLOT PLAN
FOR
EMERGENCY
STORAGE CONTAINER**

SCALE: (AS NOTED)
DATE: 03/20/12
DRAWN: GT.
JOB #: NA
REVISED:

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Public Works Department
City of Newport Beach
P.O. Box 1768
Newport Beach, CA 92658-8915

Space above this line for Recorder's use only.

**ENCROACHMENT AGREEMENT
(EPN N2012-0225)**

THIS ENCROACHMENT AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2012, by and between the Irvine Terrace Community Association, a California nonprofit corporation ("HOA"), and the City of Newport Beach, California, a California municipal corporation organized and existing under and by virtue of its Charter and the Constitution and the laws of the State of California ("City").

WITNESSETH:

WHEREAS, City is the owner of certain real property in the City of Newport Beach located in the Irvine Terrace Tract at Irvine Terrace Park and legally described as Lots 93, 181 and a portion of Lot A of Tract 2813, as shown on a map recorded in Book 94, Pages 45 through 47 inclusively of Miscellaneous Maps in the office of the County Recorder of Orange County, County Assessor's Parcel Number 050-360-02 and 050-293-28 ("Property").

WHEREAS, HOA desires to construct certain non-standard improvements as further described herein ("Permitted Improvements") within the Property.

WHEREAS, said Permitted Improvements may interfere in the future with City's ability to construct, operate, maintain, and replace City and other public facilities and improvements within the Property; and

WHEREAS, the parties hereto desire to enter this Agreement providing for fulfillment of the conditions required by City to permit HOA to construct and maintain said Permitted Improvements.

NOW, THEREFORE, in consideration of the mutual promises, the parties hereto agree as follows:

1. It is mutually agreed that Permitted Improvements shall be defined as:

A. A 10-foot wide by 20-foot long by-10 foot tall Community Emergency Preparedness Supply (CEPS) container to store emergency response equipment and supplies within the Property, all equipment and supplies shall be approved by City's Public Works and the Fire Departments;

B. A 12-foot wide by 30-foot long concrete slab and curb wall within the Property as shown on EXHIBIT "A" attached hereto and as approved by the Public Works Department. The CEPS container will be placed on top of the concrete slab.

C. In addition, if any of the Permitted Improvements actually built or installed during the time of construction vary from the Permitted Improvements approved herein, such variations or changes must be approved in advance by the Public Works Department and shall be shown on the "As Built" plans.

2. City will permit HOA to construct, reconstruct, install, maintain, use, operate, repair and replace said Permitted Improvements and appurtenances incidental thereto, within a portion of the Property, if in substantial conformance with the plans and specifications on file in the City and attached hereto as Exhibit "A." City will further allow HOA to take all reasonable measures necessary or convenient in accomplishing the aforesaid activities.

3. Rights granted under this Agreement may be terminated by City with or without cause and at any time without notice. The City shall make good faith efforts to provide notice sixty (60) days in advance of termination specifying in said notice the date of termination. City shall incur no liability whatsoever in the event of the termination of this Agreement, or subsequent removal of the Permitted Improvements by City.

4. HOA and City further agree as follows:

A. HOA may construct and install Permitted Improvements and appurtenances incidental thereto, in substantial conformance with the plans and specifications on file in the City's Public Works Department, and as described on Exhibit "A" attached hereto.

B. HOA shall maintain the Permitted Improvements in accordance with generally prevailing standards of maintenance, and pay all costs and expenses incurred in doing so. However, nothing herein shall be construed to require HOA to maintain, replace or repair any City-owned pipeline, conduit or cable located in or under said Permitted Improvements, except as otherwise provided herein.

C. If City or other public facilities or improvements are damaged by the construction, installation or presence of Permitted Improvements, HOA shall be responsible for any and all cost of repairs.

D. That should City be required to enter onto said Permitted Improvements to exercise its primary rights associated with the Property, including but not limited to, the maintenance, removal, repair, renewal, replacement or enlargement of existing or future

public facilities or improvements, City may remove portions of the Permitted Improvements, as required, and in such event:

- i) City shall notify HOA in advance of its intention to accomplish such work, provided that an emergency situation does not exist.
 - ii) HOA shall be responsible for arranging for any renewal, replacement, or restoration of the Permitted Improvements affected by such work by City.
 - iii) City agrees to bear only the cost of any removal of the Permitted Improvements affected by such work by City.
 - iv) HOA agrees to pay all costs for the renewal, replacement, or restoration of the Permitted Improvements.
5. In the event either party breaches any material provision of this Agreement, the other party at its option may, in addition to the other legal remedies available to it, terminate this Agreement, and, in the event the breaching party is HOA, City may enter and said Permitted Improvements and remove all or part of the improvements installed by HOA. Termination because of breach shall be upon a minimum of ten (10) day notice, with the notice specifying the date of termination. In the event of litigation, commenced with respect to any term of condition of this Agreement, the prevailing party shall not be entitled to reasonable attorneys fees and costs incurred.
6. HOA shall defend, indemnify and hold harmless City, its City Council, boards and commissions, officers and employees from and against any and all loss, damage, liability, claims, suits, costs and expenses whatsoever, including reasonable attorneys' fees, regardless of the merit or outcome of any such claim or suit arising from or in any manner connected with the design, construction, maintenance, or continued existence of the Permitted Improvements.
7. HOA agrees that this Agreement shall remain in full force and effect from execution thereof; shall be binding upon the heirs, successors, and assigns of HOA.
8. The laws of the State of California shall govern this Agreement and all matters relating to it and any action brought relating to this Agreement shall be adjudicated in a court of competent jurisdiction in the County of Orange.
9. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of the Agreement or any other rule of construction which might otherwise apply.
10. This Agreement represents the full and complete understanding of every kind or nature whatsoever between the parties hereto, and all preliminary negotiations

and agreements of whatsoever kind or nature are merged herein. No verbal agreement or implied covenant shall be held to vary the provisions herein.

