



# CITY OF NEWPORT BEACH PARKS, BEACHES AND RECREATION COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive, Newport Beach, CA 92660

Tuesday, August 2, 2016 - 6:00 PM

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

**Marie Marston, Chair**  
**Laird Hayes, Vice Chair**  
**David Granoff, Commissioner**  
**Ron Cole, Commissioner**  
**Roy Englebrecht, Commissioner**  
**Tom Anderson, Commissioner**  
**Walt Howald, Commissioner**

**Staff Members:**

**Laura Detweiler, Recreation & Senior Services Director**  
**Mike Pisani, Municipal Operations Director**  
**Sean Levin, Recreation & Senior Services Deputy Director**  
**Dan Sereno, Landscape Manager**  
**Teri Craig, Administrative Support Specialist**  
**Marie Lindeman, Administrative Support Specialist**

---

The Parks, Beaches and Recreation Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Parks, Beaches and 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 Commission and items not on the agenda but are within the subject matter jurisdiction of the Parks, Beaches and Recreation Commission. The Chair 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") The City of Newport Beach's goal is 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, we will attempt to accommodate you in every reasonable manner. Please contact the Recreation Department 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) 644-3158 or [recreation@newportbeachca.gov](mailto:recreation@newportbeachca.gov).

**NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Recreation Department 24 hours prior to the scheduled meeting.

- I. **CALL MEETING TO ORDER OF THE PB&R COMMISSION**
- II. **ROLL CALL**
- III. **WATER FESTIVAL POWERPOINT PRESENTATION**
- IV. **NOTICE TO THE PUBLIC**

*The City provides a yellow sign-in card to assist in the preparation of the minutes. The completion of the card isn't required in order to address the PB&R Commission. If the optional sign in card has been completed, it should be placed in the box provided at the podium.*

*The Commission welcomes and encourages community participation. Public comments are generally limited to three (3) minutes per person to allow everyone to speak. Written comments are encouraged as well. The Commission has the discretion to extend or shorten the time limit on agenda or non agenda items. As a courtesy, please turn cell phones off or set them in the silent mode.*

**V. PUBLIC COMMENTS ON CONSENT CALENDAR**

*This is the time in which Commissioners may pull items from the CONSENT CALENDAR for discussion (Item VI-A through VI-F). Public comments are also invited on Consent Calendar. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record. If any item is removed from the Consent Calendar by a Commissioner, members of the public are invited to speak on each item for up to three (3) minutes per item.*

*All matters listed under Consent Calendar are considered to be routine and will all be enacted by one motion in the form listed below. Commissioners have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of the items prior to the time the PB&R Commission votes on the motion unless members of the Commission request specific items to be discussed and/or removed from the Consent Calendar for separate action.*

**VI. CONSENT CALENDAR**

**A. Minutes of the July 5, 2016 PB&R Commission Meeting**

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

[Draft 07-05-2016 PBR Minutes](#)

**B. Parks and Trees, and Beach Maintenance Divisions Activities Report**

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

[MOD Activity Report](#)

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

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

[RSS Activity Report](#)

**D. Request by Newport Mesa Soccer Club (NMSC) for Temporary Lights at Bonita Canyon Sports Park (BCSP) Field #5**

*Approve the request from the Newport Mesa Soccer Club to use temporary lights at Bonita Canyon Sports Park field #5 from September 26 to November 18, 2016 and January 2 to March 12, 2017 from dusk to 7:55 p.m.*

[Staff Report](#)

**E. Tree Donation - Castaways Park**

*Approve the Coast Live Oak tree donation for Jim Kaylor at Castaways Park.*

[Staff Report](#)

[Attachment A-C](#)

**F. Tree Donation - West Newport**

*Approve the two (2) Metrosideros excelsus (New Zealand Christmas) trees donation for Raymond R. Rojas and Mark J. Rojas at West Newport Park.*

[Staff Report](#)

[Attachments A-C](#)

**VII. CURRENT BUSINESS**

**A. Reforestation Request - 1723 E. Ocean Boulevard**

*Consider the request for reforestation of a City Washington robusta (Mexican Fan Palm) tree by Brendon & Janet Blincoe located at 1723 E. Ocean Boulevard. The applicant has met the procedural requirements for reforestation established in Council Policy G-1.*

[Staff Report](#)

[Attachment A-E](#)

**B. Follow-Up: Reforestation Request - 1707 Tradewinds Lane**

*Consider the request for reforestation of a City Tristania conferta (Brisbane Box) tree of Christopher Casier at 1707 Tradewinds Lane. The applicant has met the procedural requirements for reforestation established in Council Policy G-1.*

[Staff Report](#)

[Attachment A-C](#)

**C. Follow-Up: Removal of Two Washingtonia Robusta (Mexican Fan Palm) Trees - 239 Carnation Avenue**

*Consider:*

*A. Upholding the Municipal Operations Director's (MOD) decision to remove two (2) Washingtonia robusta (Mexican fan palm) trees at 239 Carnation Avenue in order for development of the property to occur;*

*or*

*B. Moving one (1) or two (2) Washingtonia robusta (Mexican fan palm) trees, at the expense of the property owner at 239 Carnation Avenue, to the parkway adjacent to 2500 and 2520 Seaview Avenue.*

[Staff Report](#)

[Attachment A-D](#)

[Ltr fm Senna Tree Company 7-29-16](#)

[Ltr from TPC HOA Representatives 7-29-16](#)

**VIII. ANNOUNCEMENT / FUTURE AGENDA ITEMS**

*PB&R Commission / staff announcements / Ad Hoc Committee updates or matters which Commission members would like placed on future agendas for further discussion (non discussion item).*

**IX. 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 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. As a courtesy, please turn cell phones off or set them in the silent mode.*

**X. ADJOURNMENT**

**CITY OF NEWPORT BEACH**

**Parks, Beaches & Recreation Commission  
Regular Meeting  
July 5, 2016 – 6:00 PM**

---

**I. CALL MEETING OF THE PARKS, BEACHES & RECREATION COMMISSION TO ORDER – 6:01 PM**

**II. ROLL CALL**

Present: Walt Howald, Chair  
Ron Cole  
Roy Englebrecht  
Dave Granoff  
Laird Hayes

Excused: Tom Anderson  
Marie Marston, Vice Chair

Staff: Laura Detweiler, Recreation & Senior Services Director  
Mike Pisani, Municipal Operations Director  
Brenda Wisneski, Deputy Community Development Director  
Dan Sereno, Landscape Manager  
Mike Sinacori, Public Works Assistant Engineer  
Teri Craig, Administrative Support Specialist  
Marie Lindeman, Administrative Support Specialist

**III. ELECTIONS**

Secretary Teri Craig opened the nominations for the **FY 2016/17 PB&R Chair.**

Commissioner Cole nominated Vice Chair Marie Marston.

**Motion by Chair Howald;** second by Commissioner Cole to close nominations for PB&R Chair.

Secretary Craig asked Commissioners to raise their hands if they are in favor of electing Commissioner Marston to serve as the new FY 2016/17 PB&R Chair. Vote was unanimous with Commissioners Anderson and Marston absent.

Secretary Craig announced that Commissioner Marston will serve as the new FY 2016/17 PB&R Chair

Secretary Teri Craig opened the nominations for the **FY 2016/17 PB&R Vice Chair.**

Commissioner Howald nominated Commissioner Laird Hayes.

**Motion by Commissioner Howald;** second by Commissioner Cole to close nominations for PB&R Vice Chair.

Secretary Craig asked Commissioners to raise their hands if they are in favor of electing Commissioner Hayes to serve as the new FY 2016/17 PB&R Vice Chair. Vote was unanimous with Chair Marston and Commissioner Anderson absent.

Secretary Craig congratulated Commissioner Hayes on his election as the new FY 2016/17 PB&R Vice Chair.

Vice Chair Hayes took over the meeting from Commissioner Howald.

Vice Chair Hayes congratulated new Commissioner Dr. David Granoff who provided a brief background.

**IV. NOTICE TO THE PUBLIC**

**V. PUBLIC COMMENTS ON CONSENT CALENDAR**

Jim Mosher voiced concern about Parks & Trees Activity, Item VI. B. and the private improvement of the public parking lot at the West Newport Park and requested clarification of whether this was a City project or if it came from the private developer.

**VI. CONSENT CALENDAR**

**A. Minutes of the June 6, 2016 PB&R Commission meeting.**

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

**B. Parks, Trees, and Beaches Maintenance Divisions Activities Report**

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

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

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

**D. Tree Donation Request - Castaways Park**

*Staff recommends that the PB&R Commission approve the tree donation for Brock McCann at Castaways Park.*

**Motion by Commissioner Englebrecht;** second by Commissioner Cole, to approve Consent Calendar items VI-A through VI-D. Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

**VII. CURRENT BUSINESS**

**A. Bench Donation - Lido Park**

*Staff recommends that the PB&R Commission consider the bench donation request for Brad Honda at Lido Park.*

Manager Sereno presented a bench donation for Lido Park and noted it met Council Policy B-17. The public was noticed and Manager Sereno indicated he was available for comments and questions.

Discussion ensued regarding concrete benches versus other options.

Commissioner Englebrecht stated that he was not in favor of cement benches noting their discomfort. The point was made that concrete is more durable, and that all the benches in Lido Park are concrete.

Director Pisani explained that applicant is given a choice when a bench will be independent, but in this case there are already two concrete benches in place.

Director Detweiler noted that the benches and tables in Marina Park and Sunset Ridge Park are also concrete.

Commissioner Englebrecht noted his disagreement that the benches have to match.

Commissioner Howald requested that staff provide the Commission with information on the cost difference between bench options and an inventory of the current benches at a future meeting.

### **Vice Chair Hayes opened the public discussion**

Chad Hazlett spoke in support of the bench and its location. He indicated that the concrete material did not trouble him as he sits on the existing concrete benches often. He noted that Brad had frequented the area and this was the reason for its selection.

### **Vice Chair Hayes closed the public discussion**

**Motion by Commissioner Cole**; second by Commissioner Howald to approve the bench donation request for Brad Honda at Lido Park. Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

#### **B. Reforestation Request – 1701 Tradewinds Lane**

*Staff recommends that the PB&R Commission consider the reforestation request of a City Tristania conferta / Tristania (Brisbane Box) tree located at 1707 Tradewinds Lane.*

Manager Sereno introduced the request for reforestation at 1707 Tradewinds Lane and summarized the staff report.

There was discussion regarding the replacement tree and size and noted that the applicant bears the replacement cost.

### **Vice Chair Hayes opened the public discussion**

Jim Mosher commented that Tradewinds had a hodgepodge of trees per the City's policy. He questioned if the current tree was part of the City's reforestation effort and if the public needed to be notified. Further he noted his concern about setting a precedent for removal of this type of tree.

Chris Casler indicated he has lived at 1707 for about 15 years and that the tree is was approximately 25 feet tall when he moved in and is now about 50 feet tall. Mr. Casler stated the tree is messy and that it was his understanding that it could be removed and another tree planted elsewhere, but if that was not the case he was still interested in replacing the tree with one that is less messy.

### **Vice Chair Hayes closed the public discussion**

Discussion followed regarding having a replacement tree selected prior to approval. It was also confirmed that the homeowner understood that the new tree would be planted in the same location as the old tree, but was suggested to get clarification on placement.

**Motion by Commissioner Howald**; second by Commissioner Cole to table item until staff has met with the homeowner to discuss the specific tree type that will be planted. Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

#### **C. Back Bay View Park – Enhancements**

*That the PB&R Commission provide feedback and approval of the proposed park enhancements at Back Bay View Park.*

Engineer Sinacori provided details of the staff report addressing background, the original vision for the park, and the next steps for the park. Any significant changes to the park would require an Amendment to the Coastal Development Permit which was issued prior to the original construction of the park. Prior to this action the PB&R Commission and City Council are being consulted. The public has already made comments.

Consultant Monica Simpson from Asakura Robinson Landscape Architecture firm provided a PowerPoint presentation and commented on the previous additions to the park. The proposal includes added amenities that are still passive, but may attract more users to the park. Examples of new amenities were provided and explained.

Engineer Sinacori explained that for budgetary reasons the low concrete bench would be retained but a new shade structure is proposed to be erected over it.

There was discussion that the park was very difficult to get to with no onsite parking. It was questioned as to why a shade structure was not proposed over the picnic table area.

In response to the questions and suggestions the Engineer Sinacori explained; that due to existing traffic along Coast Highway and Jamboree Road a turning movement into the park would not be possible. There is parking on Back Bay Drive and was noted that people visit the park by foot or bike, and that many bicyclists ride down Pacific Coast Highway. The proposed amenities are intended to draw more bicyclists and walkers into the park.

He went on to say that the Coastal Commission would not allow the shade structure over the picnic areas in order to protect the view and that it's a non-starter with Villa Point residents. Consultant Simpson showed the proposed shade structure and the area where the picnic tables are located. Anything higher than the picnic tables would block public views from Jamboree and Coast Highway.

Engineer Sinacori explained they might go to Council prior to going to the Coastal Commission, He stated that he would recommend that the project stay under the current approved budget.

#### **Vice Chair Hayes opened the public discussion**

Jim Mosher commented that this is an accessible park by bicycle, but that many bicyclists were unaware of it and suggested that the fix it station might be little known.

Consultant Simpson explained there was an air pump and tools available in the fix it station and believes it would be utilized.

Engineer Sinacori stated they would inform the bicycle clubs of the fix it station. In the Bicycle Master Plan the idea of a bike node was discussed and the park was close to where they wanted one.

Mr. Mosher suggested a simulation of the shade trellis would be helpful and that the Coastal Commission would probably like to see that as well.

#### **Vice Chair Hayes closed the public discussion**

Commissioner Englebrecht praised the park as a nice place to walk with great views. He wanted more amenities so more people would appreciate the park.

Director Detweiler stated that staff would inform the City Council that the PB&R Commission felt shade at the park was extremely important.

**Motion by Commissioner Howald**; second by Commissioner Granoff to move forward with the proposed enhancements at Back Bay View Park and to include feedback discussed tonight from the Commission. Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

**D. West Newport Mesa Streetscape Master Plan**

*Staff recommends that the PB&R Commission review and comment on the draft West Newport Mesa Streetscape Master Plan.*

Deputy Director Wisneski provided a report and explained that City Council had directed staff to develop a plan in response to the need to create a more cohesive streetscape realm in the area. The Master Plan will help with future development and plans. There have been three public workshops and initial review by the Planning Commission. The PB&R is requested to provide input on the plan.

Brian Hannegan of RRM Design Group provided an overview of the project area including its parameters. The goal is to unify the theme of the street and utilize Complete Streets principles. Pedestrian and bike facilities will be improved and traffic calming and sustainable measures utilized. Public workshops were held and site amenities chosen. Mr. Hannegan reviewed current conditions and provided examples of proposed improvements. He also advised the Commission of the schedule for the project.

Discussion ensued regarding the project details. The possibility of underground utilities was questioned and was explained that due to the huge undertaking there are no immediate plans for it. The cost of the project was estimated at \$1.5 to \$2 million per block. Funding for the improvements was discussed and it was explained that the Master Plan will identify potential phasing and priority streets, but the City Council will move forward with any projects as it sees fit.

**Vice Chair Hayes opened the public discussion**

Jim Mosher suggested that the PB&R Commission discuss the benches and if they are friendly to the homeless. He was concerned about an area in the plan where the sidewalk felt like it was meandering. Mr. Mosher voiced concern over the extensive plantings and the cost maintenance. He noted that PB&R is the only Commission promoting bicycling as the City bike committee no longer exists.

Staff confirmed that there is a Bicycle Master Plan.

**Vice Chair Hayes closed the public discussion**

Vice Chair Hayes stated that this item was information only and no vote is necessary.

**E. Uphold Staff's Decision to Remove Two Palm Trees – 229 Carnation Avenue**

*Staff recommends that the PB&R Commission uphold the Municipal Operations Director (MOD) decision to remove two Washingtonia robusta (Mexican fan palm) trees at 239 Carnation Avenue, Corona del Mar.*

Director Pisani presented the report and stated that they were advised by Public Works to remove two Palm trees at 239 Carnation. Public Works received the

request in order for development to occur and the palm trees are defined as standard trees in the G-1 Policy. The Coastal Commission approved the project in January and meets all zoning code development standards. Removed trees must be replaced on a 1:1 basis. Staff determined that the trees could not be preserved given their location. The Palisades Condominium Association appealed the decision. Other trees have been removed from the property, but were not City trees. Homeowner will be required to plant two 48 inch box trees to be planted elsewhere to replace the palms.

Discussion ensued whether the trees met the criteria for removal and if the removal of the palms was in opposition to the G-1 policy.

Director Pisani confirmed that the Coastal Commission approved the development and that the City required a three car garage, which is impossible to do with the current palm trees.

Discussion ensued regarding if alternatives could be made to build around the trees.

Commissioner Englebrecht commented that the Commission is not against the building of the home, but that they needed to follow policy. He suggested the issue be tabled so staff could confirm that it meets Policy G-3 and work further with the homeowner.

Director Pisani stated again that it does meet Section 8 of the Policy G-1 and that Council could waive their policy.

### **Vice Chair Hayes opened the public discussion**

Jim Damon stated that he had written the letter, lives in Corona del Mar and represents Palisades Condominium Homeowners Association. He stated that he believes that the Council G-1 policy was fairly represented by the PB&R and that palm trees are iconic in Newport Beach. He stated that the City Arborist should look at the issue under G1. He went on to say that the trees could be relocated on the property.

Mr. Damon introduced then John Mote of Senna Tree Company who moved 38 fully grown palm trees to Marina Park for the City. Mr. Damon further argued that City Council Policy G-3 does not apply in this case.

Vice Chair Hayes noted the difference of opinion surrounding the Policy G-3 and requested clarification from Director Pisani.

Director Pisani explained that they could not plant any new trees on the street. He was not certain if the trees could be replanted on the same site as they might impede the neighbor's views. He went on to say that staff received a call from Colleen Jeffreys at 216 Carnation who supports the removal of the trees for safety reasons.

Mr. Mote of Senna Tree Company and certified arborist, stated that he had moved 38 palm trees at Marina Park with a 100% success rate. He believed these two trees could be moved with a 98 to 100% success rate. The approximate cost to move both trees on site is estimated at \$10,000. If the trees were moved up the street they would require a semi-truck.

Dr. Ron Wallner, Board Member of Palisades Condominium Homeowners Association and professor of finance, spoke of the price of goodwill. He noted that the trees are valued by the neighborhood. He said that he spoke to the homeowner, Steve, who is willing to have the trees relocated on his property. If they have to be removed they would be ok with splitting them or staggering them.

Victoria Wallner stated that she is 16 and attends Orange County School of the Arts and has an environmental concern about the trees and that value of the trees is their contribution to the beautiful view in the neighborhood.

Jim Mosher requested clarification on whether the Coastal Commission was the party that required the three car garage. The report indicates the three car garage is required under City zoning. The City is creating a code for compliance with the Coastal Act which would be separate from the zoning code and would evaluate if something was compliant with the Coastal Act. Mr. Mosher agreed with Commissioner Englebrecht that there must be a way to work around the trees. He noted the Coastal Commission only cares about maintaining native trees and view non-native trees as a local issue.

Commissioner Howald confirmed the three car garage was required because the size of the home is 4000 square feet.

Tim Stevens stated that he has lived in the neighborhood for 30 years and sees the trees from his home and does not believe that they impede his view; the trees are iconic and enhance the view. He stated that moving the trees on the property would be preferable than their removal.

### **Vice Chair Hayes closed the public discussion**

Commissioner Englebrecht said the PB&R could be overruled by the City Council, but felt this was a bad recommendation and spoke passionately against it.

Vice Chair Hayes asked staff to return with more information regarding setback issues. Staff replied they would look at the palms in light of Policy G-3.