11. A waiver by either party of any breach, of any term, covenant or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition contained herein, whether of the same or a different character.
12. HOA shall at HOA's own cost and expense comply with all statutes, ordinances, regulations and requirements of all governmental entities, including federal, state, county or municipal, whether now in force or hereinafter enacted and specifically included, but not limited to provisions of the Newport Beach Municipal Code relating to hours when no persons shall enter the Property.
13. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.
14. HOA shall obtain, provide and maintain, at its sole cost and expense, policies of liability insurance of the type and amounts described below and in a form satisfactory to City, and shall require in all of its contracts with any contractors that perform any design, installation, maintenance or other work in connection with City Property that such contractors also provide the same insurance coverages as outlined herein. Certification of all required policies shall be signed by a person authorized by that insurer to bind coverages on its behalf and shall be filed with City prior to performance of any work on or within City Property. Except for workers compensation and any errors and omissions coverage, all insurance policies shall, to the extent coverages is provided under such policies, add City, its elected officials, officer, agents, representatives and employees as additional insured for all liability arising from such work related to City Property.

Insurance policies for the following coverages, with original endorsements related to the Improvements, shall be issued by companies approved or licensed to do business in California and assigned Best's A-VII or other rating acceptable to City:

A. Coverage Requirements

- i. Worker's Compensation Coverage. HOA shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for its employees in accordance with the laws of the State of California. In addition, HOA shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance to laws of the State of California for all of the subcontractor's employees. Any notice of cancellation or non-renewal of all Worker's Compensation Insurance policies must be received by City at least thirty (30) calendar days (10

calendar days written notice of non-payment of premium) prior to such change. The insurer shall agree to waive all rights of subrogation against City, its officers, agents, employees and volunteers for losses arising from work performed by HOA or its subcontractors for City.

- ii. General Liability Coverage: HOA shall maintain for the duration of this License, a general liability insurance policy in the amount of not less than One Million Dollars (\$1,000,000) per occurrence for injuries to persons or damages to property, that may arise from or in connection with the work performed under this Agreement by HOA, its agents, representatives, employees or subcontractors, or which may arise from or in connection with the design, construction, operation, maintenance or continued existence of the New or Existing Improvements. If commercial general liability insurance or other form with a general aggregate limit is used, wither the general aggregate limit shall apply separately to the work to be performed under this Agreement, or the general aggregate limit shall be at least twice the required occurrence limit.
- iii. Automobile Liability Coverage: HOA shall maintain for the duration of this License, automobile insurance covering bodily injury and property damage for all activities of HOA, its agents, representatives, employees, or subcontractors that may arise from or in connection with the work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than One Million Dollars (\$1,000,000) combined single limit for each occurrence.

B. For any contractors providing design services, professional errors and omissions insurance shall be required, which covers the services to be performed in connection with the Approved Plans or landscaping to be installed on or within City Property, in the minimum amount of One Million Dollars (\$1,000,000).

C. Endorsements: Each general liability and automobile liability insurance policy shall be endorsed with the following language:

- i. The City, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insured with respect to liability arising out of work performed be or on behalf of the HOA.
- ii. This policy shall be considered primary insurance as respect to City, its elected or appointed officers, officials, employees, agents and volunteers as respects to all claims, losses, or liability arising directly or indirectly from HOA's operation or services provided to City. Any insurance maintained by City, including any self-insured

retention City may have, shall be considered excess insurance only and not contributory with the insurance provided hereunder.

- iii. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with the respect to the limits of liability of the insuring company.
- iv. Insurer waives all rights of subrogation against City, its elected or appointed officers, officials, employees, agents and volunteers.
- v. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to City, its elected or appointed officers, officials, employees, agents and volunteers.
- vi. The insurance provider by this policy shall not be suspended, voided, cancelled, or reduced in coverage or in limits, by any party except after thirty (30) calendar days written notice has been delivered to the City (10 calendar days written notice of non-payment of premium).

D. Timely Notice of Claims: HOA shall give City prompt and timely notice of claim made or suit instituted arising out of or resulting from HOA's performance under this Agreement.

E. Additional Insurance: HOA shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the work.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates written below.

**APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE**

**CITY OF NEWPORT BEACH,
a California Municipal corporation**

Date: _____

Date: _____

By: _____
Aaron C. Harp,
City Attorney

By: _____
Nancy Gardner,
Mayor

ATTEST:

**IRVINE TERRACE COMMUNITY
ASSOCIATION:**

Date: _____

Date: _____

By: _____
Leilani Brown, City Clerk

By: _____
Brian Jones
President

Date: _____

By: _____

Owners must sign in the presence of notary public

ATTACHMENTS: EXHIBIT A—Plans as approved by Public Works

f:\users\pbw\shared\1-encroach\row agreements\2012\2012-0225 irvine terrance community assoication.docx

ACKNOWLEDGMENT

State _____ of California
County of _____ } ss.

On _____ before me, _____,
Notary Public, personally appeared _____

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (seal)

ACKNOWLEDGMENT

State _____ of California
County of _____ } ss.

On _____ before me, _____,
Notary Public, personally appeared _____

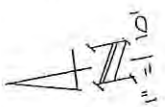
_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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Signature (seal)