**Motion by Commissioner Englebrecht**; second by Commissioner Cole to table the decision to remove two *Washingtonia robusta* (Mexican fan palm) trees at 239 Carnation Avenue, Corona del Mar and to return with additional information. Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

**F. FY 216/17 Ad Hoc Committee / Liaison Appointments**

*Staff recommends that the PB&R Commission discuss, reaffirm, appoint the FY 2016/17 Ad Hoc Committee / Liaison Appointments.*

Director Detweiler reviewed the Committee / Liaison Appointments. There is a vacancy on the Community Services Award. Staff recommended the PB&R reaffirm the committees and discuss appointments.

Commissioner Howald inquired as to the Westside Dog Park Committee.

Director Detweiler confirmed the committee was dissolved. If necessary they could create an ad hoc committee at a later time, but no funding is available in the next fiscal year for the development of the site. Public Works has applied for a grant for the pedestrian bridge at Sunset Ridge/View Parks and staff will continue to monitor the progression.

Vice Chair Hayes reviewed the list with the Commission. Commissioner Granoff was nominated and confirmed for the Community Service Award. Commissioner Howald replaced Vice Chair Hayes on the Youth Sports Commission.

**Motion by Commissioner Englebrecht;** second by Commissioner Cole to reaffirm or appoint the following to the FY 2016/17 Ad Hoc Committee.

**Community Service Award**

Ron Cole  
Roy Englebrecht  
David Granoff

**West Newport Community Center**

Tom Anderson  
Laird Hayes  
Marie Marston

**Liaison Assignments**

**Youth Sports Commission Member**

**Organization**

Tom Anderson  
Roy Englebrecht  
Walt Howald

Motion carried unanimously with Chair Marston and Commissioner Anderson absent.

**Vice Chair Hayes opened the public discussion**

Jim Mosher gave the definition of an ad hoc and wondered if the Community Service Award fits the definition under the Brown Act. He questioned if the other committees were actually standing committees.

**Vice Chair Hayes closed the public discussion**

Director Detweiler indicated the committees had not sunset per se, but that staff liked to review them with the PB&R annually. When the committees reach their intended purpose they will sunset.

**VIII. ANNOUNCEMENTS / FUTURE AGENDA ITEMS**

Director Detweiler reported on a safe, fun, and well attended 4<sup>th</sup> of July celebration. She noted that July is Parks and Recreation Month and the theme is “Superheroes, We Change Lives.” Director Detweiler said staff is looking into expanding programming at the 16<sup>th</sup> Street Recreation Center and mentioned the ongoing improvements.

Director Pisani announced the dedication of the Ben Carlson Memorial Statute at the Newport Pier Plaza.

Vice Chair Hayes marched in the Mariners Parade and encouraged others to try it in the future.

Commissioner Howald requested an update on Poppy Street status.

Director Pisani said plans for Poppy are progressing and are mostly on schedule; and that Public Works will present at a future meeting.

**IX. PUBLIC COMMENTS ON NON-AGENDA ITEMS - None**

**X. ADJOURNMENT - 8:35 p.m.**

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

Approved by: \_\_\_\_\_  
Laird Hayes, Vice Chair



# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item **VI-B**  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Parks and Trees, and Beach Maintenance Divisions Activities Report

### **PARKS MAINTENANCE:**

#### Bonita Canyon Sports Park Planting

In coordination with City contractors, Landscape Division staff recently made landscape enhancements to the planters surrounding the tennis courts at Bonita Canyon Sports Park. The planting, which replaced under-performing shrubs, utilized a colorful mix of drought-tolerant succulents, ornamental grasses, and perennial flowers. Moreover, plant materials were selected with consideration to the heavy shade the planter receives due to the canopy of existing mature trees. As an added touch, a dry streambed was etched into the planting plan to reinforce the “woody” feel around this popular recreational facility.



### **TREES:**

As part of the City’s overall grid and annual trimming schedule, in June, the City’s tree service contractor pruned trees within the Westcliff, Airport, and Santa Ana Heights areas. Additionally, pruning has occurred at various Palm tree locations.

<i>Month of:</i>	<i>Trees Trimmed:</i>	<i>Trees Removed:</i>	<i>Trees Planted:</i>
June	1,613	56	56

### New Trees Planted In the City

Municipal Operations and the Public Works Departments work on many public improvement projects together. We endeavor to plant as many large specimen trees as possible and make sure they are species that grow here. Recent projects include:

1. Newport Boulevard Widening project:
  - (4) 36" box – African Tulip trees
  - (10) 36" box – Australian Willow trees
  - (7) 24" box – Marina Strawberry trees
  - (36) 12'-20 Brown Trunk – King Palms
2. Dover Drive Medians
  - (62) 36" box – Sycamore trees, Pygmy Date Palms, Canary Island Pine trees, and African Tulip trees
  - (8) 24" box – Marina Strawberry trees
3. 15th Street and Balboa Boulevard
  - (71) 24" box – Marina Strawberry trees
  - (111) Palms – varying 15' to 25' Brown Trunk – Queen Palms, Date Palms, and Mexican Fan Palms (this does not include relocated Mexican Fan Palm trees)
4. Marina Park
  - 150 (24" box to 60" box) – Moreton Bay Fig trees, Mexican Fan Palms, Pink Melaleuca trees, Norfolk Island Pine trees, Italian Stone Pine trees, Brisbane Box trees, Floss Silk trees, Evergreen Elm trees, Cork Oak trees, Catalina Ironwood trees, Torrey Pine trees, Coral trees, New Zealand Christmas trees, and Marina Strawberry trees.

Great Scott Tree Service, the City tree services provider, adds these trees to the City's permanent inventory during the construction phase of the project.

### **BEACH MAINTENANCE:**

#### End of Rainy Season Field Maintenance Activities

Memorial Day is considered the start of the summer crowds and the end of the rainy season. Last month, Field Maintenance crew members started their preparation activities for the summer. These activities include removing the log boom at the Aquatic



Center, and putting it back on shore. The log boom is used to collect trash that flows down the San Diego Creek. Additionally, approximately 1,000 feet of wind fencing along 49 street ends on the boardwalk and the piers were removed by the Field Maintenance crews. The wind fencing keeps sand from blowing onto the streets during the winter.



First King Tide of 2016

In preparation for the first King Tide of the year, Municipal Operation Department (MOD) staff began to reinforce sand berms around Balboa Pier the week of June 27. In conjunction with the King Tide, a significant southerly swell created large surf during the 4<sup>th</sup> of July weekend. Beach Maintenance crew members moved sand throughout the week to try to prevent the surf and high tide from cresting the beach and flooding the streets around the Balboa Village area.



The high tide reached 7.4' on Friday, July 2 and peaked on Sunday, July 3 at 7.6'. Staff from the Street Maintenance and Storm Drain Divisions operated a loader during the evening hours and monitored the berms. With heavy summer beach usage, people walk over the berms, causing the sand to shift. The berms were rebuilt whenever the surf would breach them. MOD crew members on the pier helped direct the operator to potential problem areas and watched for people around the equipment.

Assisting the Police Department – Boat Removal

Last month, weekend duty staff responded to a request from the Police Department to assist with the removal of a boat that had washed ashore. The boat had been traveling to the area from Catalina when the operator found himself unexpectedly caught up in the waves.



The 18-foot long boat was loaded onto a trailer by Beach Maintenance Crew Member Mike Story and Supervisor Joe Delgado and removed from the beach.

Prepared by:

Dan Sereno, Landscape Manager  
Parks and Trees Division

John Salazar, Manager  
Field Maintenance Division

Recreation & Senior Services  
Monthly Activities Report

---

---

CHANGING LIVES  
ONE PARK AT A  
TIME!

To: Parks, Beaches & Recreation Commission

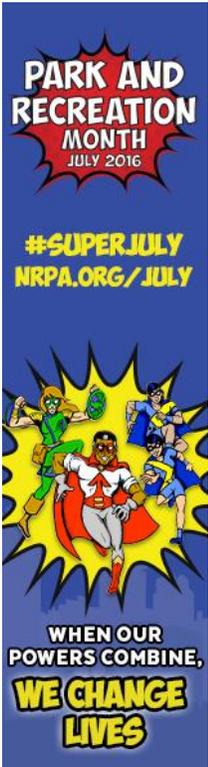
From: Sean Levin, RSS Deputy Director  
Celeste Jardine-Haug, Senior Services Manager

Re: Recreation & Senior Services Department Monthly Activities Report

---

**SUPER JULY**

Newport Beach is celebrating Park and Recreation Month, an initiative of the National Recreation and Park Association (NRPA). Parks and recreation have the power to transform your lives by providing places to get fit and stay healthy while fostering new relationships and forging a connection with nature. The Newport Beach parks and recreation facilities provide essential services and help improve quality of life.



**SUPER CELESTE**



Director Detweiler proudly attended the Leadership Development for Public Agencies graduation program to witness Celeste Jardine-Haug graduate from the O.C. City and Special District Cohort. This 14-week program provides training, networking opportunities, best practices and core competencies for public employees. An important goal of the program is to positively impact the work that public employees do on a daily basis. Its' designed to facilitate learning transfer, which allows students to take the skills and knowledge gained from the classes and apply them to their work and life. Each leadership class is taught by practicing experts who currently work in or with public agencies and have the credentials to teach at the university level. It is an outstanding program that several of our team members have been able to take advantage of; and it took tremendous commitment by Celeste to further advance her leadership skills.

Nice work Celeste!

Thank you to the Human Resources Department for making these training opportunities available to our super workforce.



Please help us in welcoming Johnny aboard the Newport Beach Recreation & Senior Services team! Johnny comes to us with experience in aquatics from the City of Garden Grove and facility experience from UCLA. Johnny has a Bachelor's Degree in Political Science and is now pursuing a law degree with the hope of one day becoming a City Attorney.



In his free time, Johnny likes to spend time with his dog, Molly, surf, play guitar, and boulder climb. Johnny is working at the pools this summer, as well as CYC as a recreation leader. In the fall, Johnny will be instrumental in the operations of the new 16<sup>th</sup> Street Recreation Center.



July 4<sup>th</sup> was the sixth annual Newport Peninsula Bike Parade and Community Festival - "4<sup>th</sup> of July is for Families." This theme was once again achieved by creating a safe, positive and family-oriented 4<sup>th</sup> of July experience on the Newport Peninsula. Several hundred families participated in the parade and festival.



The day began with a bike parade on Balboa Boulevard at 36<sup>th</sup> Street Park and concluded at Channel Place Park with a festival including carnival games, giant slides, bounce houses, a dunk tank, face painters, balloon art, crafts, and food for sale. A game master also kept the families busy playing good old-fashioned games, like tug-of-war, sack races, and an egg toss. After the festival a community sponsored "Family Basketball Hoops Contest" was held with several families sticking around to participate.

Mariners Park community was not left behind as they celebrated the 4<sup>th</sup> of July with their 44<sup>th</sup> Annual



Independence Day Parade and Celebration. The parade included Newport Beach Police and Fire, a series of military vehicles, a marching choir and band, Grand Marshall's Diane Dixon, Laird Hayes, and Mariners Elementary's class presidents, and the ever popular bike parade!

The celebration was kicked off after a welcome from Mayor Diane Dixon and Mariners PTA. Families enjoyed the numerous carnival games, inflatables, and a rock climbing wall.

Special thanks go to all the community sponsors for both events, the volunteers and to the staff who worked these two events in order to help make them a great success!





OASIS held a Speed Dating event a few months ago in which 15 men and 15 women had the opportunity to talk for five minutes each and see if they had anything in common. We received the following message from the City's website the other day from one of the participants:

*"I need to let you know that of the 225 possible combinations for your Speed Dating event 2/17, Dorothy and I are in a meaningful relationship...So thanks to you, we not only live in Paradise, but we no longer are alone!"*



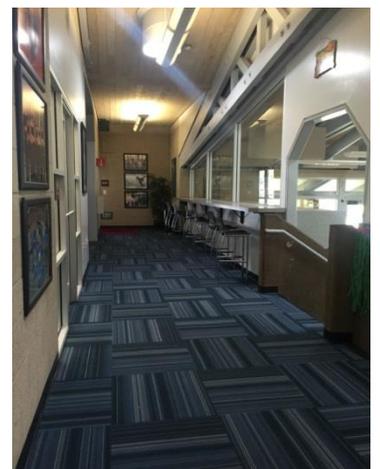
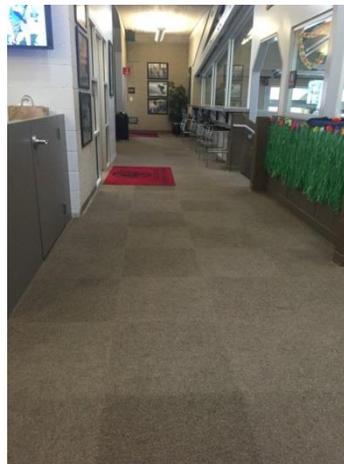
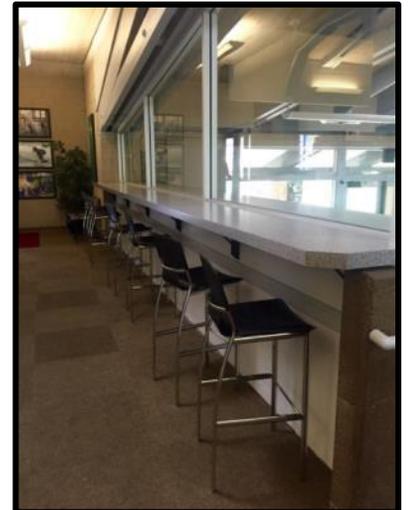
### **CYC's New Look!**

Community Youth Center (CYC) in Corona del Mar, received a series of improvements over the past month. The center, which is one of our most popular, received fresh paint, a new counter top, and new jazzy carpet! Our friendly staff welcomes you to drop by and check out the new upgrades, try one of our classes, or book your next meeting or party with us.

CYC is located at 3000 fifth Ave., Corona del Mar or call 949-644-3165 for more information

**BEFORE**

**AFTER**





The *Stow It Don't Throw It!* Program, is organized by the California Coastal Commission, and promotes discarding fishing line in a proper way. This program encourages individuals to create containers

that are given out to anglers so that they may dispose of unwanted fishing line. Used fishing line is often left behind on piers and beaches, or lost off boats. Fishing line is non-biodegradable and when left in the environment can cause real harm to animals, entangling them and causing injury.

The Office of Natural Resources has brought this program to the City of Newport Beach and has endeavored to educate the general public and anglers about fishing line pollution and its effects.



During Community Day, a weekly outreach event, patrons of all ages create fishing line collection containers out of recycled tennis ball holders. Once the fishing line collection containers are made, Natural Resources staff members and volunteers go out to public piers and fishing areas to give away the containers and educate anglers about fishing line pollution.

For more information on this project and other environmental outreach projects please e-mail, [marineeducation@newportbeachca.gov](mailto:marineeducation@newportbeachca.gov)

### Summer Fun at the Pool



Aquatics programs are in full swing at Newport Harbor High School and the Marian Bergeson Aquatic Center at CdM High School! People of all ages have been beating the heat and enjoying swim lessons, lap swim, and Splash Bash. Participation numbers are up in each of these three programs as this summer is shaping up to be one of the busiest in recent years. Summer aquatics will come to an end on August 18<sup>th</sup> so be sure to take advantage before time runs out!

### Newport Beach Pool Lifeguards Win 2<sup>nd</sup> Place!

Twelve Lifeguard/Swim Instructors from the City of Newport Beach Aquatics Division attended the annual Southern California Lifeguard Competition hosted by SCPPOA on July 17. The event was comprised of pool lifeguards from various public agencies across Southern California all competing in events to test their strength and quickness in the water. Our team of lifeguards showed just how strong they are and earned themselves an impressive second place finish!



Congratulations to all who competed in this swim meet, and special recognition to the staff who won individual first place finishes:

- 50 yrd freestyle (21 & Under): Dash Farr
- 50 yrd freestyle (21 & Over): Phillip Tran
- 10 Lb Brick Tread (Male): Evan Athey
- 10 Lb Brick Tread (Female): Kaybree Albright





### The ISOpod flaunted its magic to...DISNEY!

The ISOpod (Interactive Sealife Outreach) is a mobile aquarium that has the magical ability to inspire visitors to cherish the marine ecosystem. This magic was enjoyed by many as the ISOpod visited Disney employees at two Disney Studio functions. Nearly 6,000 Disney employees attended these events, a majority of whom partook in the ISOpod experience. With the constant flow of visitors, the ISOpod served as a terrific interactive education tool teaching about local tidepool species and the importance of Marine Protected Areas. Perhaps through this experience storywriters and animators will be inspired to create a movie about the tidepool jewel in Newport Beach and other local wildlife areas!

### TIDBITS FROM **CAMPNEWPORT.COM**

Summer Camps kicked off on June 27 with camps still available thru September 2 , and the feedback has been tremendous! Here's what people are saying:

**Erik Nelsen Surf Camps-Hurley:** "Erik Nelsen cares greatly for the kids who attend his camps and gives personal attention to make sure each family gets what they want out of the program. Erik doesn't just care if the kids learn to surf, he also cares that they enjoy the experience and that they get the most out of it. There were quite a few surf camps in Orange County but I really got lucky by picking Erik Nelsen's."

**UCI Sailing & Boating:** "Gale is an awesome instructor and my daughter loved this camp. Top notch program they are running. Would highly recommend!"

**BeachSports:** "My son loved it last year and was thrilled to be back. He learns a ton about ocean safety and has fun doing it."

Camps Continue all summer long! Register for these camps and more by visiting [campnewport.com](http://campnewport.com).



### Annual OASIS Talent Showcase

The seniors at OASIS are getting ready to showcase their talent at our 6<sup>th</sup> Annual Talent Show. As in years past our acts range from stand-up comedy to Hula dancers and we're never short on duets and solo singers. This event is a favorite for the participants, audience and staff! We are all excited to see the new and returning talent at our August 24, 2:00pm Talent Show!

### Summer BBQ in the OASIS Courtyard

Our June BBQ was such a success we want to do it again in August! It's a great time to sit back and eat some hotdogs and enjoy delicious watermelon while being amongst friends. Tickets are \$3 and include a movie after lunch. Come join us Wednesday, August 31<sup>st</sup> for some summer fun.

### New Art & Creativity for Healing Class at OASIS

Art and Creativity for Healing shares art as a tool for self-exploration and self-expression. Cait Glenn, MSW and Certified Art for Healing Instructor from Hoag leads this therapeutic class one Tuesday per month at OASIS. Whether you or a loved one is recovering from an illness, personal loss or simply interested in finding more peace in your life, we encourage you to give this class a try. Participants are encouraged to create and express themselves abstractly through acrylic paint and color. The focus remains on the participants' own interpretation of their art and produces a therapeutic expression, healing and personal growth. For more information on class dates, registration, class fees, or how the class is run, please contact the OASIS Admin desk at 949-344-3244.



### Choosing the "Agent" for your Healthcare and Financial Matters

Wednesday, August 10, 2016 10:00 am in Room 1 A/B

Presented by Robin A. Buchanan, Elder Law Attorney

This is one of the most important decisions you will make during your lifetime...because your agent literally holds your life in their hands, speaking for you when you are incapacitated and unable to speak for yourself. Incapacity can happen at any time, at any age. There are a few questions you should ask yourself BEFORE you write in the name of your agent(s).

- Who knows me really well?
- Who can I trust to honor my wishes even if they do not share the same values?
- Is the person easily available? Where do they live? Are they always busy?
- Is that person capable of understanding what it means to be an agent?
- Is the person financially and emotionally stable?

### Park Patrol

The following patrol checks/public contact numbers reflect the Park Patrol daily calls for service as well as issues discovered during normal patrol activities.

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 **June** Park Patrol had the following number of contacts

#### **1. PATROL CHECKS**

- 40 with Youth Sports Groups
- 317 Field related issues/checks
- 24 Park/Picnic/reservation/checks
- 100 Community Center issues/checks
- 279 Playground checks
- 12 Other

**Written Warnings Issued:** 4 (parking violations)

**Citations Issued:** 2 (parking violations)

#### **2. PUBLIC CONTACTS**

- 191 Education
- 8 Alcohol
- 114 Dog related

**FACILITY RENTALS & SPECIAL EVENT PERMITS**

During the period of June 16, 2016 - July 15, 2016 there were:

- 13 Picnic/Park Area Rentals
- 5 Room Rentals
- 2 Field Rentals
- 4 Gym Rentals
- 2 OASIS Classroom Rentals
- 3 OASIS Event Center Rentals
- 22 Civic Center Community Room Rentals
- 4 Marina Park Event Room Rentals
- 9 Marina Park Classroom Rentals
- 9 Marina Park Picnic Rentals
- 2 NCCC Gym Rentals
- 16 NCCC Classroom Rentals
- 7 NCCC HOA Rentals

As of July 15, 2016 there were 191 Special Event Permits processed and issued for the year. Those events of note for this period are:

**4<sup>th</sup> of July Celebration & Fireworks**- 7/4; Newport Dunes; Attendance: 5000

**Ben Carlson Statue Unveiling**- 7/6, Newport Pier; Attendance: 1300

**Pier to Pier Swim**- 7/9, Balboa Pier; Attendance: 300

CITY OF NEWPORT BEACH | RECREATION & SENIOR SERVICES DEPARTMENT

Things To Do In:  
**NEWPORT BEACH**

Parks Make Life Better!

<input type="checkbox"/>	THU. 8/4 8AM	<b>FALL 2016 REGISTRATION BEGINS</b> (ACTIVE KIDS & PRESCHOOL 101 ONLINE ONLY)
<input type="checkbox"/>	SUN. 8/21 6-7:30PM	<b>CONCERTS ON THE GREEN: RUMOURS</b> (FLEETWOOD MAC TRIBUTE) FREE 100 CIVIC CENTER DRIVE, NEWPORT BEACH
<input type="checkbox"/>	SAT. 8/13 5-7PM	<b>BUCK GULLY UPPER LOOP EVENING HIKE</b> FREE REGISTRATION IS REQUIRED ON <a href="http://WWW.LETSGOOUTSIDE.ORG">WWW.LETSGOOUTSIDE.ORG</a>
<input type="checkbox"/>	SAT. 8/20 8:30-10:30AM	<b>MARINE PROTECTED AREA HIKE</b> FREE MEETS AT LITTLE CORONA BEACH, NEXT TO LIFEGUARD TOWER #7
<input type="checkbox"/>	TUE. 8/23 5:30-7:30PM	<b>UCI MIND: ASK THE DOC</b> (REGISTRATION REQUIRED) FOR MORE INFO AND TO REGISTER VISIT <a href="http://UCIMINDATOASIS.EVENTBRITE.COM">UCIMINDATOASIS.EVENTBRITE.COM</a>
<input type="checkbox"/>	FRI. 8/26 6PM	<b>MOVIE IN THE PARK: KUNG FU PANDA 3</b> FREE 100 CIVIC CENTER DRIVE, NB
<input type="checkbox"/>		



# NEWPORT BEACH

## PB&R Commission Staff Report

Item No **VI-D**  
August 2, 2016

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

**PREPARED BY:** Justin Schmillen, Recreation Manager  
949-644-3160, Jschmillen@newportbeachca.gov

**TITLE:** Request to use Temporary Lights at Bonita Canyon Sports Park (BCSP) Field #5 by Newport Mesa Soccer Club (NMSC)

---

### **RECOMMENDATION:**

That the PB&R Commission approve the request from the Newport Mesa Soccer Club (Attachment A) to use temporary lights at Bonita Canyon Sports Park field #5 from September 26 to November 18, 2016 and January 2 to March 12, 2017 from dusk to 7:55 p.m.

### **FUNDING REQUIREMENTS:**

No City funding required. All costs associated to be the responsibility of NMSC.

### **DISCUSSION:**

The demand for lighted fields in the City cannot be met with the current supply that is available. Due to shortages in fields with lighting, NMSC was not allocated any lit field space for the upcoming fall season. NMSC is proposing to utilize temporary lights at BCSP field #5 ( Attachment B). NMSC has been granted use of temporary lights at BCSP field #5 over the past nine years and has complied with all conditions. This year, NMSC is requesting to extend temporary light usage from 7:50 p.m. to 7:55 p.m. to provide coaches additional time for shutting down and locking light standards. A layout of the proposed temporary lights is attached (Attachment C).

NMSC will continue to use the recommended metal halide bulb fixture in four light standards, two each placed at opposite ends of the field. This configuration will help NMSC move their practice areas around which will reduce wear on the grass. The four light standards will be positioned so as not to shine toward bordering residents as well.

### **BACKGROUND:**

NMSC is a 501(c)3 club soccer organization that serves the youth in the Newport-Mesa area. Club soccer is an exclusive activity in which the players must be selected based on skill level in order to participate. The organization is in its 12<sup>th</sup> year of existence and

has over 500 girls and boys in the program ranging in ages of 5-16 years old. Over 75% of their current participants are Newport Beach residents.

The Recreation Division allocates athletic field space to Youth Sports Commission Member Organizations (YSCMO), club sports groups and adult sports programs. There are currently eight lighted fields within the City.

**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). Direct mailers were sent to residents within 300 feet of Bonita Canyon Sports Park Field #5 (Attachment D).

Attachments:

- A. Letter from NMSC dated 6/30/16
- B. An Example of the Portable Light
- C. Layout of Lights
- D. Postcard with Aerial map



June 30, 2016

Mr. Justin Schmillen  
Recreation Manager  
City of Newport Beach

Dear Mr. Schmillen,

Please accept this letter as a formal request from the Newport Mesa Soccer Club for the use of temporary lighting at **Bonita Canyon Sports Park Field #5** in the City of Newport Beach.

The Newport Mesa Soccer Club is a 501(c)3 non-profit organization that serves children in the Newport-Mesa area. We provide a year-round, athletic, team-orientated experience for the community. Club soccer is often the next step for children who have progressed through AYSO programs and want to continue playing at a highly competitive level through their Jr. and Sr. High School years and possibly in College.

In our 12th year of existence, we currently have over 500 girls and boys in the program ranging in ages of 5-16 years old. Over 75% of our youth participants are Newport Beach residents and 55% are girls (an important factor towards the goal of gender equity for the city).

The conditions for which we propose for our request are as follows:

- **Light fixtures:** Four portable diesel-powered temporary lights, the type of which deemed acceptable to the City Recreation Department, as in prior years. Operated via security key.
- **Location:** Two portable lights at each end of the field, positioned so as to not shine toward the bordering residences.
- **Hours of Operation:** Sept. 26 – Nov. 18, 2016 (8 weeks) and Jan. 2 – March 12, 2017 (10 weeks) from dusk to 7:55pm, weekdays only. Due to DST, the average daily light usage is projected to be minimal (1-2 hours/night, ending by 7:55pm). Historically, due to rain, we don't operate 1-2 weeks
- **Storage & Safety:** During non-operational hours, the lights will be locked and stored in a location acceptable to the Recreation Dept.

This will be our tenth year to use temporary lights at this field. We believe the City and local residents would agree that we have been good stewards of the City's park. We work diligently with the Recreation staff, Park Patrol and our members to ensure the local residents are not inconvenienced. There are not enough lighted fields in the city to accommodate our kids. These temporary lights provide a welcome, but less than ideal solution. At this time of the year, it gets dark as early as 4:50pm. Without lights, we would not be able to continue to provide this positive and healthy activity for our local youth. The need for organized and constructive after-school activities for adolescents cannot be over-emphasized. This field is an ideal location for temporary lighting as there are no homes adjacent to the property and a wide greenbelt surrounds the field -- minimizing the impact on the local residents. In addition, we strictly adhere to the approved hours of operation and we work diligently to be good neighbors.

Thank you for your consideration.

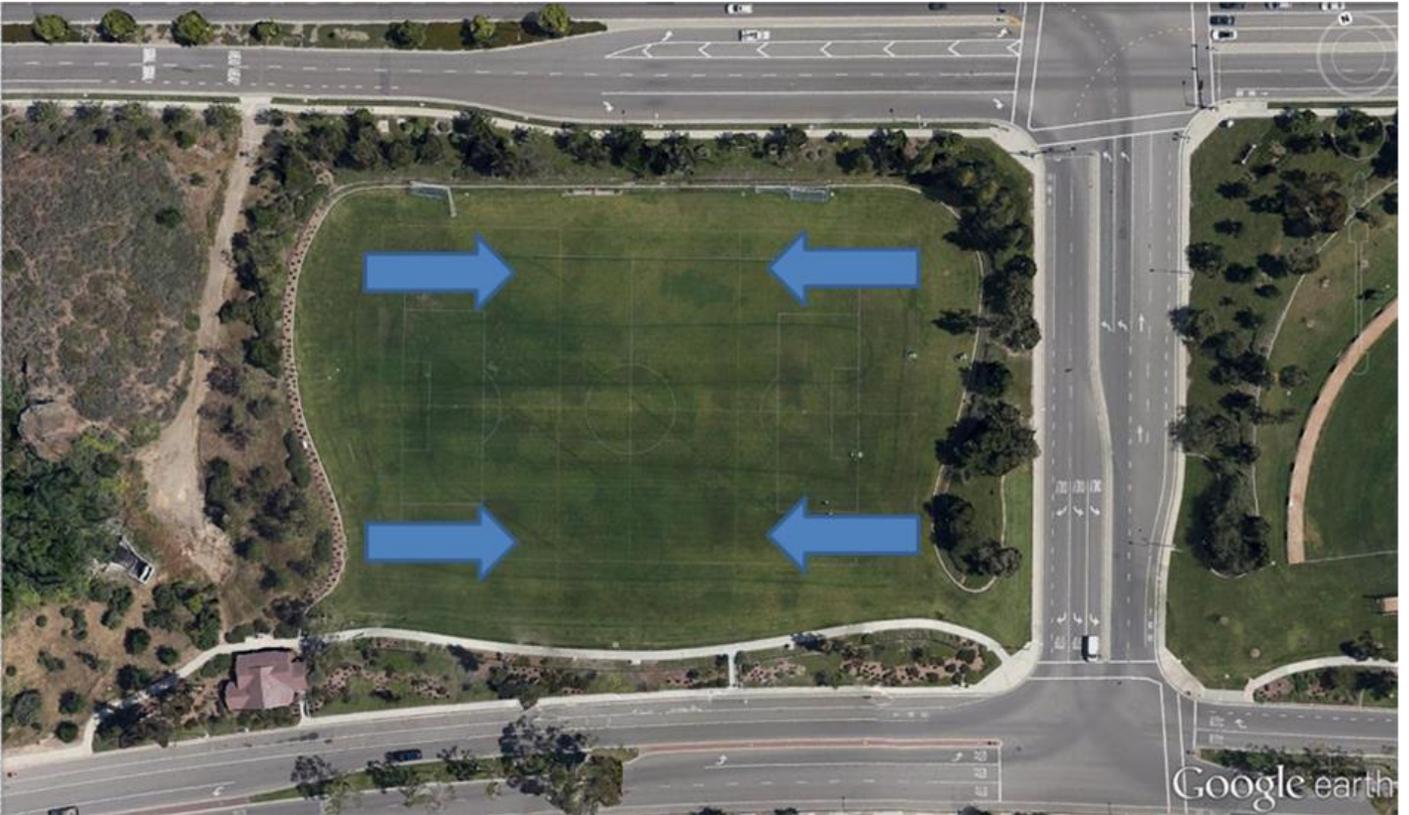
Mark Arblaster  
*President*

Newport Mesa Soccer Club is a 501(c)3 non-profit organization.

ATTACHMENT B



ATTACHMENT C





**CITY OF NEWPORT BEACH**  
**Parks, Beaches & Recreation Commission**  
**Tuesday, August 2, 2016 – 6pm**  
**City Council Chambers – 100 Civic Center Drive**  
**Newport Beach, CA 92660**

**PUBLIC NOTICE**

**The PB&R Commission will meet on Tuesday, August 2, 2016 at 6pm in the City Council Chambers to consider the request from the Newport Mesa Soccer Club to use temporary lights at Bonita Canyon Sports Park field #5 from September 26 to November 18, 2016 and January 2 to March 12, 2017 from dusk to 7:55 p.m.**

**For more information, please call the Recreation Office at 949-644-3151. If you are unable to attend the meeting but would like to provide comments to the Commission. Please email [recreation@newportbeachca.gov](mailto:recreation@newportbeachca.gov)**





== CITY OF ==

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item **VI-E**  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Director  
949-644-3055, [mpisani@newportbeachca.gov](mailto:mpisani@newportbeachca.gov)

**TITLE:** Tree Donation – Castaways Park

---

**RECOMMENDATION:**

That the PB&R Commission approve the Coast Live Oak tree donation for Jim Kaylor at Castaways Park.

**DISCUSSION:**

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

The City has received a donation request from Paul Garcia to donate a *Quercus agrifolia* (Coast Live Oak) tree at Castaways Park. The cost of the donation will include the 10% maintenance fee required by Council Policy B-17. The donation request and proposed location were approved by the Municipal Operations Director.

Since the value of the donation is greater than \$1,000, the donation is eligible to receive a dedicatory plaque. The submitted plaque verbiage, which complies with City Council Policy B-17, is "In Memory of Jim Kaylor, U.S.M.C."

**NOTICING:**

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

Paul Garcia and Council Member Duffy Duffield have received a copy of this report. The donation requires noticing of adjacent residents for new tree donation. Since there are no adjacent residents within 300 feet of placement, the adjacent homeowners association, Castaways Homeowners Association, was forwarded a copy of this report.

Attachments:

- A. Donations Request Form
- B. Donations location and photos
- C. Dedicatory Biography



Gifts for Tomorrow Order Request Form



Item # 101 Description  
TREE & MARKER  
of CASTAWAYS PARK



Contact Information

PAUL GARCIA

Name

2210 CANYON DR. F-1

Mailing Address

COSTA MESA, CA 92627

714-329-5718



Phone

Paul Garcia

Signature

DEDICATION PLAQUE INFO

Donors may elect to provide a dedicatory plaque if the value of the donation is greater than \$1,000. Contact city staff for more information.

Yes, I am interested in dedicatory plaque for my donation.



Plaque is donated for:

IN MEMORY OF

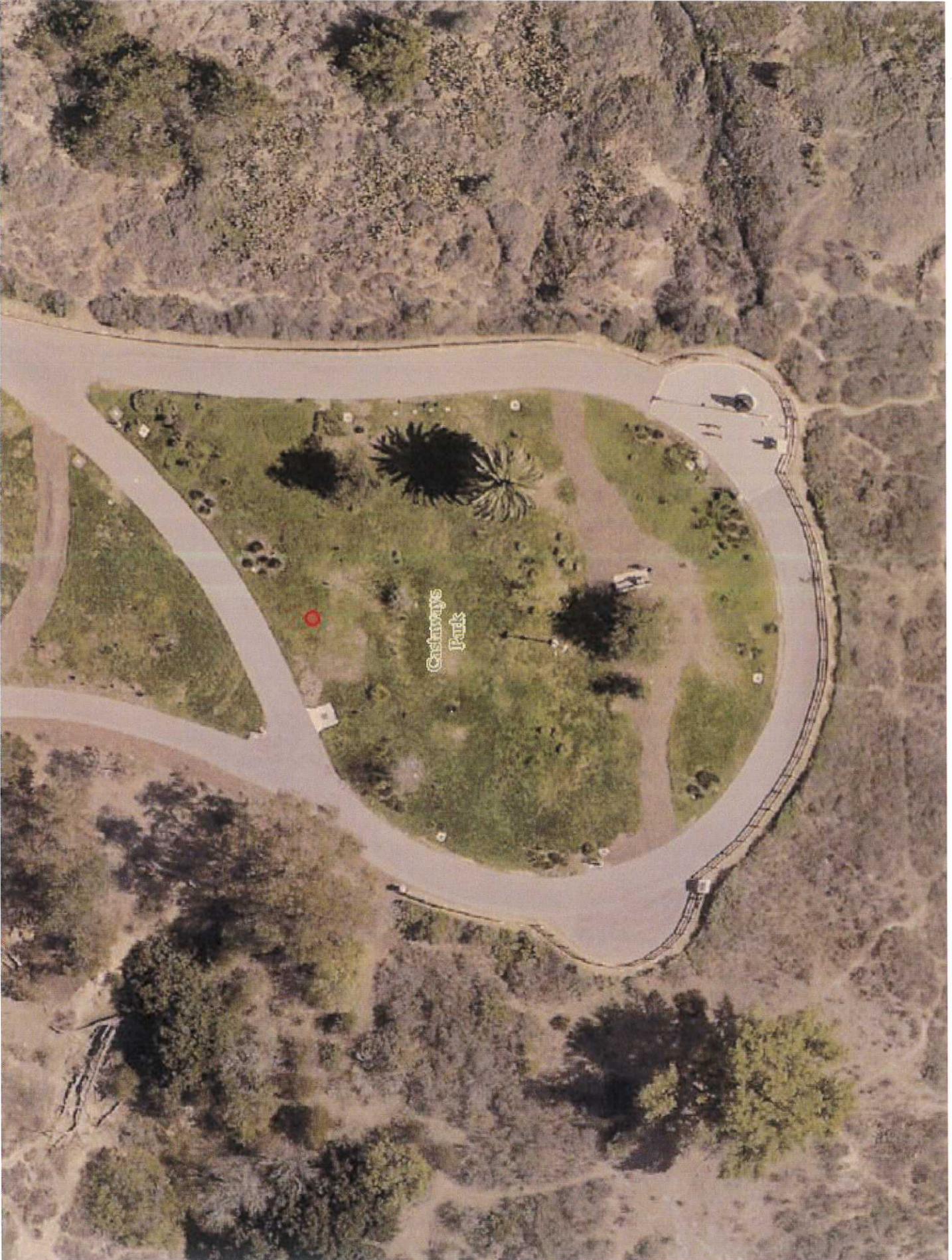
JIM KAYLOR

First Name

Last Name

U.S.M.C.





---

In Memory of

# Jim Kaylor

A Marine



A Sheriff



A Father



A Husband

June 1, 1949 – May 3, 2016

James Kaylor passed away unexpectedly during heart surgery on May 3, 2016, in Whitefish, Montana. He was born in Orange County to Kate and Jack Kaylor on June 1, 1949.

Jim enlisted in the Marines in June 1967. He was in Vietnam by November where he was stationed with 3rd Marine Division, 2/26 Echo Company "Nomads", where he fought at the battle of Kah Sanh. Jim was awarded the Silver Star, our Nations 3<sup>rd</sup> highest medal for valor and received a Purple Heart at Con Thien. Jim returned from Vietnam in December 1968 and finished his enlistment at Camp Pendleton.

Jim worked for the Los Angeles Sheriff's department for 38 years in various departments. His last being a Military Recruiting officer.

Jim leaves behind his mother Kate and wife Terry. Two daughters, Amy & Cash Hogsett and Kirsten & Steven Lara; Two sons, Michael Kaylor and Andrew Eyanson. Grandchildren, McKenna and Brayden Hogsett, and Anthony and Davin Kaylor, and his brother, Phillip Kaylor. Jim also leaves behind numerous family and friends. Jim was a gigantic presence and will be missed by all.

Jim fiercely loved his family but the Marine Corps was his heart and soul.