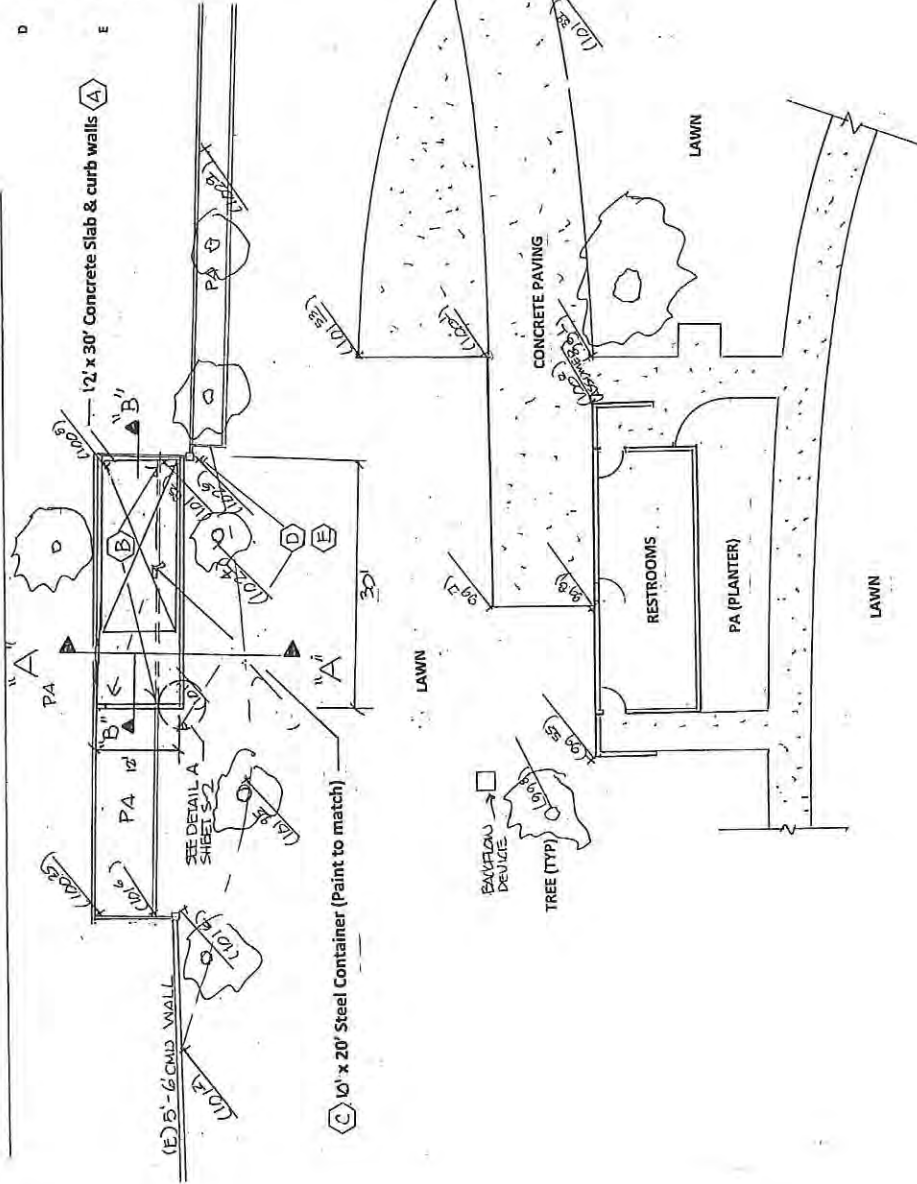
IRVINE TERRACE COMMUNITY ASSOCIATION EMERGENCY STORAGE BUILDING



CONSTRUCTION NOTES:

- (A) Construct concrete pad for Storage Shed (7c = 2500 psl) per plan including concrete curbing as shown on the plans
- B Remove existing concrete plan curb and interring landscaping per City's direction.
- C Install 10' x 20' metal storage building as shown. Paint to match adjacent park restroom building.
- D Modify existing irrigation system as required per the direction of the City of Newport Beach Municipal Operations Department, General Services Administration.
- E Repair, replace and reconstruct existing landscaping (lawn and planter) As required by the City of Newport Beach Municipal Operations Department General Services Administration.

Pacific Coast Hwy.



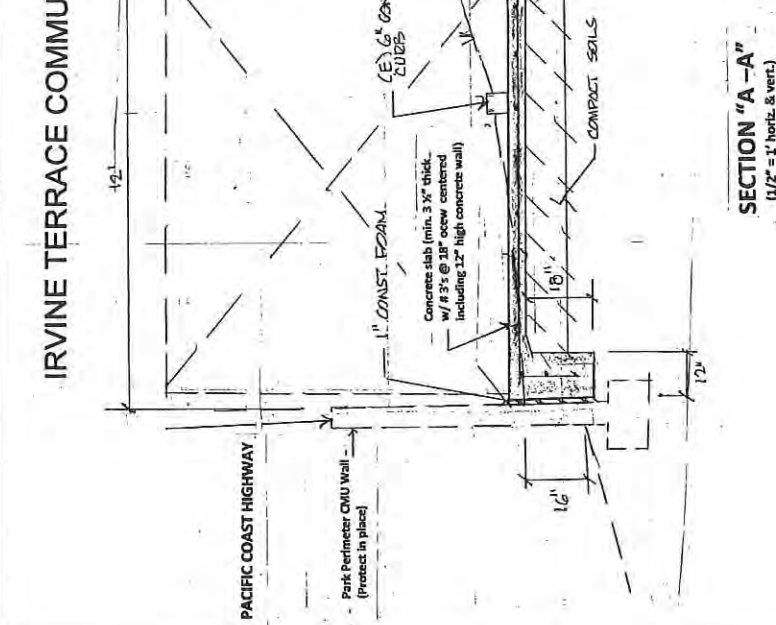
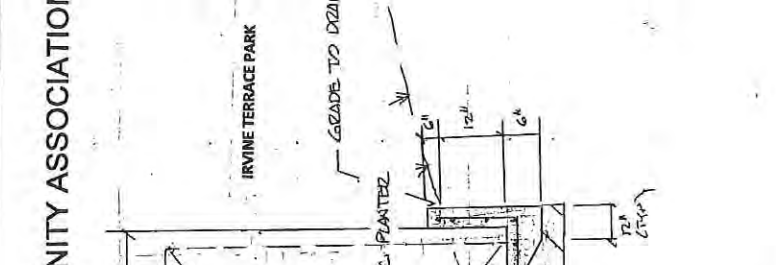
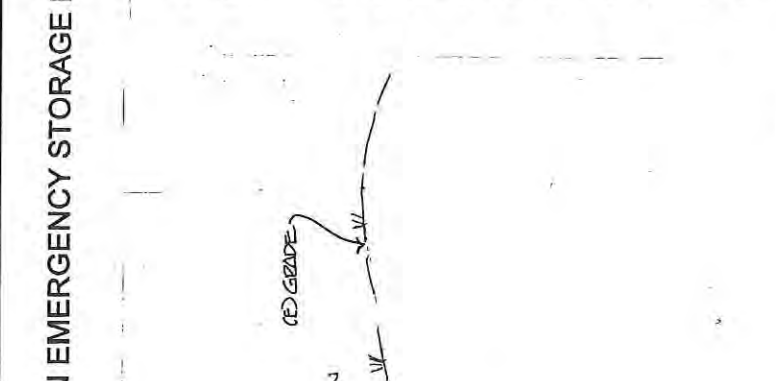
(C) 10' x 20' Steel Container (Paint to match)