### Jim's Silver Star Citation

The President of the United States of America takes pleasure in presenting the Silver Star to Private First Class James N. Kaylor United States Marine Corps, for conspicuous gallantry and intrepidity in action while serving with Company E, Second Battalion, Twenty-Sixth Marines, THIRD Marine Division, in the Republic of Vietnam, on 7 June 1968. While serving with the Second Platoon and on security patrol near Con Thien, Private First Class Kaylor and the patrol were ambushed by approximately two companies of enemy forces. Surrounded and pinned down for four hours without communications, an order was given to charge the enemy. Although Private First Class Kaylor's grenade launcher became inoperable as the attack went forth, he drew his side arm and commenced firing on the enemy. Within a short time, all of his fellow Marines on the front lines were killed by enemy automatic weapons fire. Alone and with only three rounds of ammunition left, he called to the rear and located the only two remaining Marines. Moving into a crater which was near enough for them to supply him with grenades, he then single-handedly attacked the enemy until there was no return fire. As he and two of his comrades prepared to assault the enemy bunkers again, the remnants of the Second Platoon came on to relieve them. Private First Class Kaylor's courage, bold initiative, and unwavering devotion to duty in the face of great personal danger were in keeping with the highest traditions of the Marine Corps and the United States Naval Service.

Action Date: 7-Jun-68



== CITY OF ==

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item **VI-F**  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Director  
949-644-3055, mpisani@newportbeachca.gov

**TITLE:** Trees Donation – West Newport Park

---

**RECOMMENDATION:**

That the PB&R Commission approve two (2) *Metrosideros excelsus* (New Zealand Christmas) trees donation for Raymond R. Rojas and Mark J. Rojas at West Newport Park.

**DISCUSSION:**

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

The City has received a donation request from Renee Berry to donate two *Metrosideros excelsus* (New Zealand Christmas) trees, replacing two failing Queen Palm trees at West Newport Park. The cost of the donation will include the 10% maintenance fee required by Council Policy B-17. The donation request and proposed locations were approved by the Municipal Operations Director.

Since the value of each tree donation is greater than \$1,000, each tree is eligible to receive a dedicatory plaque. The submitted plaque verbiage, which complies with City Council Policy B-17, are “In Loving Memory of Raymond R. Rojas,” and “In Loving Memory of Mark J. Rojas.”

**NOTICING:**

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

Renee Berry and Mayor Diane Dixon have received a copy of this report. The donation trees are to replace two failing Queen Palm trees, and do not require noticing adjacent residents.

Attachments:

- A. Donation Request Forms
- B. Donations location and photos
- C. Dedicatory Biographies

Raymond Rojas "Brother of Renee"  
949-922-7823



Gifts for Tomorrow Order Request Form

Item # Description

West Newport Park

Contact Information

Name

Address

City

State

Zip

702 985-7961

Phone

Raymond Berry

Signature

DEDICATION PLAQUE INFO

Donors may elect to provide a dedicatory plaque if the value of the donation is greater than \$1,000. Contact city staff for more information.

Yes, I am interested in dedicatory plaque for my donation.

Plaque is donated for:

Raymond R. Rojas

First Name

Last Name

"Riders Up"

1941-2010

Raymond Rojas "Brother & Kenee"

949-922-7823



Gifts for Tomorrow Order Request Form

Item # 101 Description Fire

West Newport Park

Contact Information

Name Mike Smith

Mailing Address 265 Wemy Circle

Sanit George Bluff

Phone 762-857-7161 34796

Signature

DEDICATION PLAQUE INFO

Donors may elect to provide a dedicatory plaque if the value of the donation is greater than \$1,000. Contact city staff for more information

Yes, I am interested in dedicatory plaque for my donation.

Plaque is donated for:

Mike Smith

First Name Last Name

1962 - 2015 "Brother & Kenee"



FAILING TREES AT WEST NEWPORT PARK – FOR REPLACEMENT



NEW ZEALAND CHRISTMAS TREE



By Renee Berry:

**Raymond Rojas**, was great man and father. My father was always helping out the needy or someone that just need help. He was the type of man and father that you knew you could count on, even if it was just to listen to your concerns. His favorite thing to do was to watch the horse races in person or on the television. His favorite race to watch was the Kentucky Derby.

My brother **Mark Rojas** was a good sibling to all of us. He was the kindest guy I know. He was a marble mason by trade. The men that worked for him weren't just his workers, they were his friends. He was great mentor - a lot men looked up to him for his wisdom and experiences in life. His favorite past time was to watch his Dodgers. When watching them he would yell "Go Blue!!!" He loved all kinds of sports and played them.

My brother and father are greatly missed. We love them dearly.



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

Agenda Item **VII-A**  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Reforestation Request – 1723 E. Ocean Boulevard

---

**RECOMMENDATION:**

Staff recommends that the PB&R Commission consider the request for reforestation of a City Washington robusta (Mexican Fan Palm) tree by Brendon & Janet Blincoe located at 1723 E. Ocean Boulevard. The applicant has met the procedural requirements for reforestation established in Council Policy G-1.

**DISCUSSION:**

In December 2015, Brendon and Janet Blincoe, on behalf of the Jim Blincoe Separate Property Trust, requested the removal of the tree located at 1723 E. Ocean Boulevard due to the debris droppings from the tree. His request was denied and was informed of the City's reforestation process, requiring signatures from the adjacent property owners.

Brendon and Janet Blincoe met the procedural requirements for the reforestation of the tree at 1723 E. Ocean Boulevard. A Reforestation Check List filled out by staff is attached. The proposed replacement tree does not, in staff's opinion, meet the reforestation requirements listed in G-1 Policy related to loss of blue water views, hardscape damage, declining health, or simply being the wrong tree for the location. The Commission may either approve or deny the reforestation request. If approved by the Commission, there will be a one-for-one replacement, a 36" box Metrosideros excelsus (New Zealand Christmas tree), of the tree in this reforestation request at the applicant's cost.

**NOTICING:**

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

Brendon and Janet Blincoe and Mayor Diane Dixon have received a copy of this report. Additionally, surrounding property owners were notified of the Commission Meeting related to this item via postcard.

Attachments:

- A. Reforestation Application/Petition
- B. Tree Removal Report/Review and photos
- C. Reforestation Check List
- D. City Council Policy G-1, Section V. Reforestation of City Trees
- E. Meeting notification postcards sent to adjacent property owners



# CITY OF NEWPORT BEACH Municipal Operations Department

## Tree Removal or Reforestation Application

Per City Council Policy G-1 (Retention or Removal of City Trees), I am **requesting** a tree removal(s) to be reviewed by staff and submitted to either the Parks, Beaches, and Recreation Commission for consideration at a future meeting or the appropriate City approving authority. Commission meetings are held on the first Tuesday of each month (except for holidays) at 6:00 p.m. in the Council Chambers.

One - Mexican Fan Palm Tree

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

Located at: 1723 E. Ocean Blvd., Newport Beach, CA 92661

*Please be as specific as possible*

### Requestor

<input checked="" type="checkbox"/>	Property Owner
<input type="checkbox"/>	Community Association
<input type="checkbox"/>	Other _____

### Address/ Phone (Daytime) / Email

1723 E. Ocean Blvd

Newport Beach, CA 92661

213.948.4012

Signature: Brendon Blincoe Janet Blincoe

Date: 4/27/16

Print Name: Brendon Blincoe Janet Blincoe

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

### Section A. For Tree Removal Requests Only

**Removal Criteria (Check one or more)** Please provide copies of photos, bills, documents or any other related material that will verify the checked items

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

## Section B. For Reforestation Requests Only

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

### As initiated by:

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

### Check all items applicable:

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

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

\*There shall be a minimum of a one-for-one replacement of all tree(s) removed in reforestation projects. Replacement tree(s) shall be a minimum size of 36" boxed tree and cost \$695 per typical tree or \$895 per specialty tree, unless the parkway space will not accommodate a 36" boxed tree or a tree cannot be planted due to planting restrictions contained in City Council Policy G-6.

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

**Requestor Comments:** I am writing this request on behalf of the Jim Blincoe Separate Property Trust, Janet Blincoe and myself, Brendon Blincoe. We collectively own a single family home located at 1723 E. Ocean Blvd., Newport Beach, CA 92661. We are requesting the removal and reforestation of a Mexican Fan Palm tree that is planted in front of our residence. This tree was planted years ago and does not match the majority of other trees on our street. It is an eyesore that doesn't provide any shade, causes a mess and is a liability for cars and pedestrians at risk of falling palm fronds. Not only do I want to see the tree removed, but neighbors have also made mention of having the tree removed. I accept responsibility to pay for 100% of the cost of the removal and replacement of the tree which we are requesting be removed. We had applied for petition this past December, but due to lack of residence we were unable to meet the required signatures. I would like to reopen so we can obtain further signatures.

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

To: Parks Beaches and Recreation Commission

Attn: John Conaway  
592 Superior Ave.  
Newport Beach, CA 92663

Re: Tree Reforestation Request

6/21/2016

Hi John,

Please find attached my completed request, and a signed petition with 33 signatures from surrounding neighbors.

As a reminder, I am writing on behalf of the Jim Blincoe Separate Property Trust, Janet Blincoe and myself, Brendon Blincoe. Our family owns a single family residence located at 1723 E. Ocean Blvd. Newport Beach, CA 92661.

We are requesting the removal and reforestation of a palm tree that is planted in front of our home. This tree was planted years ago and does not match the majority of other trees on our street. It is an eyesore that doesn't provide any shade and causes a mess. Not only do I want to see the tree removed, but neighbors have also made mention of having the tree removed.

I accept responsibility to pay for 100% of the cost of the removal and replacement of the tree for which we are requesting be removed.

Please contact me with any further questions and/or to discuss the next step. Not sure what the "city trees" are that we have to choose from, we have thought that the Magnolia trees we see planted throughout our street would be nice.

Best,

Brendon Blincoe

  
[brendonblincoe@mac.com](mailto:brendonblincoe@mac.com)

213.948.4012

M.O.D.

JUN 27 2016

Received

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

Property Owner First and Last Name (please print): Donald W. Peck

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

Address: 1732 E Ocean Blvd Balboa Ct.

Phone #: 949 673 0544

DW Peck  
Signature

5-14-16  
Date

In favor of free removal  DWP. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

Property Owner First and Last Name (please print): Sandra Carpenter

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

Address: 1738 E Ocean Blvd., Newport Beach, CA 92661

Phone #: 949-673-4932

S. Carpenter  
Signature

5/14/2016  
Date

In favor of free removal  sc. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

Property Owner First and Last Name (please print): Marie White

Business Name (if applicable): N/A

Address: 1755 E Ocean Blvd, NB 92661

Phone #: 949 675 4889

Marie White  
Signature

5/14/2016  
Date

In favor of tree removal  this N/A (initial) Oppose tree removal  \_\_\_\_\_ (initial)

Comments: this tree is ill-placed and could find a better home  
\_\_\_\_\_

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

Property Owner First and Last Name (please print): Patricia Campbell

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

Address: 1595 E. Ocean Blvd. Balboa CA 92061

Phone #: 949 673-0428

Patricia Campbell  
Signature

5-14-16  
Date

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

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

Property Owner First and Last Name (please print): John J. Blaha

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

Address: 1584 E. Ocean Blvd Balboa CA 92061

Phone #: 949 675-0664

John J. Blaha  
Signature

5-14-16  
Date

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

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

Property Owner First and Last Name (please print): Lorel Bonar

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

Address: 1573 E. Ocean Blvd. Balboa, CA. 92061

Phone #: 949 566-9005

Lorel Bonar  
Signature

5-14-16  
Date

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

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

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

Property Owner First and Last Name (please print): Jim Hagan

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

Address: 1703 E Ocean Blvd

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

*[Handwritten Signature]*  
Signature

5/21/16  
Date

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

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

Property Owner First and Last Name (please print): Linda Mellen

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

Address: 1576 E Ocean Blvd, N.B 92661

Phone #: 949 673 8806

*[Handwritten Signature]*  
Signature

5/23/16  
Date

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

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

Property Owner First and Last Name (please print): Stephen Johnson

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

Address: 1743 E. Ocean Blvd N.B.

Phone #: 949. 856. 3150

*[Handwritten Signature]*  
Signature

5/25/16  
Date

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

Comments: Why are you doing this instead of Mr. G. Linnert?

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

Property Owner First and Last Name (please print): ✓ Marshall Flanagan

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

Address: ✓ 1759 E Ocean Bl

Phone #: ✓ 515 229 0846

✓ M Flanagan  
Signature

✓ 5-21-16  
Date

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

Comments: Thank you

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

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

Address: ✓ 1756 E Ocean Blvd

Phone #: ✓ (949) 673-7943

✓ Steve Elliott  
Signature

May 21, 2016  
Date

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

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

Property Owner First and Last Name (please print): ✓ Koschmitter - Don

Business Name (if applicable): Louise - Cindy

Address: ✓ 1745 East Ocean Blvd

Phone #: ✓ 901-633-2349

✓ Don Koschmitter  
Signature

5-21-16  
Date

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

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

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

Property Owner First and Last Name (please print): JOHN HAASE

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

Address: 1707 NEWPORT BLVD BALBOA, CALIF 92461

Phone #: 949 697 5848

John Haase  
Signature

4/21/16  
Date

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

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

Property Owner First and Last Name (please print): Robert Odell

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

Address: 1714 E Ocean Blvd Newport Beach 92661

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

Robert Odell  
Signature

5-18-16  
Date

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

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

Property Owner First and Last Name (please print): STEVEN BOLTON

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

Address: 1713 E. OCEAN BLVD

Phone #: 714 360 3439

St Bolton  
Signature

5-23-17  
Date

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

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

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

Property Owner First and Last Name (please print): ANNA CAROLYN COATS

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

Address: 2001 E. OCEAN BLVD, BALBOA

Phone #: 949-675-7104

Carolyn Coats  
Signature

May 19, 2016  
Date

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

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

Property Owner First and Last Name (please print): Edyth Elaine Linkhoff

Business Name (if applicable): Linkhoff Family Trust

Address: 1740 E. Ocean Blvd. Newport Beach CA 92661

Phone #: 649-673-8037

Edyth Elaine Linkhoff  
Signature

5/19/2016  
Date

In favor of tree removal  E.L. (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

Property Owner First and Last Name (please print): Dan + Lori Dillon

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

Address: 1731 E Ocean Blvd

Phone #: (714) 261-1005

[Signature]  
Signature

5/21/2016  
Date

In favor of tree removal  [Initials] (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

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

Property Owner First and Last Name (please print): Eleanor N. Ramsay

Business Name (if applicable): na

Address: 2014 E. Ocean Blvd. Balboa, Ca 92661

Phone #: 949 675-1693

Eleanor N. Ramsay  
Signature Date 5-7-16

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

Comments: Seems reasonable

Property Owner First and Last Name (please print): ANN UPSHAW

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

Address: 1727 EAST OCEAN BLVD., BALBOA, CA 92661

Phone #: 949 673-0462

Ann Upshaw  
Signature Date 5-7-16

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

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

Property Owner First and Last Name (please print): Heath Farwell

Business Name (if applicable): 1730 E. Ocean Blvd Newport Beach

Address: Ca 92661

Phone #: 951 264 9393

H Farwell  
Signature Date 5/13/16

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

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

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

Property Owner First and Last Name (please print): Stephen Thorne

Business Name (if applicable): Covea Group

Address: 17356 Ocean Blvd.

Phone #: 949-529-4600

[Signature]  
Signature

5-9-16  
Date

In favor of tree removal  [Initials] (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

Property Owner First and Last Name (please print): DAVE DORAN

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

Address: 17118 E. OCEAN BLVD, 92661

Phone #: 949-723-0240

[Signature]  
Signature

5/14/16  
Date

In favor of tree removal  [Initials] (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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

Property Owner First and Last Name (please print): A. F. BEAZ

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

Address: 1720 E. OCEAN BLVD

Phone #: 949-695-4591

[Signature]  
Signature

5/14/16  
Date

In favor of tree removal  [Initials] (initial) Oppose tree removal  \_\_\_\_\_ (initial)

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



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

Property Owner First and Last Name (please print): Michael McDonald

Business Name (if applicable): 1585 E Ocean Blvd  
Address:

Phone #: 949-723-5886

[Signature]  
Signature

5-14-16  
Date

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

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

Property Owner First and Last Name (please print): RICHARD STAFFORD

Business Name (if applicable): \_\_\_\_\_  
Address: 1585 E OCEAN BLVD

Phone #: 949-991-4407

[Signature]  
Signature

5/15/16  
Date

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

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

Property Owner First and Last Name (please print): Debbie Abel

Business Name (if applicable): \_\_\_\_\_  
Address: 1700 E. Ocean Blvd 92661

Phone #: (559) 696-7331

[Signature]  
Signature

5-15-16  
Date

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

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

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

Property Owner First and Last Name (please print): Mickey Pittroff

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

Address: 1577 E Ocean Blvd, NB 92661

Phone #: (626) 818-3233

M. Pittroff  
Signature

6-4-16  
Date

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

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

Property Owner First and Last Name (please print): Marilyn Thompson

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

Address: 1717 E. Ocean Blvd. Balboa

Phone #: (949) 675-3806

Marilyn Thompson  
Signature

6/5/16  
Date

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

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

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

Property Owner First and Last Name (please print): ✓ Tam Arambusta, Ph.D.

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

Address: ✓ 1564 E. Ocean Blvd, Balboa

Phone #: ✓ 714/904-0173

✓ [Signature]  
Signature

✓ 3 June 2016  
Date

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

Comments: Happy to help! (C)

Property Owner First and Last Name (please print): ✓ John Abel

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

Address: ✓ 1700 E. OCEAN BLVD. NEWPORT BEACH, CA 92661

Phone #: ✓ 951-203-0843

✓ [Signature]  
Signature

✓ 5.31.16  
Date

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

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





# Municipal Operations Department

---

## TREE INSPECTION REPORT

**Name:** Janet and Brendon Blincoe

**Locations of tree:** 1723 E Ocean Boulevard, Front 1

**Request:** Property owners Janet and Brendon Blincoe are requesting removal of a City Palm tree due to damage to curb and gutter.

**Botanical/Common Names:** Washington robusta / Mexican Fan Palm

**Designated Street Tree:** Metrosideros excelsa / New Zealand Christmas Tree

**Estimated Trees Value: \$1,030**

**Damage:**

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

**Comments:** A field inspection determined the tree was healthy with no apparent problems. The Palm tree is trimmed annually to minimize fallen debris and fronds.

**Inspected by:** \_\_\_\_\_

  
**John Conway, City Arborist**

**Date:** May 3, 2016

**Recommendation:** Staff recommends that the tree be retained. The sidewalk, curb & gutter can be repaired without removal of the tree. The tree does not hinder the concrete repair.