IRVINE TERRACE PARK

EXHIBIT A
1 OF 5

MATERIAL NOTES
REINFORCED CONCRETE & MASONRY CONSTRUCTION

- All work and materials shall be in conformance with the 2010 CBC and local ordinances.
- Concrete shall have a 2800 psi compressive strength at 28 days and a maximum slump of 3.10 inches. Concrete shall be placed in 4" lifts for moderate to highly expansive soils shall be a minimum of 4500 psi. Compressive strength at 28 days shall be 4500 psi where concrete is to be cast against soils with moderate to high levels of sulfates. For moderate to high levels of sulfates use a Type V cement with a water/cement ratio of 0.45.
- Concrete block shall conform to CBC Section 2103 and ASTM C90.
- Aggregate for mortar and grout shall be natural sand and rock conforming to ASTM C144 and C144.
- Cement for mortar and grout shall be a "low alkali" type conforming to ASTM 150.
- Mortar shall conform to ASTM C270, Type "S". Grout shall conform to ASTM C976. Both Mortar and Grout shall attain a 28 day compressive strength of 2500 psi.
- Water used in grout, mortar, and concrete shall be clean and free from deleterious substances.
- Cement for all concrete shall be a Portland Cement Type II, unless a Type V is required per Note 2 above, low alkali conforming to ASTM C-150.
- Ready mix concrete shall be mixed and delivered in accordance with ASTM C-94. Placement shall conform to ACI 301.
- Reinforcing steel shall be Grade 40 deformed bars and conform with ASTM A 615. Steel shall be lapped a min. of 40 bar diameters or in conformance with CBC requirements.
- No admixtures of any kind are allowed without prior approval from the Engineer or from the Building Official.
- Construct expansion joints in all walls at 16' oc



Concrete Slab (min. 3 1/2" thick w/ #3's @ 18" oc centered)
 6" Concrete Curb w/ #3 horiz & Vert. Provide 12" wide break for drainage at low corner of concrete slab

JOB ADDRESS:
 ITCA
 EMERGENCY
 BUILDING AT
 IRVINE TERRACE
 PARK

PLOT PLAN
 FOR
 EMERGENCY
 STORAGE CONTAINER

SCALE: (AS NOTED)
 DATE: 03/20/12
 DRAWN: GT
 JOB #: NA
 REVISED:

10 Malabar Drive Corona Del Mar, CA 92625
 (949) 222-0165
 (949) 757-0286
 geoff.tindall@itca.com

TINDALL ENGINEERING INC.
 A Professional Corporation

EXHIBIT A
 2 OF 5

Section "B - B"
 (nts)

Plan View Detail A
 (nts)

SECTION "A - A"
 (1/2" = 1' horiz. & vert.)

LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER

SEARCH & RESCUE TOOLS & EQUIPMENT

Stretcher

- One Fold Stretcher (SOS Survival Products)
Check with NB Paramedics (Matt B.) for old units

Tools & Equipment

- Batteries "AA" - Energizer 36 pack
- Batteries "D" - Energizer 4 pack
- Axe - 23" Chopping
- Bolt cutter - Workforce 24"
- CERT Search books

- Cutter/trimmers - Corona 20" Bypass Lopper
- Drill bits - Ryobi 90 Piece Straight Shank Drill Kit
- Duct tape - Roberts 1 7/8"
- Dust mask Cordova Nuisance protecto 50 pack
- Electrical Tape
- Fire Extinguisher - Kiddie single use Multi-purpose
- Flashlights - Mag-Lite Mini with holster + 2AA
- Gas & Water shutoff key - Orbit
- Glass cutter - 9 1/2"
- Gloves - G&F Cut resistant Kevlar
- Goggles - MSA Safety Works Chemical
- Hack saw - Stanley 12"
- Hammer - plumb
- Hand saws - Fatmax 15 in. Saw with BladeArmor
- Hard hat - 3M Tekk
- Hoe - Ames Garden
- Lantern SOS Hurricane with 22 oz oil
- Marking crayons/pens - C.H. Lumber (red/yellow)
- Nails - Simpson 1 1/2 8D & 3 1/2 10D - 5 pound box
- Pick - Atlas 2 1/2 pound
- Zip ties - Garndner Bender 11" & 24" - 500 pack
- Pre-cut wood cribbing
- Prybar - Stanly 24" Ripping
- Pulley Hoist SOS Heavy Duty
- Rope - SOS Poly Truck 3/8"
- Safety Cone - 3M 18" Orange
- Screwdrivers Flat & Phillips assorted sizes - Husky 40 piece
- Shovel - Ames Tru Temper Square 48"
- Shovel - Ames Tru Temper Square 48"
- Sledge Hammer - Atlas tools 16 pound
- Two way Radios - Motorola 10 mile
- Wheelbarrow - True Temper 6 cu ft steel
- Wrenches - Husky 32 assorted

**LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER**

MEDICAL SUPPLIES & TRIAGE

AED Defibrilator Kit (and refill supplies)
Bottled water Case
Blankets SOS polyester
First Aid Guide NSC SOS
First Aid Kit SOS Industrial for 75
Latex gloves SOS 100 pack (large & medium)
Non-latex gloves (large and medium)
Safety Mate
Splints - SOS Arm
 SOS Hand/Wrist
 SOS Leg
Stretcher - SOS 2 pole
Triage tags SOS 50 pack
Triage Tape SOS Yellow/Red/Black (use in lieu of triage tags)
Triage tarps: Yellow/Red / Black SOS
OTHER