**Reviewed by:** \_\_\_\_\_

  
**Dan P. Sereno, Landscape Manager**

**Date:** May 3, 2016

### Address Search

Address	Street	Side	Species	Size	Vacant Sites?	District
1723	OCEAN BL	▼	▼	▼	Yes	▼
Alt	▼	Tree ID:		Show Map:	Yes	
						Search

Results **Work Requests** **Planting Requests**

Go	Dist	Area	Tree ID	Address	Alt	Side/Site	Size	Tree Type	Type of Work	Qty	Base Price	WO Start	WR
	17	17	1375888	1723 OCEAN BL		Front-1	13-18	Palm - Mexican Fan	Grid Pruning	1	49.43		



Detail	Notes	Images	Documents
--------	-------	--------	-----------

## Inventory Detail

Tree ID	1375888	Old Tag #	<input type="text"/>	<a href="#">Save</a>
District	17			
Area	17			
Address	1723 OCEAN BL			
Side/Site	Front - 1			
Alt Address				
Tree Species	Washingtonia robusta / Palm - Mexican Fan			
Common Name	Mexican Fan Palm			
Size	13-18			
Height	30-45			
Condition	FAIR			
Grow Space				
Space Size				
Overhead Utility				
Sidewalk Damage				
Irrigation Flag	Yes			No
Monitor Flag	Yes			No
Service Type	Grid Pruning			
Season	JULY			
Estimated Value	\$1,030.00			
Next Date				

Latitude: 33.597014509 Longitude: -117.887874116 ([edit](#))

Service History							New
Scope	WO Ref #	Description	Who	Service Date	Invoice Date	Service	Price
Invoiced	22801	2015 - Grid 17 Palms	GSTS	9/14/15	9/30/15	Grid Pruning	48.83
Invoiced	19789-A	2014 - Grid 17 Palms (Balboa Peninsula) [13/14 Portion]	GSTS	11/10/14	11/10/14	Grid Pruning	48.00
Work History			WCA		11/01/13	Other	0.00
Work History			WCA		10/12/12	Other	0.00
Work History			WCA		1/30/12	Other	0.00
Work History			WCA		10/14/11	Other	0.00
Work History			WCA		7/28/10	Other	0.00
Work History			WCA		8/11/09	Other	0.00
Work History			WCA		7/09/08	Other	0.00
Work History			WCA		1/30/08	Other	0.00
Work History			WCA		10/05/06	Other	0.00
Work History			WCA		1/16/06	Other	0.00
Work History			WCA		9/08/04	Other	0.00
Work History			WCA		10/23/03	Other	0.00
Work History			WCA		11/02/01	Other	0.00
Work History			WCA		6/30/00	Other	0.00







# Municipal Operations Department

## Reforestation Check List

	City Arborist	Landscape Manager	Municipal Operations Director
<input type="checkbox"/> Legally Established Homeowners Association	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Individual Private Property Owner(s)	<input checked="" type="checkbox"/> <i>DF</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> Reforestation Application	<input checked="" type="checkbox"/> <i>DF SL</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> (90) days Reforestation Request Compliance	<input checked="" type="checkbox"/> <i>DF SL</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> Resolution of the Board of Directors, Minutes, Notices (Legally Established Homeowners Association)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Damage/Impact

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

### Individual Private Property Owner(s) ONLY

	City Arborist	Landscape Manager	Municipal Operations Director
<input type="checkbox"/> Written Agreement by Individual Property Owner(s)	<input checked="" type="checkbox"/> <i>DF</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> Staff Approved Petition	<input checked="" type="checkbox"/> <i>DF</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> Property Owners Signatures Verified	<input checked="" type="checkbox"/> <i>DF SL</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>
<input type="checkbox"/> Meets 60% Reforestation Criteria:	<input checked="" type="checkbox"/> <i>DF SL</i>	<input checked="" type="checkbox"/> <i>A</i>	<input checked="" type="checkbox"/> <i>mv</i>

# 24 Property owners notified % 17 Agreed with removal

Meets Minimum Reforestation Requirements: YES  NO

Department Signature: *[Signature]*

Date: 7-21-16

## V. REFORESTATION OF CITY TREES

### A. Description of Reforestation

*Reforestation* is defined as the concept of systematically replacing Problem or Standard 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.

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

The City Street Tree Designation List and the City Parkway Tree Designation List attached to City Council Policy G-6 reflect an effort by the City to designate appropriate tree species that will not cause future problems.

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

### B. Application for Reforestation

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

- The proposed area must have clearly defined contiguous geographical boundaries that include the tree(s) proposed for removal and replacement, street address(es), block number(s), or other geographical information. This Section applies to individual and group requests.
- Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined for reforestation. The petition content must be approved and dated by City staff prior to distribution by the petitioner. The staff-

approved petition must be distributed by the petitioner to a maximum of 30 private property owners (up to 15 contiguous private property owners on both sides of the street up to 500' in either direction from the location of the proposed reforestation). Signatures by non-property owners are not acceptable for petition purposes, and there may be no more than one signature per property. All petition signatures shall be verified by City staff for property owner status of the person(s) signing the petition. As an alternative to the above requirements, areas represented by a legally established community association may submit a resolution of the Board of Directors formally requesting a reforestation with a statement that all members of the community association having their residential views affected have been officially notified and given an appropriate opportunity to respond before the Board voted on the request. Individual private property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

- Individual private property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners association, if applicable. The petition content must be approved and dated by staff prior to distribution. All petition signatures shall be verified by City staff for private property owner status of the person(s) signing the petition.
- A written agreement must be submitted to the Parks, Beaches and Recreation Commission by the petitioning sponsor (individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the Municipal Operations Department. The total costs shall include only the contractor's removal and replacement costs and be paid in advance of any removal actions.
- The replacement tree(s) for reforestation shall be an appropriate tree that meets the criteria of the City's Street Tree Designation List or the City Parkway Tree Designation List as identified in City Council Policy G-6, or the organization must request and obtain approval from the Commission of the designation of a different tree species prior to submitting any reforestation request for a tree species other than the designated street tree, or an appropriate species based on the City Tree Designation Lists. This Section applies to individual or group requests.
- There shall be a minimum of a one for one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 36" boxed trees, unless the parkway space will not accommodate a 36" boxed tree or a tree

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

- Reforestation requests must be completed and submitted in a timely manner by the petitioner. Petitions that are dated more than 90 days past the date stamped by staff before distribution will not be forwarded to the Commission for consideration. The completed reforestation application will go to the Commission to decide whether to accept or deny the requested reforestation. The decision of the Commission on reforestation requests will be considered final unless called up by at least one Councilmember or the City Manager.
- The City shall require the proper care and watering of replacement trees by the reforestation petitioner to ensure their proper growth and development as outlined in City Council Policy G-6.

#### VI. TREE MAINTENANCE

The City will endeavor to fund the care of the Urban Forest to the highest level possible through the efficient use of regular tree trimming, root pruning, root barrier and pesticide programs in accordance with City Council Policy G-6. Section 13.08.040 of the Municipal Code prohibits any person from tampering with City trees.

#### VII. ENCROACHMENT AND DEMOLITION PERMITS

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

**IMPORTANT:  
Commission Meeting Notice**

City of Newport Beach  
Municipal Operations Department  
100 Civic Center Drive  
Newport Beach, CA 92660



**Parks, Beaches, and Recreation Commission  
Meeting Notice**

At its August 2, 2016 meeting, the Parks, Beaches, and Recreation Commission will consider the reforestation request of a City Washington Fan Palm tree at 1723 E. Ocean Boulevard.

Attendance at the meeting is optional.

**DATE:** Tuesday, August 2, 2016  
**TIME:** 6:00 p.m.  
**LOCATION:** City Council Chambers  
Newport Beach Civic Center  
100 Civic Center Drive  
Newport Beach, CA 92660

The Agenda Report will be available on the City's website after July 29, 2016: [www.newportbeachca.gov](http://www.newportbeachca.gov). If you have any questions regarding this meeting, you may contact the Municipal Operations Department at (949) 644-3055



== CITY OF ==

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item **VII-B**  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Follow up: Reforestation Request – 1707 Tradewinds Lane

---

### **RECOMMENDATION:**

Staff recommends that the PB&R Commission consider the request for reforestation of a City *Tristania conferta* (Brisbane Box) tree of Christopher Casier at 1707 Tradewinds Lane. The applicant has met the procedural requirements for reforestation established in Council Policy G-1.

### **DISCUSSION:**

The July 5, 2016 Commission meeting agenda included a report to consider the reforestation request of a City *Tristania conferta* (Brisbane Box) tree located at 1707 Tradewinds Lane. The Commission deferred the request to August 2, 2016 meeting in order for staff and applicant clarify the replacement tree species for the location. Staff met with the applicant and decided on *Trachycarpus fortunei* (Windmill Palm) as the tree replacement. A photo of the tree is attached.

### **NOTICING:**

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

Council Member Duffy Duffield and Christopher Casler have received a copy of this report. Additionally, surrounding property owners were notified of the Commission Meeting related to this item via postcard.

### **Attachments:**

- A. Agenda Item VII-B from July 5, 2016 PB&R Commission Meeting
- B. Photo of *Trachycarpus fortunei*/Windmill Palm tree
- C. Meeting notification postcards sent to adjacent property owners



CITY OF

---

---

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item **VII-B**  
July 5, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Reforestation Request – 1707 Tradewinds Lane

---

### **RECOMMENDATION:**

Staff recommends that the PB&R Commission consider the reforestation request of a City Tristania conferta/Tristania (Brisbane Box) tree located at 1707 Tradewinds Lane. The applicant has met the procedural requirements for reforestation established in Council Policy G-1.

### **DISCUSSION:**

In mid-July 2015, Christopher Casler requested the removal of the tree located at 1707 Tradewinds Lane due to the debris droppings from the tree. His request was denied and was informed of the City's reforestation process, requiring signatures from the adjacent property owners. In order to acquire the minimum signatures from the surrounding property owners, Mr. Casler requested and was granted an extension for his petition by the Landscape Manager.

Mr. Casler has met the procedural requirements for the reforestation of the tree at 1707 Tradewinds Lane. A Reforestation Check List filled out by staff is attached. The proposed replacement tree does not, in staff's opinion, meet the reforestation requirements listed in G-1 Policy related to loss of blue water views, hardscape damage, declining health, or simply being the wrong tree for the location. The Commission may either approve or deny the reforestation request. If approved by the Commission, there will be a one-for-one replacement of the tree in this reforestation request, at the applicant's cost.

### **NOTICING:**

Council Member Duffy Duffield and Christopher Casler have received a copy of this report. Additionally, surrounding property owners were notified of the Commission Meeting related to this item via postcard.

#### Attachments:

- A. Reforestation Application/Petition
- B. Tree Removal Report/Review and photos
- C. Reforestation Check List
- D. City Council Policy G-1, Section V-A Description of Reforestation
- E. Meeting notification postcards sent to adjacent property owners



# CITY OF NEWPORT BEACH Municipal Operations Department

## Tree Removal or Reforestation Application

Per City Council Policy G-1 (Retention or Removal of City Trees), I am requesting a tree removal(s) to be reviewed by staff and submitted to either the Parks, Beaches, and Recreation Commission for consideration at a future meeting or the appropriate City approving authority. Commission meetings are held on the first Tuesday of each month (except for holidays) at 6:00 p.m. in the Council Chambers.

One Tree (Acorns) to the right of the property  
Indicate the number and specie(s), (if known) of tree(s).

Located at: 1707 Tradewinds Lane Newport 92660

Please be as specific as possible

### Requestor

- Property Owner
- Community Association
- Other

### Address/ Phone (Daytime) / Email

1707 Tradewinds Lane Newport CA 92660  
714-396-2727  
chris@europemacollectibles.com

Signature:

Date:

9/1/15

Print Name:

Christopher Casler

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

### Section A. For Tree Removal Requests Only

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

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

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

**Section B. For Reforestation Requests Only**

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

As initiated by:

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

Check all items applicable:

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

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

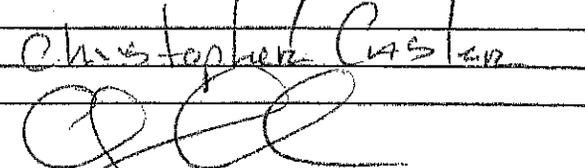
\*There shall be a minimum of a one-for-one replacement of all tree(s) removed in reforestation projects. Replacement tree(s) shall be a minimum size of 36" boxed tree and cost \$575 per typical tree or \$775 per specialty tree, unless the parkway space will not accommodate a 36" boxed tree or a tree cannot be planted due to planting restrictions contained in City Council Policy G-6.

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

Requestor Comments:

*I would like to remove the tree between our side walk & the street. It dumps leaves & makes a mess of our vehicle & my car when parked under the tree.*

*Christopher Castan*



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

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

Property Owner First and Last Name (please print): Ronald Tucker

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

16 Address: 1623 Trenchards Lane Newport CA 92660

Phone #: 649 548 7005

Ronald Tucker  
Signature

6/5/2016  
Date

In favor of tree removal  RT (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

Property Owner First and Last Name (please print): Maren Jorgensen

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

17 Address: 1701 Trenchards Lane Newport CA 92660

Phone #: 949 650 7373

Maren Jorgensen  
Signature

6/6/16  
Date

In favor of tree removal  mj (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

Property Owner First and Last Name (please print): Chris Carter

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

19 Address: 1707 Trenchards Lane Newport CA 92660

Phone #: 714 396 2727

Chris Carter  
Signature

6/6/16  
Date

In favor of tree removal  CC (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

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

1 Property Owner First and Last Name (please print): Karl Linnale

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

Address: 1715 Treadwinds Ln Newport-Bike Co 97266

Phone #: 949 642 7131

Karl Linnale Signature 6/4/16 Date

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

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

2 Property Owner First and Last Name (please print): Conth + Marianne Bergesen

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

Address: 1711 Treadwinds Ln Newport-Bike Co 97266

Phone #: 949 646 2569

Marianne Bergesen Signature 6-04-16 Date

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

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

3 Property Owner First and Last Name (please print): Edmund + Christine Kjaer

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

Address: 1727 Treadwinds Ln Newport-Bike Co 97266

Phone #: 949 650 2869

Christine M Kjaer Signature 6/4/16 Date

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

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

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

Property Owner First and Last Name (please print): Delores Larson

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

Address: 1733 Trademills Lane Newport-Beth, Ct 07266

Phone #: 949 / 645 9714

Delores Larson Signature 6/4/10 Date

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

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

Property Owner First and Last Name (please print): John + Ann Bucher

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

Address: 1739 Trademills Lane Newport Beth Ct 07266

Phone #: 949-366-9044

JSBucher Signature 6/4/10 Date

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

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

Property Owner First and Last Name (please print): Alanna + Dave Larson

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

Address: 1745 Trademills Lane Newport Beth Ct 07266

Phone #: 949 642 4555

Alanna Larson Signature 6-6/16 Date

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

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

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

Property Owner First and Last Name (please print): Jim Kalatachian

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

Address: 1746 Trademills Ln Newport CA 92660

Phone #: 714 350 8900

[Signature]

Signature

6/4/2015

Date

In favor of tree removal  J/K (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

Property Owner First and Last Name (please print): Scott Tippett

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

Address: 1738 Trademills Ln Newport CA 92660

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

[Signature]

Signature

6/4/2016

Date

In favor of tree removal  ST (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

Property Owner First and Last Name (please print): Aaron Miller

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

Address: 1718 Trademills Ln Newport CA 92660

Phone #: 714 679-1013

[Signature]

Signature

6/5/16

Date

In favor of tree removal  AM (Initial) Oppose tree removal  \_\_\_\_\_ (Initial)

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

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

Property Owner First and Last Name (please print):

David + Charlene Foell

Business Name (if applicable):

Address: 1706 Tulewinds Lane Newport CA 92660

Phone #:

[Signature]  
Signature

6/6/16  
Date

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

Comments:

Property Owner First and Last Name (please print):

Kevin + Katie Lynch

Business Name (if applicable):

Address: 2050 Shipway Ln Newport Bk CA 92660

Phone #:

[Signature]  
Signature

6.5.16  
Date

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

Comments:

Property Owner First and Last Name (please print):

Mark Robinson

Business Name (if applicable):

Address: 2051 Shipway Ln Newport CA 92660

Phone #: 949 335 6952

[Signature]  
Signature

6-6-16  
Date

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

Comments:

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

Property Owner First and Last Name (please print): Linda Carol

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

Address: 2063 Commodore Rd Newport CA 92660

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

\_\_\_\_\_  
Signature Date

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

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

Property Owner First and Last Name (please print): Steven Sheila Adelstein

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

Address: 1691 Trademarch Ln Newport CA 92660

14 Phone #: 949 757 6996

\_\_\_\_\_  
Signature Date

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

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

Property Owner First and Last Name (please print): David Bachar

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

Address: 1604 Trademarch Ln Newport CA 92660

15 Phone #: 949 645 9727

\_\_\_\_\_  
Signature Date

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

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



# Municipal Operations Department

September 1, 2015

**TO:** Municipal Operations Director  
**FROM:** City Arborist/Landscape Manager  
**SUBJECT:** *Tree Removal Request*

---

**PROPERTY OWNER(S) / REQUESTER INFORMATION:**

**Name:** Christopher Casler  
**Tree Location:** 1707 Tradewinds Lane, Front 1

---

The property owner requests removal of a City Tristania (Brisbane Box) tree due to the acorns that drop from the tree onto the street and cars parked under it.

A field inspection determined the tree to be healthy and posed no liability with the fallen debris from the tree. Additionally, fallen debris from a tree is not listed as a criteria for tree removal in the City Council Policy G-1.

Staff recommends retaining the tree and inform Mr. Casler of his option of reforestation and appearance before the Commission.

---

**REPLACEMENT TREE(S):**  **YES**  **NO**

**DESIGNATED TREE(S):** To be determined

---

**MUNICIPAL OPERATIONS DIRECTOR – COMMENTS / RECOMMENDATIONS:**

*Retain tree - no justification for removal*

---

Signature: 

Date: 9-1-15



# Municipal Operations Department

---

## TREE INSPECTION REPORT

**Name:** Landscape Division

**Locations of tree:** 1707 Tradewinds Lane, Front 1

**Request:** Property owner Christopher Casler requests the removal of a City *Tristania conferta* / *Tristania* (Brisbane Box) tree due to the acorns that drop from the tree onto the street and cars parked under it.

**Botanical/Common Names:** *Tristania conferta* / *Tristania* (Brisbane Box)

**Designated Street Tree:** To be determined

**Estimated Trees Value:** \$2,070

**Damage:** None apparent

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

**Comments:** A field inspection determined the tree to be healthy and posed no liability with the fallen debris from the tree. Additionally, fallen debris from a tree is not listed as a criteria for tree removal in the City Council Policy G-1.

**Inspected by:** John Conway                      **Date:** September 1, 2015  
**John Conway, City Arborist**

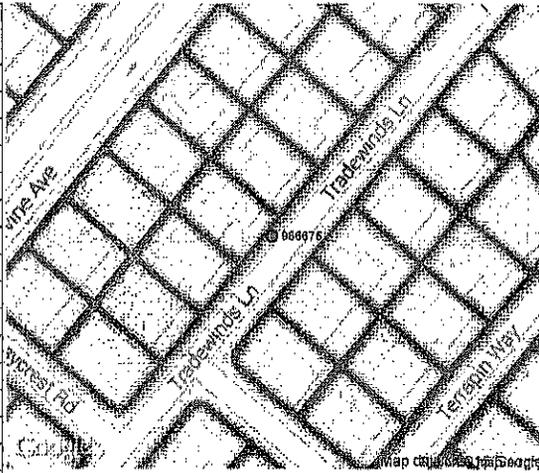
**Recommendation:** Staff recommends retaining the tree and inform Mr. Casler of his option of reforestation and appearance before the Commission.