SANITATION

Portable toilet SOS Hassock Portable Chemical
Toilet Bags SOS 250 pack
Toilet paper SOS double ply
Paper towels - Bounty -12 pack Costco
Waterless Hand sanitizer SOS 16oz
Privacy shelter (for toilet) SOS

**LIST OF ITEMS TO STORED IN THE
ITCA'S CONTAINER**

INCIDENT COMMAND CENTER

Electrical

Generator - Husky 3,650-Watt Gasoline Powered Subaru engine
Spider box
100 foot heavy duty (12 guage) power cord - Husky
Electric work lights - Designers Edge 1200 Watt Halogen Power
Gas can 5 gallon
DC to AC converter
Ball siphon hose with hand/foot pump

Administration

3 x 5 cards
AM/FM/Marine Radio - portable/battery
Bottled water for CERT Command Center
Canopy with side and entry panels
CERT Manual
Clip board
Corkboard
File folders
File storage box
Folding chair
Folding table
Paper clips
Pens & Pencils
Portable toilet and supplies
Post-It Notes
Push pins
Stapler
Tape
White board
White board markers and eraser
Yellow tablets 8 1/2 x 11

Communications

Two way Radios - Motorola 10 mile
GMRS Dual Service Radio (22 channels) + supplies*

IRVINE TERRACE COMMUNITY ASSOCIATION

Newport Beach Emergency Management Program and
Request for Storage Area for Irvine Terrace Community Emergency Response Team

Existing Public Safety Need

It is a fact that Newport Beach is in a high earthquake zone as well as having exposure to other major natural disasters. City officials have frequently reminded Newport residents that the probability of a major earthquake or other disaster striking our area is not a question of "IF?" but certainly is a question of "WHEN?"

In anticipation of the next major disaster, *"the City has implemented a comprehensive Emergency Management Program which includes all elements necessary to respond quickly and effectively to major emergencies. These elements include: an Emergency Operations Plan, Emergency Operations Center, Employee Response Program, Public Education Program, and trained Community Emergency Response Team (NBCERT)."*

"Following a major disaster, first responders who provide fire and medical services will not be able to meet the demand for these services. Factors such as number of victims, communication failures, and road blockages will prevent people from accessing emergency services they have come to expect at a moment's notice through 911. People will have to rely on each other for help in order to meet their immediate life saving and life sustaining needs." (NB City website)

Irvine Terrace Support

Irvine Terrace is a community of 384 single-family residential homes in Corona del Mar. The Irvine Terrace Community Association ("ITCA"), a non-profit association and management body of Irvine Terrace, desires to actively support the City of Newport Beach's ("City") Emergency Management Program to strengthen the City's and the ITCA residents' ability to prepare for, to mitigate against, to respond to and recover from any disaster.

ITCA Commitment to Newport's Emergency Management Program

As part of this commitment, a growing number of Irvine Terrace residents, including member of the ITCA Board of Directors, have completed required training and are now active members of the Newport Beach Fire Department Community Emergency Response Team, or CERT, Program.

In 2011 the ITCA Board of Directors authorized the expenditure of the sum of Ten Thousand Dollars (\$10,000) on behalf of the ITCA for the purchase of emergency medical and triage supplies, light search and rescue tools and sanitation equipment, incident command and administration center and storage facility for the above materials and equipment. A list of items to be stored in the CERT container is attached to this application.

ITCA CERT Location

As part of the CERT training, the Newport Beach Fire Department has advised residents to organize emergency supplies and materials in at least two locations; first, at their homes for immediate family use, and, second, as a community to aid community residents and neighbors. Upon the occurrence of a major disaster, it can be anticipated that many residents of Irvine Terrace will need emergency assistance that the City will not be able to provide.

ITCA CERT Requirement

In order for ITCA to equip its Community Emergency Response Team, ITCA requires a location for a CERT command post to assist the City's emergency responders and for the storage of CERT supplies and materials.

As advised by the City Fire Department, the location should be one that is easily accessible to the City's emergency responders and central to the residents being served.

Because the ITCA does not own any property (i.e., real estate), ITCA requests permission from the City of Newport Beach for use of a small area in Irvine Terrace Park to store Community Emergency Response Team (CERT) disaster and emergency supplies and equipment. Irvine Terrace Park, located between East Coast Highway and Seadrift Drive, offers easy access to City emergency responders and is central to all residents in Irvine Terrace. Additionally, it is the only public open space in all of Irvine Terrace.

Irvine Terrace CERT Operations Command Post

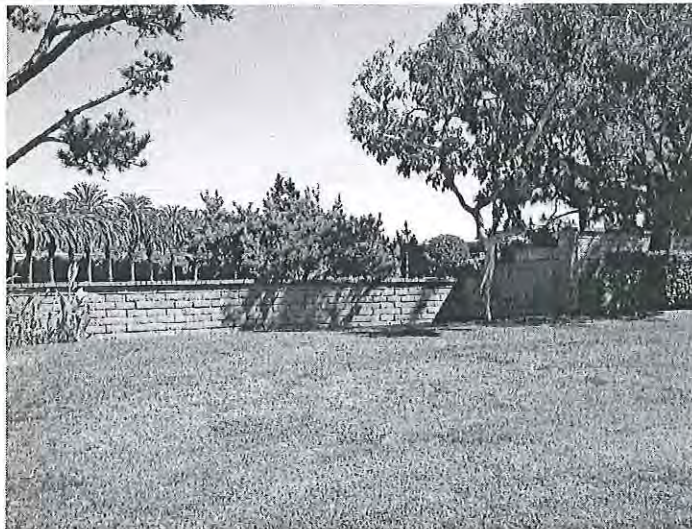
ITCA is requesting that a 12' by 30' area adjacent to the Park's perimeter masonry wall paralleling PCH and the park restroom building be approved. This location has been reviewed by both City Park Operation and Engineering Services. This would be an ideal location for the ITCA CERT unit because a) that area is not used for any current Park activities, b) the unit will be practically out of sight of Park users and c) as such, this location will be safe and will not interfere with any Park activities.