**Reviewed by:** Dan P. Sereno                      **Date:** September 1, 2015  
**Dan P. Sereno, Landscape Manager**

Detail Notes Images Documents

# Inventory Detail

Tree ID	986675
District	16
Area	16
Address	1707 TRADEWINDS LN
Side/Site	Front - 1
Alt Address	
Tree Species	<u>Tristania conferta</u> / Tristania (Brisbane Box)
Common Name:	Brisbane Box
Size	07-12
Height	15-30
Grow Space	
Space Size	
Overhead Utility	
Sidewalk Damage	
Service Type	Grid Pruning
Season	MAY/JUN
Estimated Value	\$2,070.00
Next Date	

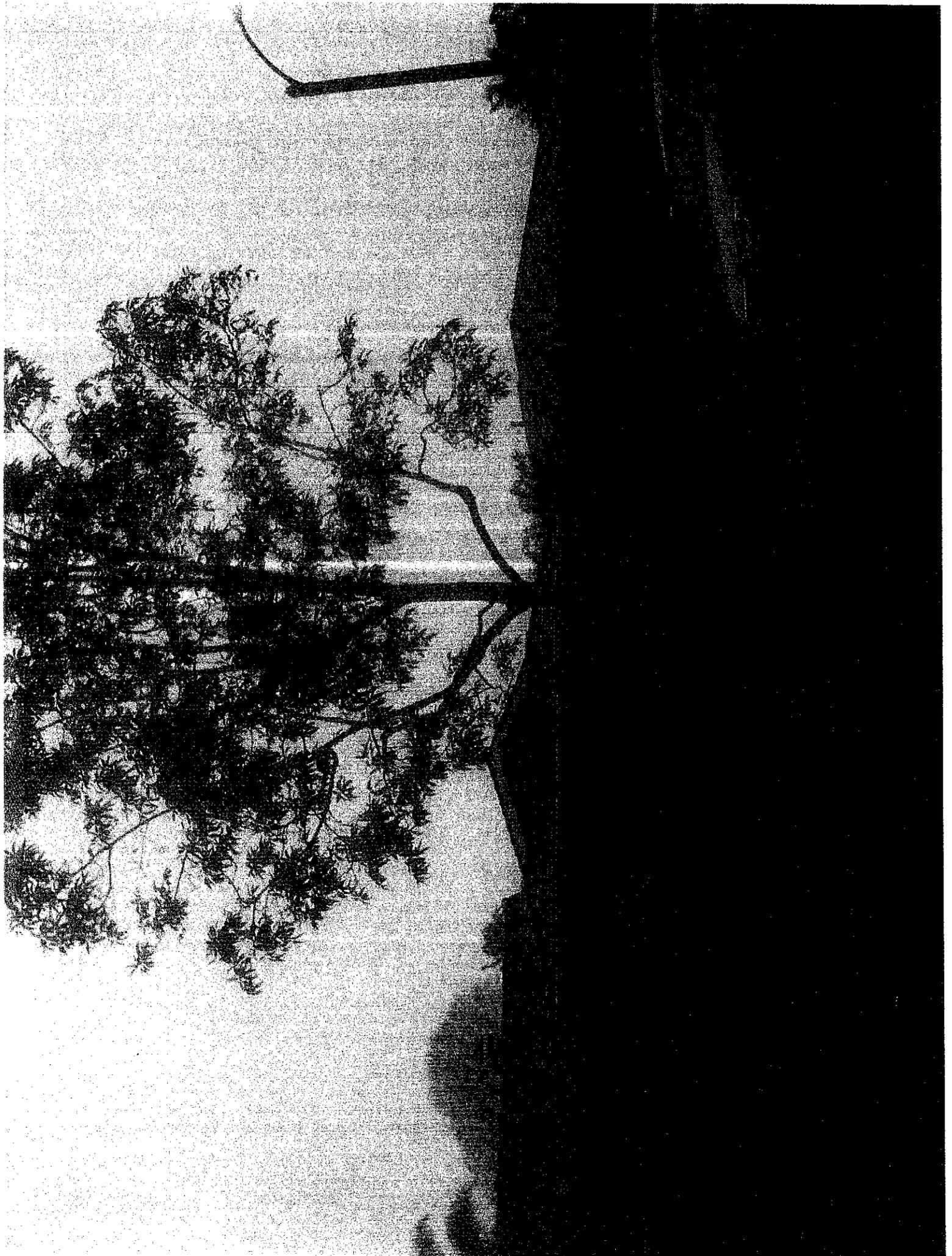


Latitude: 33.637827032 Longitude: -117.898048761 (edit)

Date Time Person Note

		Service History		
Ref#		Date	Service	Price
Completed	GSTS	5/01/14	Grid Pruning	48.00
Work History	WCA	4/25/11	Other (Grid Pruning)	0.00
Work History	WCA	7/09/08	Other (Grid Pruning)	0.00
Work History	WCA	11/02/05	Other (Grid Pruning)	0.00
Work History	WCA	1/20/02	Other (Grid Trimming)	0.00

Maie,  
 please prepare a petition, list of property owners, b-1 policy, tree application  
 to the property owner at this address. He's interested in a reforestation.  
 Thanks,  
 7-2-15 *OL*





# Municipal Operations Department

## Reforestation Check List

	City Arborist	Landscape Manager	Municipal Operations Director
<input type="checkbox"/> Legally Established Homeowners Association	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Individual Private Property Owner(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Reforestation Application	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> (90) days Reforestation Request Compliance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Resolution of the Board of Directors, Minutes, Notices (Legally Established Homeowners Association)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Damage/Impact

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

### Individual Private Property Owner(s) ONLY

	City Arborist	Landscape Manager	Municipal Operations Director
<input type="checkbox"/> Written Agreement by Individual Property Owner(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Staff Approved Petition	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Property Owners Signatures Verified	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Meets 60% Reforestation Criteria:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

# 24 Property owners notified % 17 Agreed with removal

Meets Minimum Reforestation Requirements:    YES     NO

Department Signature: 

Date: 6-21-16

## V. REFORESTATION OF CITY TREES

### A. Description of Reforestation

*Reforestation* is defined as the concept of systematically replacing Problem or Standard 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.

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

The City Street Tree Designation List and the City Parkway Tree Designation List attached to City Council Policy G-6 reflect an effort by the City to designate appropriate tree species that will not cause future problems.

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

### B. Application for Reforestation

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

- The proposed area must have clearly defined contiguous geographical boundaries that include the tree(s) proposed for removal and replacement, street address(es), block number(s), or other geographical information. This Section applies to individual and group requests.
- Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined for reforestation. The petition content must be approved and dated by City staff prior to distribution by the petitioner. The staff-

approved petition must be distributed by the petitioner to a maximum of 30 private property owners (up to 15 contiguous private property owners on both sides of the street up to 500' in either direction from the location of the proposed reforestation). Signatures by non-property owners are not acceptable for petition purposes, and there may be no more than one signature per property. All petition signatures shall be verified by City staff for property owner status of the person(s) signing the petition. As an alternative to the above requirements, areas represented by a legally established community association may submit a resolution of the Board of Directors formally requesting a reforestation with a statement that all members of the community association having their residential views affected have been officially notified and given an appropriate opportunity to respond before the Board voted on the request. Individual private property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

- Individual private property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners association, if applicable. The petition content must be approved and dated by staff prior to distribution. All petition signatures shall be verified by City staff for private property owner status of the person(s) signing the petition.
- A written agreement must be submitted to the Parks, Beaches and Recreation Commission by the petitioning sponsor (individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the Municipal Operations Department. The total costs shall include only the contractor's removal and replacement costs and be paid in advance of any removal actions.
- The replacement tree(s) for reforestation shall be an appropriate tree that meets the criteria of the City's Street Tree Designation List or the City Parkway Tree Designation List as identified in City Council Policy G-6, or the organization must request and obtain approval from the Commission of the designation of a different tree species prior to submitting any reforestation request for a tree species other than the designated street tree, or an appropriate species based on the City Tree Designation Lists. This Section applies to individual or group requests.
- There shall be a minimum of a one for one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 36" boxed trees, unless the parkway space will not accommodate a 36" boxed tree or a tree

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

- Reforestation requests must be completed and submitted in a timely manner by the petitioner. Petitions that are dated more than 90 days past the date stamped by staff before distribution will not be forwarded to the Commission for consideration. The completed reforestation application will go to the Commission to decide whether to accept or deny the requested reforestation. The decision of the Commission on reforestation requests will be considered final unless called up by at least one Councilmember or the City Manager.
- The City shall require the proper care and watering of replacement trees by the reforestation petitioner to ensure their proper growth and development as outlined in City Council Policy G-6.

#### VI. TREE MAINTENANCE

The City will endeavor to fund the care of the Urban Forest to the highest level possible through the efficient use of regular tree trimming, root pruning, root barrier and pesticide programs in accordance with City Council Policy G-6. Section 13.08.040 of the Municipal Code prohibits any person from tampering with City trees.

#### VII. ENCROACHMENT AND DEMOLITION PERMITS

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

**IMPORTANT:  
Commission Meeting Notice**

City of Newport Beach  
Municipal Operations Department  
100 Civic Center Drive  
Newport Beach, CA 92660



**Parks, Beaches, and Recreation Commission  
Meeting Notice**

At its July 5, 2016 meeting, the Parks, Beaches, and Recreation Commission will consider the reforestation request of a City Tristania tree at 1707 Tradewinds Lane.

Attendance at the meeting is optional.

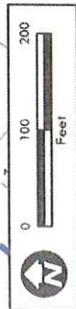
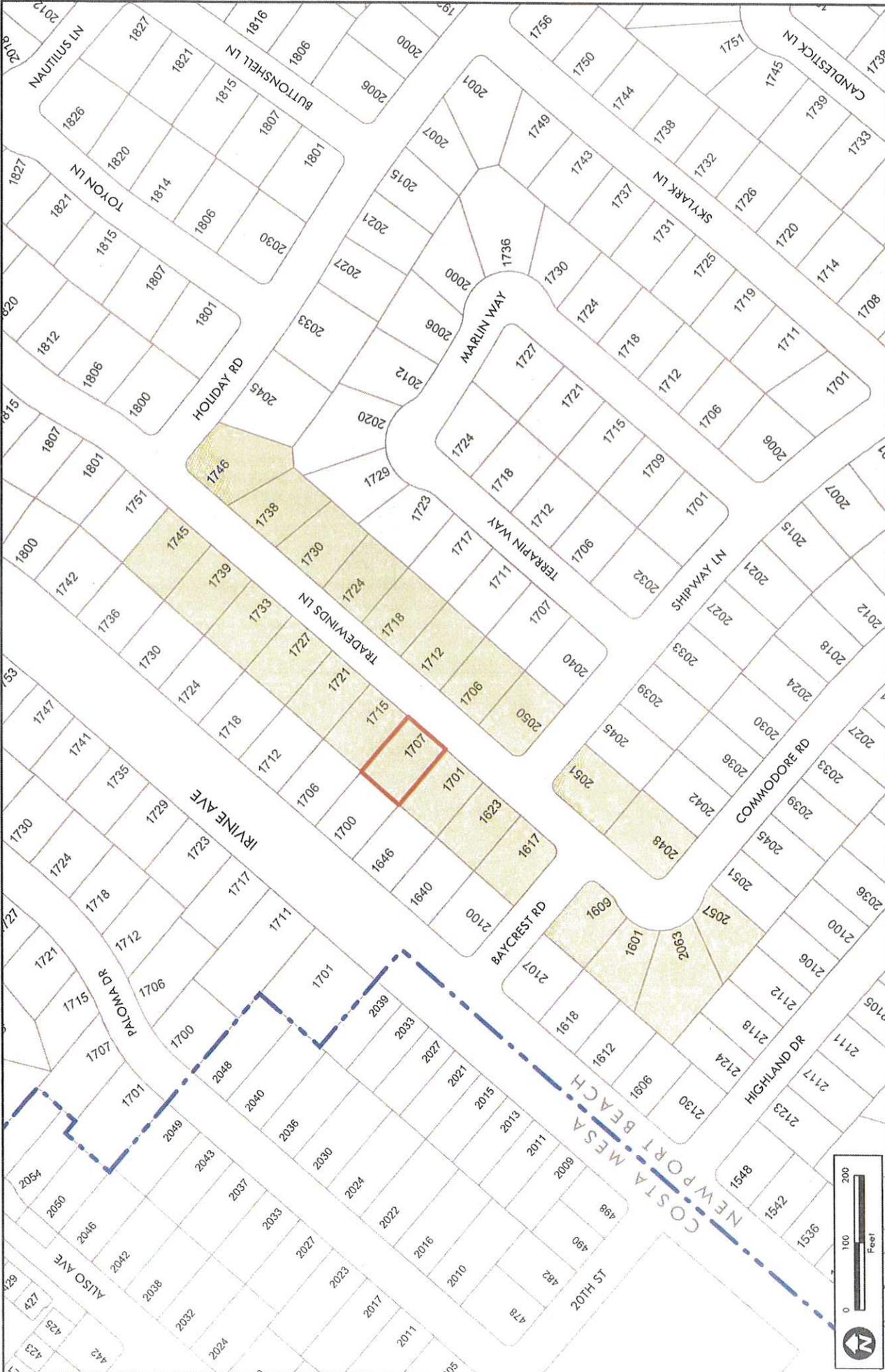
**DATE:** Tuesday, July 5, 2016  
**TIME:** 6:00 p.m.  
**LOCATION:** City Council Chambers  
Newport Beach Civic Center  
100 Civic Center Drive  
Newport Beach, CA 92660

The Agenda Report will be available on the City's website after July 1, 2016: [www.newportbeachca.gov](http://www.newportbeachca.gov). If you have any questions regarding this meeting, you may contact the Municipal Operations Department at (949) 644-3055

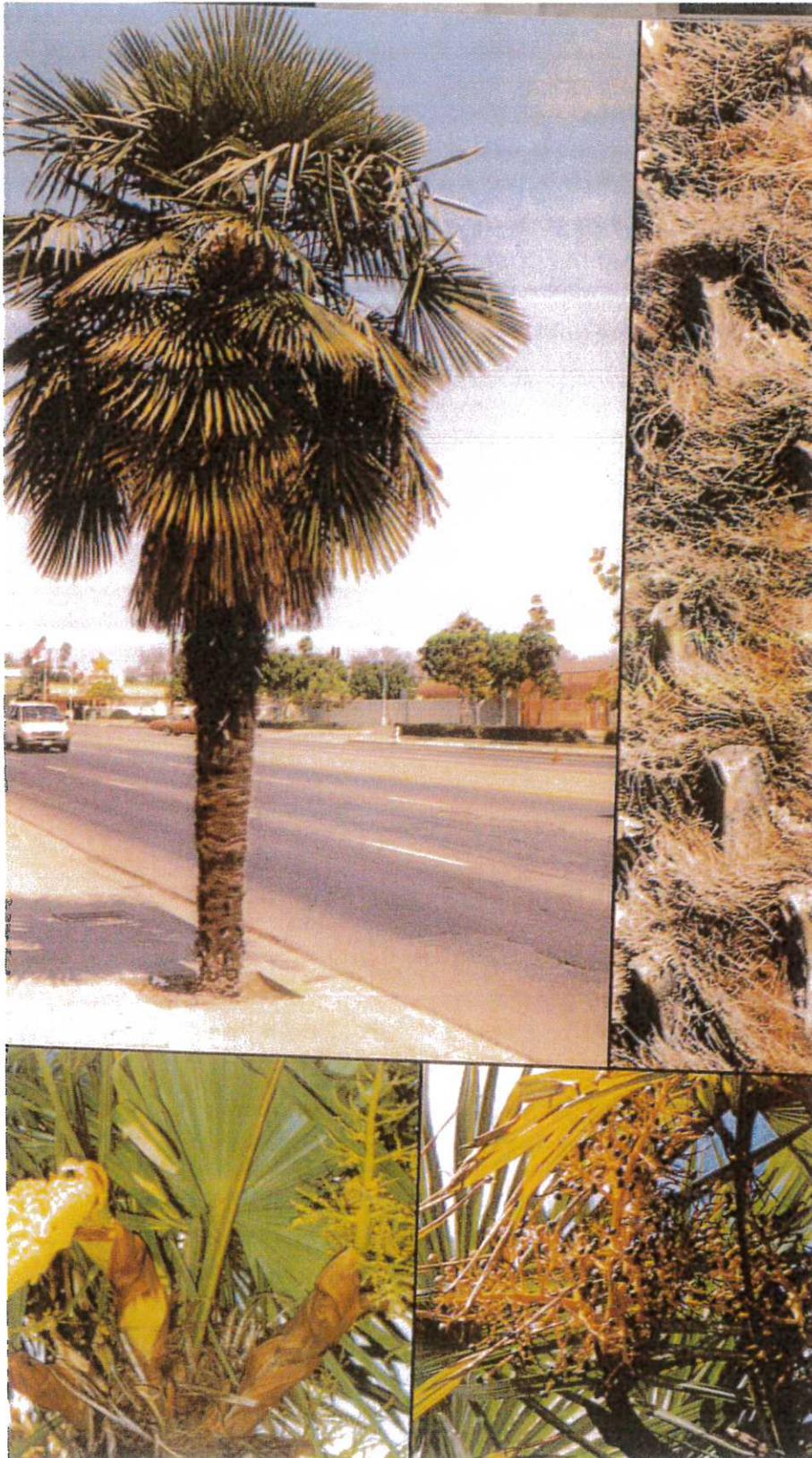


- 1707 Tradewinds Ln
- Notified Properties

# 1707 Tradewinds Ln



Trachycarpus fortunei/Windmill Palm



**Commission Meeting Notice**  
**IMPORTANT!**

City of Newport Beach  
Municipal Operations Department  
100 Civic Center Drive  
Newport Beach, CA 92660



**Parks, Beaches, and Recreation Commission  
Meeting Notice**

At its August 2, 2016 meeting, the Parks, Beaches, and Recreation Commission will consider the reforestation request of a City Brisbane Box tree at 1707 Tradewinds Lane.

Attendance at the meeting is optional.

**DATE:** Tuesday, August 2, 2016  
**TIME:** 6:00 p.m.  
**LOCATION:** City Council Chambers  
Newport Beach Civic Center  
100 Civic Center Drive  
Newport Beach, CA 92660

The Agenda Report will be available on the City's website after July 29, 2016: [www.newportbeachca.gov](http://www.newportbeachca.gov). If you have any questions regarding this meeting, you may contact the Municipal Operations Department at (949) 644-3055.



== CITY OF ==

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item VII-C  
August 2, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Follow-Up: Removal of Two Washingtonia Robusta (Mexican Fan Palm) Trees – 239 Carnation Avenue

---

**RECOMMENDATION:**

That the PB&R Commission consider:

- A. Upholding the Municipal Operations Director's (MOD) decision to remove two Washingtonia robusta (Mexican fan palm) trees at 239 Carnation Avenue, Corona del Mar in order for development of the property to occur;

or

- B. Moving one or two Washingtonia robusta (Mexican fan palm) trees, at the expense of the property owner at 239 Carnation Avenue, to the parkway adjacent to 2500 and 2520 Seaview Avenue in Corona del Mar.

**DISCUSSION:**

At the July 5, 2016 Parks, Beaches, and Recreation Commission meeting, an item was presented which was an appeal of the Palisades Condominium Association regarding the Municipal Operations Director's approval of the removal of two Washingtonia robusta (Mexican Fan Palm) trees at 239 Carnation Avenue, Corona del Mar. Removal of the trees is required to allow development of the property. A copy of the staff report from the July 5 meeting is attached (Attachment A)

Following testimony from an attorney representing the condominium association and adjacent residents, the Commission directed staff to meet with the property owner to determine alternatives to retain the trees on the property.

On July 7, Municipal Operations Department staff met with Stephen Perkins, the owner of the property; Andrew Goetz, the architect of the project, and Vince Mola, the contractor for the project. Also in attendance was John Mote of Senna Tree Company, who has experience in moving palm trees.

During the meeting, parties discussed the possibilities of splitting the palm trees apart and placing them at the north and south corners of the property. It was determined that

the north corner was not a potential site, since the home's utilities run through that area, which also includes a City wastewater manhole. The property owner feels there is not enough space on the southern corner of the property for a large tree, given the width of the property and the requirement for a 3-car garage. These removals would be allowed by the G-1 Policy.

Alternatively, there are two sites in the existing parkway adjacent to 2500 and 2520 Seaview Avenue where the trees could be moved (Attachment B). Stephen Perkins, the property owner, is willing to move the trees at his expense to the new location. At the time this report was prepared, staff had not contacted the adjacent property owners regarding their approval of placement of these trees in the City parkway adjacent to their homes.

Consequently, if staff's decision to remove the trees is upheld, the developer would be required to pay the cost of the tree removal and provide funds to plant two 48" box trees elsewhere in the community, since City Council Policy G-3 (Preservation of Views) prohibits the planting of street trees in the 200 block of Carnation Avenue. If Mr. Perkins funds the movement of one or both of the palm trees to the Seaview Avenue median, the requirement to fund the planting of new trees would be waived.

**NOTICING:**

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

Council Member Scott Peotter, Andrew Goetz (the architect for the redevelopment project at 239 Carnation Avenue), and Voss, Cook & Thel LLP have received a copy of this report. Additionally, surrounding property owners were notified of the Commission Meeting related to this item via postcard.