Details of this request are as follows:

1. Ground Space Request: A twelve foot by twenty foot (12' x 30') ground space is requested for the placement of a secure storage container in Irvine Terrace Park, as approved by the City.
2. Suggested Location: Adjacent to the Park's perimeter masonry wall opposite the exiting park restrooms. Refer to attached 11" x 17" plans for more specific details.
3. CERT Container: The CERT container will be a secure, locked and painted to match the restroom building. The steel container is 10' wide x 20' long x 10' high.
4. Storage Access: The container will be locked by padlock at all times except in the event of use for disaster or emergency and for storage or removal of CERT emergency supplies and materials.
5. Authorized Entry: The only personnel having access will be a) ITCA Board members, b) ITCA CERT members authorized by the ITCA Board, and c) authorized members of the City Fire Department emergency personnel.

6. **Maintenance:** ITCA will maintain the appearance and condition of the CERT container in first-class condition at all times.
7. **Liability Insurance:** ITCA shall provide the City with liability coverage (suitable to the City) as a named insured in the amount of One Million Dollars (\$1,000,000).
8. **Placement and Removal of CERT Container:** ITCA shall be responsible for the safe placement and removal of the CERT container and shall immediately and damage to the park grounds caused by placement or use; and shall immediately repair and return the grounds to their original condition following removal.
9. **Term of Ground Use:** The City shall lease the requested area to ITCA on terms acceptable to the City for a term of ten (10 years) in consideration for the payment by ITCA to the City of One Dollar (\$1.00) per year.
10. **Exterior Color and Screen of Container:** The container's exterior will be painted to match the existing park restrooms so as to blend into the surround area. Additional screening can be added if desired by the City.
11. **Other Conditions Required by City.** Such other conditions required by the City and approved by ITCA.

Photos Proposed Location of CERT Unit

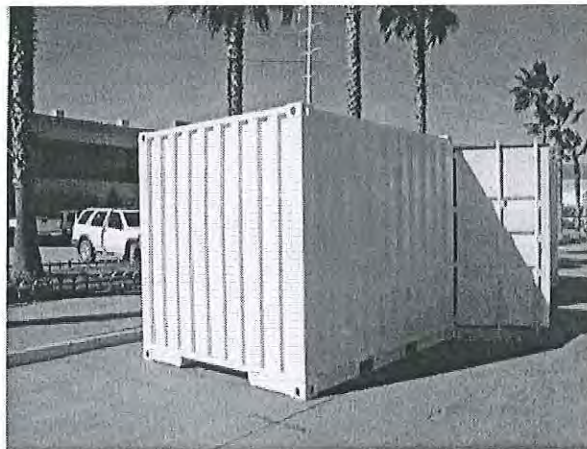


The container would be placed adjacent to the masonry wall in the foreground (Refer to Attached 11" x 17" plans for a more specific details

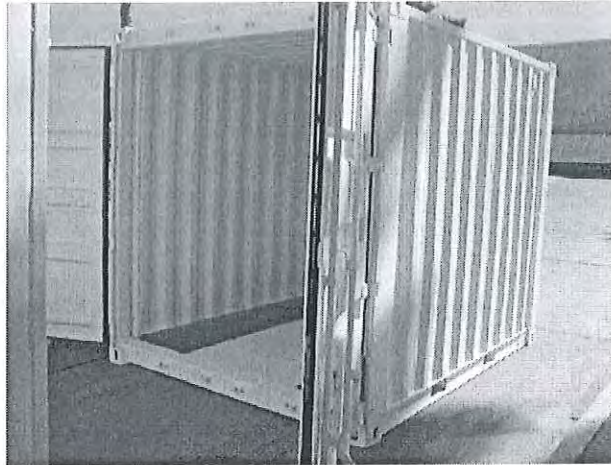
10' wide by 20' long CERT container would be painted to match the existing Park restrooms as shown below:



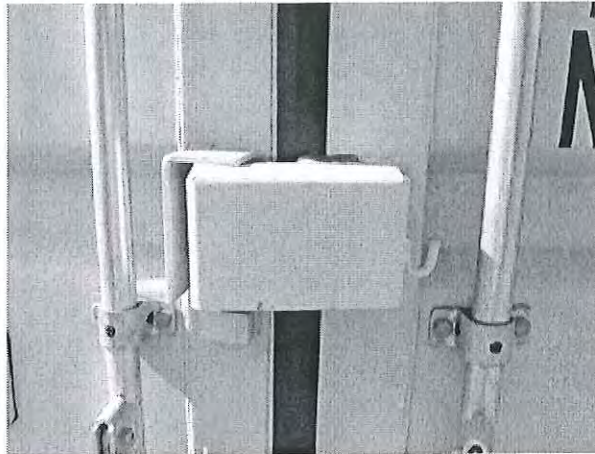
The following photographs show a typical container (below)



Sample Container Exterior >



Sample Container Interior >



Secure Container Lock >



Typical 10'W x 20'L x 10' H storage container (side view)

Submitted by the Irvine Terrace Community Association:

Mr. George L. Tindall, Treasurer

Date



Municipal Operations Department

PB&R Commission Agenda

Item No. 5B

October 2, 2012

TO: Parks, Beaches and Recreation Commission

FROM: Municipal Operations Director

SUBJECT: *Special Tree Removal Request – 320 Evening Canyon Road*

Recommendation

Staff recommends that the Parks, Beaches and Recreation (PB&R) Commission consider the removal of two Special City Trees, Neighborhood Trees at 320 Evening Canyon Road.

Discussion

Staff is requesting approval for the removal of two City *Erythrina caffra* (Kaffirboom Coral) trees located adjacent to 320 Evening Canyon Road. The trees are listed as Special City Trees under Neighborhood Trees.

City Council Policy G-1, Retention or Removal of City Trees, Special City Trees, Neighborhood Trees, requires that the PB&R Commission approve the removal of a Special Tree (Attachment A).