**Attachments:**

- A. Agenda Item VII-E from July 5, 2016 PB&R Commission Meeting
- B. Possible sites for trees to be moved to – 2500 and 2520 Seaview Avenue
- C. Meeting notification postcards sent to adjacent property owners
- D. City Council Policy G-3 – Preservation of Views



CITY OF

# NEWPORT BEACH

## PB&R Commission Staff Report

Agenda Item No. VII-E  
July 5, 2016

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

**FROM:** Municipal Operations Department  
Mike Pisani, Municipal Operations Department Director  
949 644-3055, mpisani@newportbeachca.gov

**TITLE:** Uphold Staff's Decision to Remove Two Palm Trees – 239  
Carnation Avenue

---

### RECOMMENDATION:

That the PB&R Commission uphold the Municipal Operations Director's (MOD) decision to remove two *Washingtonia robusta* (Mexican fan palm) trees at 239 Carnation Avenue, Corona del Mar.

### DISCUSSION:

In February, MOD staff was advised by the Public Works Department of a development project at 239 Carnation Avenue in Corona del Mar that would require the removal of two *Washingtonia robusta* (Mexican fan palm) trees (see Attachments A and B).

The project consists of the demolition of a small, single-family home and construction of a new single-family home with three-car garage. The new home is multi-level, and steps down the bluff, similar to other new homes on the west side of the 200 block of Carnation Avenue. The project was approved by the California Coastal Commission in January, and meets all applicable City Zoning Code development standards (e.g., density, height, setbacks, and parking).

The Zoning Code requires a minimum 3-car garage for homes of this size (+4,000 square feet). The architect of the project was able to meet this requirement; however, due to the narrow width of this lot (approximately 40 feet wide) and location of the street trees near the center of the lot, access to the garage necessitates removal of the trees. As defined in City Council Policy G-1 (Retention, Removal, and Maintenance of City Trees) (Attachment C), the trees are Standard Trees. The Policy does address the removal of trees for development in Section VII (Encroachment and Demolition Permits):

*All encroachment permits (permits for private property development which are proposed to encroach upon the City right of way) or demolition permits that involve the removal or replacement of City tree(s) must be specifically noticed by the property owner to City staff prior to the building and/or demolition permit*

*process whenever possible. The proposed construction plans must indicate preservation of existing City trees wherever possible (except trees that are dead, dying, or in an advanced state of decline). If the proposed development requires the removal of City trees, the property owner must submit a tree removal form to the Municipal Operations Director, pay all related tree removal and one for one replacement costs, and meet all provisions of City Council Policies L-2 and L-6 and City Municipal Code Sections 13.08 and 13.09. Approval or disapproval of all tree removal/replacement requests associated with encroachment and demolition permits will be the responsibility of the Municipal Operations Director or a designee.*

Staff examined the construction plans to see if there was any way to save the trees and allow the development to occur around them. Unfortunately, due to their location on the property, that is not possible. Consequently, based on the G-1 Policy, staff approved the removal of the trees to allow the development of the property to proceed (see Attachment D).

The Palisades Condominium Association has sent a notice of appeal regarding the tree removals (see Attachment E). In their letter, they state a number of objections to the removal of the trees. First, they note that only two of the three palm trees at that location are tagged for removal. Only the two large trees are maintained by the City. Consequently, the third, shorter, tree is a private tree which may be removed by the property owner.

The Association also claims that these trees listed as "Neighborhood Trees" in the G-1 Policy, claiming that the 74 *Washingtonia robusta* trees listed for the Corona del Mar State Beach include those in surrounding neighborhoods. That is simply not the case; the trees described in the Policy are all within the beach facility. As noted above, the trees at this location fall within the Standard Tree category.

Finally, the Association contends that a previous property owner removed other City parkway trees. In July 2014, staff was notified of a private contractor removing trees at the location. Staff responded, and directed the contractor to complete the work he had already started on two City trees, a Brazilian Pepper and a Palm. Two other trees being removed at that time were private trees, not maintained by the City. At that time, staff told the property owner he would be responsible for the planting of two 48" box trees upon redevelopment of the property.

Consequently, if staff's decision to remove the trees is upheld, the developer would be required to pay the cost of the tree removal and provide funds to plant two 48" box trees elsewhere in the community, since City Council Policy G-3 (Preservation of Views) prohibits the planting of street trees in the 200 block of Carnation Avenue.

**NOTICING:**

Council Member Scott Peotter, Andrew Goetz (the architect for the redevelopment project at 239 Carnation Avenue), and Voss, Cook & Thel LLP have received a copy of this report. Additionally, surrounding property owners were notified of the Commission Meeting related to this item via postcard.

Attachments:

- A. Photo 1
- B. Photo 2
- C. G-1 Policy
- D. Tree Removal Report/Review and photos
- E. Appeal Letter Reforestation Application/Petition
- F. Meeting notification postcards sent to adjacent property owners





## RETENTION, REMOVAL, AND MAINTENANCE OF CITY TREES

### GOAL OF POLICY

To establish and maintain appropriate diversity in tree species and age classes to provide a stable and sustainable urban forest with an inventory that the City can reasonably maintain in a healthy and safe condition. To require that in approving any tree removal or reforestation request, the Parks, Beaches and Recreation Commission ("Commission ") shall find that the tree removal request will not adversely impact the overall inventory, diversity and age of the City's Urban Forest.

### PURPOSE

The purpose of this policy is to establish definitive standards for the retention, removal, maintenance, reforestation, tree trimming standards, and supplemental trimming of City trees. City trees are an important part of the character and charm of the entire City and provide environmental benefits as well. Regular care, trimming, root pruning, maintenance, and programmed replacement are necessary to preserve this charm while at the same time protecting views consistent with City Council Policy G-3, providing personal safety, and preventing public and private property damage.

The City classifies public trees in one of three categories: Special City Trees, Problem City Trees, and Standard City Trees.

### I. SPECIAL CITY TREES

It is the City's policy to retain Special City Trees ("Special Trees") categorized as Landmark, Dedicated, or Neighborhood trees, because they have historical significance, and/or contribute to, and give character to, a location or to an entire neighborhood. Landmark, Dedicated, and Neighborhood trees are identified by species in Attachment 1, and shall hereinafter be collectively referred to as Special Trees. Trees within these three categories shall be identified, mapped, recorded and administered by staff for the Commission. The Commission shall review the Special Tree list at a minimum on an annual basis and forward recommendations for additions or deletions to the City Council for approval.

*Landmark Trees* are identified as those individual Special Trees that possess historical significance by virtue of their size, age, location, or species.

*Dedicated Trees* are Special Trees donated for or in the memory of specific individuals or organizations.

*Neighborhood Trees* are Special Trees that by their unusual size, number, species, or location lend a special character to a residential, commercial, or business area.

All Special Trees shall be retained, unless there are overriding problems which will require their removal such as death, disease, interference with infrastructure, or the creation of a hazardous situation. Prior to considering the removal of any Special Tree(s), the Municipal Operations Director, or designee, shall prepare a report identifying and implementing specific treatment to retain the tree(s). If specific treatment is unsuccessful or impractical in retaining a tree(s) then a full staff report shall be made to the Commission before any further action considering removal is taken. Prior to any removal of Special Tree(s), the City must comply with the noticing provisions of the Removal of City Trees Section set forth in Section IV.A. of this Policy, unless a Special Tree is considered so hazardous as to necessitate an emergency removal. In the case of emergency removals, the Landscape Manager or the City Arborist shall have the authority to direct the removal of a hazardous tree.

Long term, most trees reach maturity and decline, and will be replaced one-for-one with the same species or the closest equivalent wherever possible.

During normal sidewalk, curb, and street repair activity requiring root pruning, all steps shall be taken to retain Special Trees. If tree roots are to be pruned in association with sidewalk, curb, and gutter improvements, sufficient timing in advance must be planned to ensure that pruning will not destabilize or kill the tree. If both sides of a Special Tree's roots are to be pruned, one side should be pruned six months to a year in advance of the other side depending upon the species and other related factors. If root pruning methods are not practical and/or critical to the health of the tree, then alternate or special hardscape improvements should be considered by the City in order to retain the tree providing that costs are reasonable. All proposed root pruning or other tree treatment shall be evaluated and approved by the City Arborist.

Special Trees may be considered for removal in conjunction with a City Council-approved beautification project utilizing the Removal of City Trees procedures noted in Section IV.A. of this Policy.

## II. PROBLEM CITY TREES

A Problem City Tree ("Problem Tree") is defined as a tree that by virtue of its species causes excessive hardscape or utility damage due to its excessive root system. The following trees are defined as Problem Trees:

- *Ficus nitida* (Indian Laurel Fig)
- *Ficus rubiginosa* (Rusty Leaf Fig)
- *Ficus benjamina* (Weeping Fig)
- *Erythrina caffra* (Kaffirboom Coral Tree)
- *Fraxinus uhdei* (Shamel Ash)
- *Cupaniopsis anacardioides* (Carrotwood)

- Liquidambar styraciflua (American Sweet Gum)
- Schinus terebinthifolius (Brazilian Pepper)

Problem Trees shall not be designated as City parkway trees on the Street Designation Tree List of City Council Policy G-6, unless they are Special Trees.

Problem Trees that are not designated Special Trees may be removed for the following reasons:

- A. The Problem Tree has had a repeated history of damaging public or private sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities, or foundations based on City records or other competent and reliable authority. Water or sewer blockage that results from tree roots and causes significant documented private property damage (greater than \$500.00) shall be sufficient criterion for tree removal; or
- B. The Problem Tree has had a repeated history of significant interference with street or sidewalk drainage, despite specific treatment by the City to alleviate repeated damage; or
- C. The Problem Tree has created, in the opinion of the City Arborist, a view impediment that cannot be resolved by normal nor alternative tree trimming procedures.

Problem Trees may be proposed for removal by either staff or private property owners. The Municipal Operations Director has the authority to remove Problem Trees. No more than 50 Problem Trees may be removed per year by staff under these criteria without special approval of the Commission.

Replacement trees of a 36-inch box size shall be planted if funding, availability and growth space permits.

Staff is responsible for notifying the adjacent property owner, the legally established homeowners association, if applicable, and the Councilperson of the district where the removal is proposed, of the intent to remove a Problem Tree. The decision by the Municipal Operations Director to remove a problem tree is final unless called up by at least one Councilperson. The City Arborist shall report the removal of Problem Trees on a monthly basis to the Commission. The cost to remove and replace Problem Trees will be the sole responsibility of the City based on funding, availability and growth space, with the exception of Category C (view), which is the sole responsibility of the applicant.

### III. STANDARD CITY TREES

A City tree which is located on City real property (parkways, parks, other City-owned property) and not designated as a Special or Problem Tree is designated as a Standard City

Tree ("Standard Tree"). It is the City's policy to retain Standard Trees unless removal is necessary for one of the following reasons:

- A. The City tree has had a repeated history of damaging public or private sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities, or foundations based on City records or other competent and reliable authority. Water or sewer blockage that results from tree roots and causes significant public or private property damage (greater than \$500.00) shall be sufficient criterion for tree removal; or
- B. The City tree has had a repeated history of significant interference with street or sidewalk drainage; or
- C. The City tree is dead, diseased, dying, or hazardous, and presents a liability to the City. A dead tree is one that has been assessed by the City Arborist and found to have deceased. Diseased trees are defined as those trees that cannot be cured by current arboricultural methods, are in an advanced state of decline, and have no prospect of recovery. Dying trees are those that have no prospect of recovery. Hazardous trees are defined as those that are defective, have a potential to fail, and would cause damage to persons and property upon failure. The City Arborist will perform a hazard assessment whenever a tree is identified as hazardous. The assessment will identify: structural defects of the tree, parts of the tree most likely to fail, targets where imminent personal injury or property damage may result with tree failure, and procedures or actions necessary to abate the hazard. After assessment, the City Arborist will expeditiously convey his written findings and recommendations to the Municipal Operations Director for evaluation. If the Municipal Operations Director agrees with the City Arborist findings to remove a tree, the hazardous tree will be removed without further delay. In the case of imminent tree failure, the Landscape Manager or the City Arborist shall have the authority to direct the removal of a hazardous tree; or
- 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; or
- E. The City Manager, upon the advice of the Municipal Operations Director, City Attorney, Risk Manager or the Traffic Engineer, shall have the authority to remove individual Problem or Standard Trees to resolve claims or safety issues.

#### IV. REMOVAL OF CITY TREES

The initiation to remove City tree(s) may be made by the staff of the Municipal Operations and/or Public Works Departments, a legally established community association, or a private property owner by submitting an application to the Municipal Operations Director, utilizing the City Tree Removal form available on the City's website: [www.newportbeachca.gov](http://www.newportbeachca.gov).

The City will replace all trees removed in accordance with the Standard Trees removal criteria on a one for one basis, as funding, availability and growth space permits. 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 all City Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s), or desires to upgrade to a box size larger than 36" planted as a replacement, then the resident will be responsible for the difference in price.

#### A. Removal of Special City Trees

- Special Trees may be considered for removal under the same criteria as Standard Trees in Section IV.C. (Removal of Standard Trees) if a special report, prepared by the Municipal Operations Director and approved by the City Manager, is provided to the Commission detailing the necessity of removal and any specific previous treatment of the tree.
- Removal of a Special Tree(s) is initiated by submitting an application utilizing the City Tree Removal form, which must be approved by the City Manager.
- After receipt of the application, a Tree Inspection Report shall be prepared by the City Arborist to determine if the tree(s) meets the criteria for consideration for removal outlined in Section IV.C.
- Simultaneously, the City Arborist 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 to appeal. The sign shall also note a staff contact.
- The City Arborist shall also 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 Section III (Standard Trees)).
- Once a recommendation is made by the City Arborist and the Landscape Manager to the Municipal Operations Director or designee and the Director 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(s) at least 30 days before the proposed removal. A legally

established community association is responsible for notification of all association members pursuant to their established procedure.

- The Municipal Operations Director, or a designee, shall prepare a staff report for a regularly scheduled Commission meeting of all trees recommended for removal, except for those trees categorized as Item C (dead, diseased, or dying trees) or Item E (claims and safety issues) in Section III (Standard City Trees).
- Any appeal to the Council regarding a Commission tree decision must be received by the Municipal Operations Director no later than 14 calendar days following the date of the Commission decision. The Municipal Operations Director will delay any tree removals until the appeal period has expired or until the Commission has acted upon the appeal.
- The full costs of removal and replacement of Special Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s), or with the exception of Category C (view) in Section II, which is the sole responsibility of the applicant.

#### B. Removal of Problem City Trees

- Problem Trees may be proposed for removal by either City staff, a legally established community association, or private property owners by written application utilizing the City Tree Removal form. The Municipal Operations Director has the authority to remove Problem Trees.
- No more than 50 Problem Trees may be removed per year by staff without special approval of the Commission.
- No more than one of three problem parkway trees in a continuous row may be removed in a one year period without a hearing before the Commission. Replacement trees of a 36" boxed size shall be planted if funding permits.
- Staff is responsible for notifying in advance, if applicable, the adjacent property owner, the legally established homeowners association, and the Councilperson of the district where the removal is proposed of the intent to remove a Problem Tree.
- The decision by the Municipal Operations Director to remove a problem tree is final unless called up by at least one Councilperson. The City Arborist shall report the removal of Problem Trees on a monthly basis to the Commission.
- The cost to remove and replace Problem Trees will be the sole responsibility of the City based on availability of funding, with the exception of Category C (view) in Section II, which is the sole responsibility of the applicant.

### C. Removal of Standard City Trees

- The initiation to remove a Standard Tree(s) may be made by the staff of the Municipal Operations and/or Public Works Departments, a legally established community association, or a private property owner by submitting an application to the Municipal Operations Director, utilizing the City Tree Removal form.
- After receipt of the application, a Tree Inspection Report shall be prepared by the City Arborist to determine if the tree(s) meets the criteria for consideration for removal as outlined in the above Section III (Standard City Trees). The City Arborist shall determine whether in his/her judgment additional specific treatment can be initiated to retain the tree provided the costs are reasonable.
- The City Arborist shall make a finding in regards to inappropriate tree species for a specific location and forward to Landscape Manager. The authority to remove Standard Trees rests with the Municipal Operations Director.
- Once a recommendation is made by the City Arborist and the Landscape Manager to the Municipal Operations Director, or designee, and the Director agrees with the recommendation, the City may remove the tree(s).
- Staff is responsible for notifying in advance, if applicable, the adjacent property owner, the legally established community association, and the Councilperson of the district where the removal is proposed of the intent to remove a Standard Tree.
- Any appeal to the Commission regarding a tree decision must be received by the Municipal Operations Director no later than 14 calendar days following the date of the notice of intent. The Municipal Operations Director will delay any tree removals until the appeal period has expired or until the Commission has acted upon an appeal.
- The City will replace all trees removed in accordance with the Standard 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. If resident/applicant desires to upgrade to a 48" boxed tree or larger, the resident/applicant will be responsible for the difference in price.
- The full costs of removal and replacement of Standard Tree(s) will be the sole responsibility of the City, unless an applicant voluntarily pays for a new tree(s) or desires to upgrade to box size larger than 36" planted as a replacement, then the applicant will be responsible for the difference in price.

## V. REFORESTATION OF CITY TREES

### A. Description of Reforestation

*Reforestation* is defined as the concept of systematically replacing Problem or Standard 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.

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

The City Street Tree Designation List and the City Parkway Tree Designation List attached to City Council Policy G-6 reflect an effort by the City to designate appropriate tree species that will not cause future problems.

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

### B. Application for Reforestation

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

- The proposed area must have clearly defined contiguous geographical boundaries that include the tree(s) proposed for removal and replacement, street address(es), block number(s), or other geographical information. This Section applies to individual and group requests.
- Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined for reforestation. The petition content must be approved and dated by City staff prior to distribution by the petitioner. The staff-

approved petition must be distributed by the petitioner to a maximum of 30 private property owners (up to 15 contiguous private property owners on both sides of the street up to 500' in either direction from the location of the proposed reforestation). Signatures by non-property owners are not acceptable for petition purposes, and there may be no more than one signature per property. All petition signatures shall be verified by City staff for property owner status of the person(s) signing the petition. As an alternative to the above requirements, areas represented by a legally established community association may submit a resolution of the Board of Directors formally requesting a reforestation with a statement that all members of the community association having their residential views affected have been officially notified and given an appropriate opportunity to respond before the Board voted on the request. Individual private property owners living within a legally established community association area with mandatory association membership must petition for reforestation through their respective association.

- Individual private property owners not residing within a legally established community association area may submit individual requests for single or multiple tree reforestations. The applicant must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners association, if applicable. The petition content must be approved and dated by staff prior to distribution. All petition signatures shall be verified by City staff for private property owner status of the person(s) signing the petition.
- A written agreement must be submitted to the Parks, Beaches and Recreation Commission by the petitioning sponsor (individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the Municipal Operations Department. The total costs shall include only the contractor's removal and replacement costs and be paid in advance of any removal actions.
- The replacement tree(s) for reforestation shall be an appropriate tree that meets the criteria of the City's Street Tree Designation List or the City Parkway Tree Designation List as identified in City Council Policy G-6, or the organization must request and obtain approval from the Commission of the designation of a different tree species prior to submitting any reforestation request for a tree species other than the designated street tree, or an appropriate species based on the City Tree Designation Lists. This Section applies to individual or group requests.
- There shall be a minimum of a one for one replacement of all trees removed in reforestation projects. Replacement trees shall be a minimum size of 36" boxed trees, unless the parkway space will not accommodate a 36" boxed tree or a tree

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

- Reforestation requests must be completed and submitted in a timely manner by the petitioner. Petitions that are dated more than 90 days past the date stamped by staff before distribution will not be forwarded to the Commission for consideration. The completed reforestation application will go to the Commission to decide whether to accept or deny the requested reforestation. The decision of the Commission on reforestation requests will be considered final unless called up by at least one Councilmember or the City Manager.
- The City shall require the proper care and watering of replacement trees by the reforestation petitioner to ensure their proper growth and development as outlined in City Council Policy G-6.