The Urban Forester and Parks/Trees Superintendent determined the trees must be removed to mitigate potential liability due to severe decay and decline. This fast-growing deciduous tree routinely grows with multiple trunks and must be pruned annually to promote upright growth and minimize limb failure. However, due to its massive multiple trunks and weight of each limb, this type of tree is prone to limb failure which has occurred several times on other Coral trees throughout the City. Therefore, it is of major concern when these trees have existing decay and thus become more prone to limb failure and potential liability.

If the removals are approved, replacement *Erythrina caffra* trees will be planted at the same location, as these trees are the designated tree for this street. When planted young, this variety of tree can be pruned to grow upright and discourage any limb growth out and away from the trunk, lessening the chance for limb failure when the tree matures. With proper trimming, these trees can be beautiful specimens within the community.

Staff has attached the Tree Removal Report and photographs related to the request (Attachment B).

Adjacent homeowners, Mayor Nancy Gardner, and the Shorecliffs Homeowners Association have received a copy of this report and a notice of the Commission meeting. Additionally, notification letters related to this removal request were sent out to the surrounding property owners (Attachment C).

Attachments

- (A) G-1 Policy
- (B) Tree Removal Report and photographs
- (C) Map (highlighting the surrounding property owners)

Superintendent or the Urban Forester shall have the authority to direct the removal of a hazardous tree.

- D. The tree(s) have been requested to be removed in conjunction with a City Council-approved City, commercial, neighborhood, or community association beautification program.
- E. The City Manager, upon the advice of the General Services Director, City Attorney, Risk Manager or the Traffic Engineer, shall have the authority to remove individual Problem or All Other Trees to resolve claims or safety issues.

REMOVAL OF CITY TREES

The initiation to remove (Special or All Other) City tree(s) may be made by the staff of the General Services, and/or Public Works Departments, a legally established community association, or a private property owner by making application to the General Services Director, utilizing the City tree removal form. The provisions and procedures of this Section of the Policy do not apply to the Problem Tree nor Reforestation tree removal processes, which are described in other sections of this Policy. Special Trees may be considered for removal under the provisions of this Section provided a special report by the General Services Director is provided to the Commission detailing the necessity of removal and any specific previous treatment of the tree.

After receipt of the application, a Tree Inspection Report shall be prepared by the City's Urban Forester (Attachment 2) to determine if the tree(s) meets the criteria outlined in the above All Other City Trees section for consideration for removal. Simultaneously, the Urban Forester shall provide a notice of the proposed tree removal to the adjacent property owner (if not the applicant), the private property owners immediately adjacent to the applicant's property, and the appropriate community association if applicable, (not applicable to the emergency removal of hazardous trees under Item C nor to trees that meet the criteria of Item E in the preceding All Other City Trees section). The Urban Forester shall determine whether in his/her judgment additional specific treatment can be initiated to retain the tree provided the costs are reasonable. If a tree(s) is to be removed, the tree(s) will be posted at least 30 days prior to the removal with a sign notifying the public that they have the right of appeal. The sign shall also note a staff contact. Once a recommendation is made by the Urban Forester and the Parks and Trees Maintenance Superintendent to the General Services Director and the 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.



Municipal Operations Department

August 9, 2012

TO: Municipal Operations Deputy Director

FROM: Parks and Trees Superintendent and Urban Forester

SUBJECT: *Tree Removal Review – Potential Liability*

Human Resources

SEP 10 2012

RECEIVED BY: CML

PROPERTY OWNER(S) INFORMATION: Name: **Parks and Trees Division**
 Tree Location: **320 Evening Canyon Road / Front 1 & Front 2**

The City's Urban Forester is requesting removal of two City Kaffirboom Coral trees that are declining and are creating a potential liability.

The trees are listed as Special Trees, Neighborhood Trees, which necessitates the recommendation of the Municipal Operations Director and Risk Manager and approved by the City Manager prior to removal (Policy G-1, page 2, paragraph 3).

Staff recommends removal of the City tree.

REPLACEMENT TREE: YES NO
 DESIGNATED TREE: **Bischofia javanica – Toog Tree**

MUNICIPAL OPERATIONS DEPUTY DIRECTOR'S COMMENTS/RECOMMENDATIONS:

Recommend removal of trees due to decline/decay. Removals will be discussed at the Oct. 2 P&T Commission meeting.
 Signature: [Signature] Date: 9/6/12

RISK MANAGER'S COMMENTS/RECOMMENDATIONS:

Risk Mgmt concurs with Staff's recommendation
 Signature: [Signature] Date: 9/11/12

CITY MANAGER'S COMMENTS/RECOMMENDATIONS:

OK
 City Manager: [Signature] Date: 9/24/2012

Attachments



Municipal Operations Department

TREE INSPECTION REPORT

Name: Parks and Trees Division

Tree Location: 320 Evening Canyon Road / Front 1 and Front 2

Request: The City's Urban Forester is requesting removal of two City Kaffirboom Coral trees that are declining and creating a potential liability.

Tree Species: Erythrina caffra – Kaffirboom Coral Tree

Designated Street Tree: Bischofia javanica – Toog Tree

Estimated Tree Value: \$17,220.00 (2 trees)

Damage: N/A

Parkway: Concrete Brick Turf (X) Other

Comments: A field inspection determined the trees' bark is peeling. The trees are also declining which is creating a potential liability. There is limb obstruction and removal of the limb will disfigure the tree.

The trees are listed as Special Trees, Neighborhood Trees, which necessitates the recommendation of the Municipal Operations Director and Risk Manager and approval of the City Manager prior to removal (Policy G-1, page 2, paragraph 3).

Inspected by: John Conway **Date:** October 12, 2011
John Conway, Urban Forester

Recommendation: Staff recommends removal of the City trees in order to mitigate a potential liability.

Please note, due to the current state of the City budget the planting of a new tree is deferred, pending further funding.

Reviewed by: Dan P. Sereno **Date:** October 12, 2011
Dan P. Sereno, Parks and Trees Superintendent

Reviewed by: Mike Pisani **Date:** 9-6-12
Mike Pisani, Deputy Operations Department Director

Show/Hide Map Print Report

Inventory Detail

Dist: 11
 Address: 320 EVENING CANYON RD
 Fictitious: No
 Location: Front-1
 On Address: 320 EVENING CANYON RD
 Species: *Erythrina caffra*, KAFFIRBOOM CORAL TREE
 DBH/Height: 31+ / 30-45
 Parkway Size: 99
 Utility Overhead: No
 Sidewalk Damage: No
 Recommended Maintenance: Grid Trim
 Estimated Value: \$8,610



WCA Work History

Date	Work Type	Amount	Job#
10/13/2010	Service Request Pruning	\$39.00	16792
9/21/2009	Service Request Pruning	\$39.00	14397
8/22/2008	Service Request Pruning	\$39.00	12668
7/27/2007	Grid Pruning	\$39.00	11060
10/16/2006	Service Request Pruning	\$39.00	9766
7/19/2005	Service Request Pruning	\$39.00	8478
10/30/2004	Grid Pruning	\$39.00	7338
7/3/2003	Grid Trimming	\$39.00	6076
7/16/2002	Grid Trimming	\$39.00	5154
8/21/2001	Service Request	\$39.00	4184
11/8/2000	Service Request	\$39.00	3581
10/15/1999	Grid Trimming	\$39.00	2866
10/12/1998	Grid Trimming	\$39.00	2438

Other Work History

Date Work Type Crew Acct# M In

special Trees - Potential liability. remove.
 10-11-11 DC

Direct consulting arborist to evaluate.

Mitigate temporarily by thinning trees.

Show/Hide Map Print Report

Inventory Detail

Dist: 11
 Address: 320 EVENING CANYON RD
 Fictitious: No
 Location: Front-2
 On Address: 320 EVENING CANYON RD
 Species: *Erythrina caffra*, KAFFIRBOOM CORAL TREE
 DBH/Height: 31+ / 30-45
 Parkway Size: 99
 Utility Overhead: No
 Sidewalk Damage: No
 Recommended Maintenance: Grid Trim
 Estimated Value: \$8,610



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tree declining
tree declining



bark peeling
tree declining.

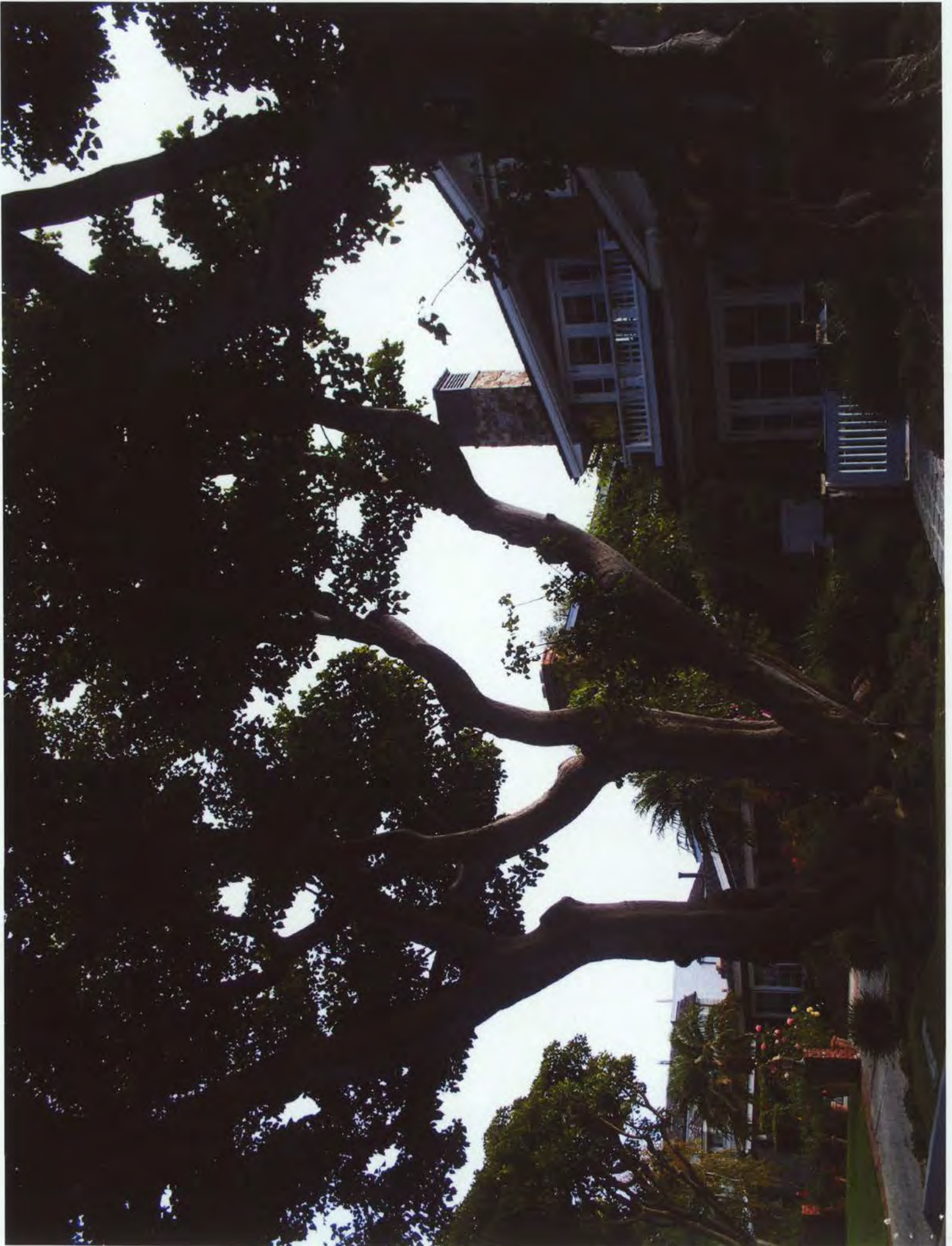


limb
posts
penetration of
limb with
disfigure
tree

63



← bark
peeling.
tree peeling





Tully's Tree



320 Evening Canyon Rd.



Properties Notified