## VI. TREE MAINTENANCE

The City will endeavor to fund the care of the Urban Forest to the highest level possible through the efficient use of regular tree trimming, root pruning, root barrier and pesticide programs in accordance with City Council Policy G-6. Section 13.08.040 of the Municipal Code prohibits any person from tampering with City trees.

## VII. ENCROACHMENT AND DEMOLITION PERMITS

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

## VIII. TREE TRIMMING STANDARDS

The City Council has adopted tree trimming cycles for trees of different ages and species. Tree trimming cycles and trimming standards shall represent the maximum feasible frequency given current fiscal conditions. Except as provided in the Supplemental Trimming Section below, trimming shall be in accordance with the standards of the International Society of Arboriculture (ISA). In those communities with a legally established community association, periodic tree trimming with an emphasis on height reduction will be considered by the City Arborist upon written request by the association.

## IX. SUPPLEMENTAL TREE TRIMMING

The City will consider requests to trim certain trees more frequently or to trim trees consistent with practices applied prior to the adoption of ISA standards (to enhance public and private views, preserve required sight/distance standards, or other public purposes) which are submitted by affected private property owners or the board of a legally established community association and the request is accompanied by a completed "Supplemental Tree Trimming Form" and full payment for the requested tree trimming. However, since these practices often require 'topping' or possible disfiguring of a tree(s) and are often aesthetically displeasing and injurious to a tree, reforestation shall be considered when supplemental tree trimming is impractical or infeasible as determined by the City Arborist.

The Municipal Operations Director shall establish procedures to implement the supplemental trimming provisions of this Policy. In areas with an active homeowners association, approval must be obtained from a legally established association by the requestor of supplemental tree trimming if the requested trimming is to be undertaken within the association boundaries.

[Attachment 1- Special Trees]

Adopted - May 9, 1966

Amended - August 14, 1967

Amended - November 9, 1976

Amended - November 12, 1985

Amended - November 28, 1988

Amended - March 14, 1994

Amended - April 11, 1994

Amended - February 26, 1996

Amended - July 14, 1997

Amended (Administratively) -  
November 24, 1997

Amended - August 10, 1998

Amended - February 22, 2000

Amended - April 27, 2004

Amended - October 11, 2011

Amended - September 8, 2015

Formerly I-9

## ATTACHMENT 1

SPECIAL CITY TREESLANDMARK  
TREES

Balboa Boulevard Median	<i>Araucaria heterophylla</i> (1)
Balboa Library	<i>Eucalyptus globulus</i> (3)
Balboa Library	<i>Phoenix canariensis</i> (2)
Bob Henry Park	<i>Ficus rubiginosa</i> (1)
Castaways Park	<i>Phoenix canariensis</i> (1)
City Hall	<i>Ficus microcarpa</i> 'Nitida' (2)
Dover Drive east of Irvine Avenue	<i>Erythrina caffra</i> (1)
Dover Drive at Westcliff	<i>Liquidambar styraciflua</i> (4)
Ensign View Park	<i>Erythrina caffra</i> (1)
Lido Isle Medians	<i>Pinus pinea</i> (4)
Main Street	<i>Ficus microcarpa</i> 'Nitida' (1)
Ocean Blvd. Corona del Mar	<i>Phoenix canariensis</i> (5)
Wedge Area	<i>Myoporum laetum</i> (2)
West Jetty View Park	<i>Phoenix canariensis</i> (2)
(near Historical Marker)	
Westcliff & Dover (Groves) Bike Trail	<i>Eucalyptus globulus</i> (49)

DEDICATED  
TREES

Bayside Park (Newport-Irvine Rotary Club)	<i>Pyrus calleryana</i>
Bayview Park (Gene Atherton)	<i>Cinnamomum camphora</i>
Begonia Park (Dr. Leo V. Turgeon)	<i>Bauhinia blakeana</i>
Begonia Park (Cheryl Bailey Ringwald)	<i>Prunus cerasifera</i>
Bob Henry Park (Bob Henry)	<i>Ficus rubiginosa</i>
Bonita Canyon Sports Park (Elaine Linhoff) (Fern Pirkle)	<i>Melaluca linariifolia</i>
Buffalo Hills Park (Bahia Community Earth Day Celebration)	<i>Erythrina caffra</i>
Buffalo Hills Park (N. Beach Sunrise Rotary Club)	<i>Stenocarpus sinuatus</i>
Castaways Park (Kevin Murphy) (Mary Louise Romine)	<i>Pinus torreyana</i>
Castaways Park (Joe Clarkson)	<i>Platanus racemosa</i>

(Michael F. Gustin)	
(Arthur Grant Kidman Junior)	
(Grover Stephens, PH.D.)	
(Arthur C. Wahlstedt, Jr.)	
(John D. Woodruff)	
Castaways Park	<i>Quercus agrifolia</i>
(Nancy Bergeson)	
(Logan David Burley)	
(Sawyer Dean Burley)	
(Sawyer Dean Burley)	
(Bob & Susan Caustin)	
(Joe Clarkson)	
(Yen Chu Kuo)	
(Ryan Lemmon)	
(Virginia Najera)	
(Eva Victoria Najera)	
(David Rapp)	
(Nancy & Jack Skinner)	
(Staycee Stone)	
(Jason Stradtman)	
(Robert T. Talbot)	
(Jan Vandersloot)	
(Jean Watt)	
Castaways Park	<i>Quercus kelloggii</i>
(Gregory Courteau)	
City Hall grounds	<i>Harpephyllum kaffrum</i>
(U.S. Bicentennial Freedom Tree)	
City Hall grounds	<i>Pinus halepensis</i>
(Calif. Bicentennial)	
(Walter Knott)	
No. City Hall grounds	<i>Ficus benamina</i>
(Billy Covert)	
Cliff Drive Park	<i>Bauhinia blakeana</i>
(Susan Benz)	
Cliff Drive Park	<i>Cassia leptophylla</i>
(Francis P. Hemenway)	
Cliff Drive Park	<i>Quercus agrifolia</i>
(Gary Lovell)	
(Dr. Vandersloot)	
Eastbluff Park	<i>Hymenosporum flavum</i>
(Lucy Huntsman)	
Galaxy View Park	<i>Cupaniopsis anacardioides</i>
(Trey Hunter)	
Galaxy View Park	<i>Metrosideros excelsa</i>
(Dylan Ayres)	

Gateway Park (Virginia Herberts)	<i>Cassia leptophylla</i>
Grant Howald Park (Jean & Coalson Morris)	<i>Cassia leptophylla</i>
Grant Howald Park (Skipper Mark Howes)	<i>Hymenosporum flavum</i>
Grant Howald Park (Mark Munro) (Pete Munro)	<i>Metrosideros excelsus</i>
Grant Howald Park (Cara Lee)	<i>Spathodea campanulata</i>
Irvine Terrace Park (Dana Harmon)	<i>Liquidambar styraciflua</i>
Irvine Terrace Park (Sister City of Okazaki)	<i>Pinus nigra</i>
L Street Park (Tim Van Ostenbridge)	<i>Cassia leptophylla</i>
Las Arenas Park (Ed Healy)	<i>Melaleuca linarifolia</i>
Mariners Park (Sierra Beth)	<i>Bauhinia variegata</i>
Mariners Park (Dr. Anthony & Madeline DeCarbo)	<i>Cedrus deodara</i>
Mariners Park (Isy Pease)	<i>Pinus halepensis</i>
Mariners Park (Christopher & Marisha Thomposn) (Meghan & Camielle Thompson)	<i>Pinus eldarica</i>
Mariners Park (Frank Tallman)	<i>Pinus radiata</i>
Mariners Park (N. Beach Sunrise Rotary Club)	<i>Stenocarpus sinuatus</i>
No. Mariners Park (Marcie Schrouder)	<i>Pinus radiata</i>
Newport Pier/24 <sup>th</sup> Street Bike Path (Marie "Maxine" Louchis)	<i>Chamaerops humilis</i>
Old School Park (Mary Jo Tyler)	<i>Bauhinia variegata</i>
Old School Park (Jean & Coalson Morris)	<i>Cassia leptophylla</i>
Peninsula Park (Gray Lunde Tree)	<i>Chamaerops humilis</i>
Peninsula Park (Don Perdue)	<i>Ravenea rivularis</i>
San Miguel Park (Jon Walters)	<i>Schinus molle</i>

Spyglass Hill Park (Dennis George Brice) (Edith Mary Brice)	<i>Acacia baileyana</i>
Veterans Park (Rosemary Rae Hill Hansen)	<i>Lagenstroemia indica fauriei</i>
WCH & Superior Ave City Parking Lot (Louise Greeley)	<i>Cassia leptophylla</i>
West Newport Park (Russell Marc Beaumont) (Jeff Steven Reinker)	<i>Erythrina caffra</i>
West Newport Park (Brownie Girl Scout Troop 2072)	<i>Spathodea campanulata</i>
Various locations: Castaways Park and Cliff Drive Park slopes (Dr. Jan David Vandersloot & Family)	<i>Quercus agrifolia</i>

## NEIGHBORHOOD TREES

15th Street (Newport Heights)	<i>Eucalyptus cladocalyx</i> (13)
Along Avon Avenue	<i>Eucalyptus globulus</i> (8)
Buena Vista and Lindo Avenue	<i>Erythrina caffra</i> (1)
Candlestick Lane (Baycrest)	<i>Eucalyptus citriodora</i> (17)
Clay Street (Irvine Ave to St. Andrews Road)	<i>Ficus microcarpa 'Nitida'</i> (21)
Cliff Drive (north side, west of Dover Drive)	<i>Agathus robusta</i> (4)
Cliff Drive Park (Scout House)	<i>Ficus benjamina</i> (1)
Commodore Road	<i>Eucalyptus citriodora</i> (2)
Corona Del Mar State Beach	<i>Washingtonia robusta</i> (74)
601 Dover Drive	<i>Eucalyptus ficifolia</i> (1)
Dover Drive (Mariners to Irvine)	<i>Eucalyptus globulus</i>
Eastbluff Park	<i>Ficus macrophylla</i> (1)
Glenwood Lane	<i>Eucalyptus citriodora</i> (10)
Goldenrod Avenue (Ocean Blvd to Fifth Ave)	<i>Washingtonia robusta</i> (144)
Heliotrope Avenue (Corona del Mar)	<i>Pinus radiata</i> (2)
Irvine Avenue (17th St. to Dover)	<i>Phoenix dactylifera</i> (Date palm) (30)
Irvine Avenue (17th St. to Dover)	<i>Spathodea campanulata</i> (African tulip) (39)
128 Kings Road	<i>Roystonea regia</i> (1)
128 Kings Road	<i>Pseudobombax ellipticum</i> (1)
L Street Park	<i>Quercus suber</i> (39)
Leeward Lane	<i>Fraxinus uhdei</i> "Tomlinson" (39)
M Street Park	<i>Pinus pinea</i> (1)
Margaret Drive Median	<i>Erythrina caffra</i> (1)
Marguerite Avenue	<i>Phoenix canariensis</i> (81)

(Ocean Blvd to Fifth Ave)  
 Marine Avenue (Balboa Island)  
 Mariners Drive  
 Newport Center Drive  
 Poppy Avenue (Corona del Mar)  
 Rhine Wharf Park  
 Along Riverside Avenue  
 (adjacent to Cliff Drive Park)  
 725 St. James Road  
 Sandalwood Lane  
 Santa Ana Avenue  
 Seaview Avenue (Corona del Mar)  
 Shorecliffs Entrance  
 Starlight Circle  
 Via Lido Bridge  
 Vista Del Oro Median  
 Waterfront Drive  
 (Avocado Ave to Acacia Ave)  
 West Newport Park

Eucalyptus (Various Species) (39)  
 Jacaranda mimosifolia (52)  
 Washingtonia robusta (363)  
 Eucalyptus rudis (82)  
 Archontophoenix cunninghamiana (12)  
 Schinus terebinthefolius (12)

Eucalyptus ficifolia (1)  
 Eucalyptus citriodora (3)  
 Eucalyptus robusta (38)  
 Pinus radiata (5)  
 Erythrina caffra (40)  
 Eucalyptus citriodora (10)  
 Eucalyptus globulus (14)  
 Erythrina caffra (6)  
 Schinus molle (16)

Metrosideros excelsus(55)

**Adopted - May 9, 1966**  
**Amended - November 9, 1976**  
**Amended - November 28, 1988**  
**Amended - October, 1993**  
**Amended - July 14, 1997**  
**Amended - January 25, 1999**  
**Amended - February 22, 2002**  
**Amended - April, 23, 2002**  
**Amended - April 27, 2004**  
**Amended - May 10, 2005**  
**Amended - September 8, 2015**



MUNICIPAL OPERATIONS DIRECTOR – COMMENTS / RECOMMENDATIONS:

As noted above, tree removal approval with condition  
that owner pay for two 36' bus trees to be planted at  
another location.

Signature: UWA

Date: 6-16-10



# Municipal Operations Department

## TREE INSPECTION REPORT

**Name:** Landscape Division

**Locations of tree:** 239 Carnation Avenue, Front 1 and Front 2

**Request:** Architect Andrew Goetz (on behalf of the property owner) requests the removal of two City Washington robusta (Mexican Fan Palm) trees as part of the proposed new home project for a 3-car access garage at that location.

**Botanical/Common Names:** Washington robusta (Mexican Fan Palm)

**Designated Street Tree:** To be determined

**Estimated Trees Value:** \$1,030 (Front 1), \$1,030 (Front 2)

**Damage:**

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

**Comments:** A field inspection and an on-site meeting with the Public Works Department staff and Mr. Goetz confirmed the two existing City Mexican Fan Palm trees prohibiting the property development as proposed. City Council Policy G-1 Section VII, *Encroachment and Demolition Permits*, states:

If the proposed development requires the removal of City trees, the property owner must submit a tree removal form to the Municipal Operations Director, pay all related tree removal and one for one replacement costs, and meets all provisions of City Council Policies L-2 and L-6 and City Municipal Code Sections 13.08 and 13.09. Approval or disapproval of all tree removal/replacement requests associated with encroachment and demolition permits will be the responsibility of the Municipal Operations Director or a designee.

Inspected by:

Handwritten signature of John Conway in blue ink.

John Conway, City Arborist

Date: June 7, 2016

Detail Notes Images Documents Observations

## Inventory Detail

Tree ID	1533703	Old Tag #		Save
District	12			
Area	12			
Address	239 CARNATION AV			
Side/Site	Front - 1			
Alt Address				
Tree Species	Washingtonia robusta / Palm - Mexican Fan			
Common Name	Mexican Fan Palm			
Size	13-18			
Height	45-60			
Condition	FAIR			
Grow Space				
Space Size				
Overhead Utility				
Sidewalk Damage				
Note				
Irrigation Flag	Yes	No		
Monitor Flag	Yes	No		
Service Type	Grid Pruning			
Season	JULY			
Estimated Value	\$1,030.00			
Next Date				

Latitude: 33.599118668 Longitude: -117.878401807

Google



Scope	WO Ref #	Description	Who	Service Date	Invoice Date	Service	Price
Invoice	21533	2016 Grid 12 Palmes	GSTS	12-24-16	12-11-16	Grid Pruning	40.13
Invoice	21533	2014 WDM 239 Carnation	GST	10-07-14	11-01-14	Grid Pruning	40.13
Work History			WCA		1-22-11	Other	0.00
Work History			WCA		1-12-12	Other	0.00
Work History			WCA		6-16-13	Other	0.00
Work History			WCA		6-19-13	Other	0.00
Work History			WCA		7-07-13	Other	0.00
Work History			WCA		8-06-13	Other	0.00
Work History			WCA		12-12-13	Other	0.00
Work History			WCA		12-01-14	Other	0.00
Work History			WCA		11-02-14	Other	0.00
Work History			WCA		12-22-13	Other	0.00
Work History			WCA		3-13-15	Other	0.00
Work History			WCA		12-17-11	Other	0.00
Work History			WCA		13-25-11	Other	0.00

Detail Notes Images Documents Observations

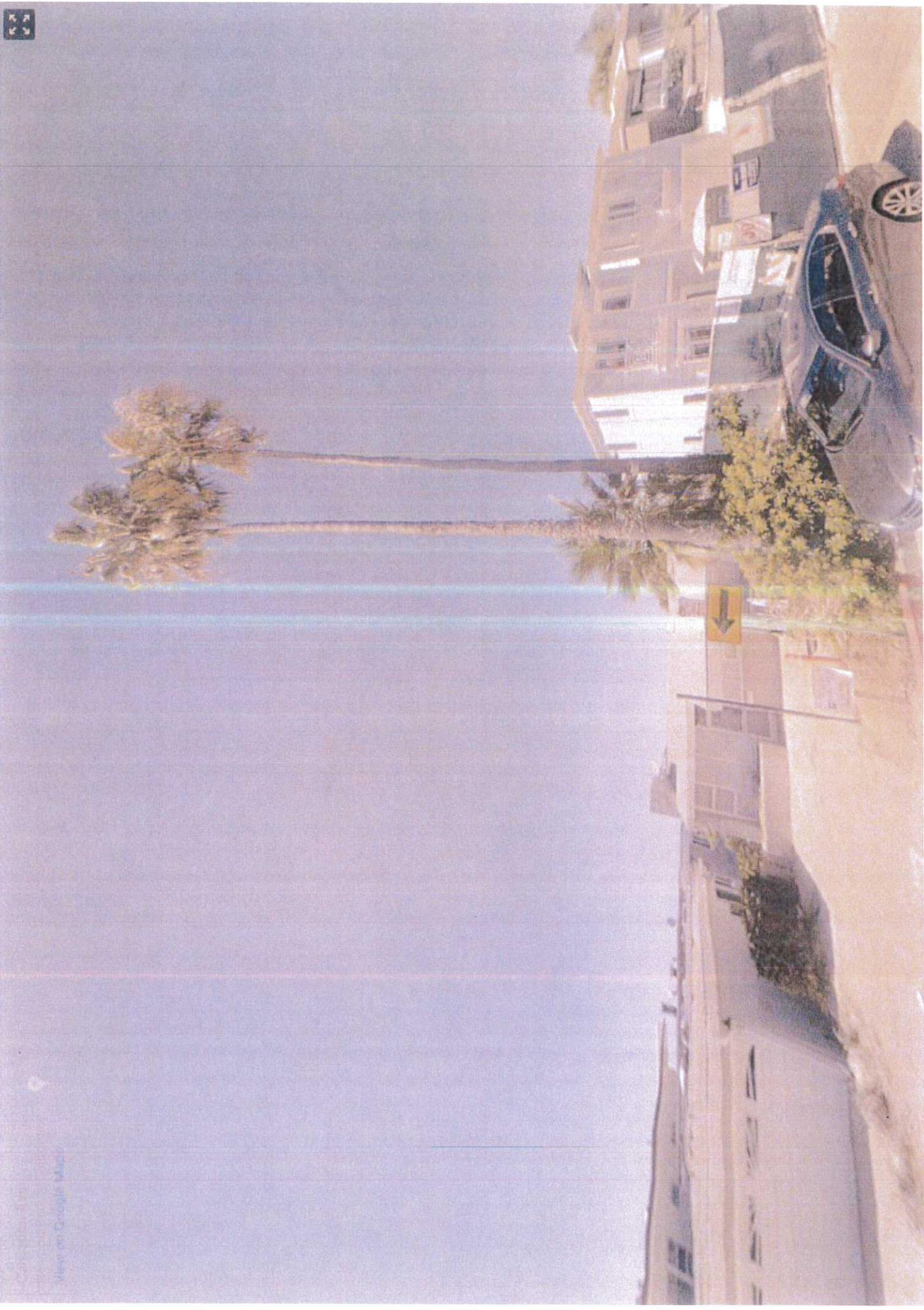
## Inventory Detail

Tree ID	1533704	Old Tag #		<a href="#">Save</a>
District	12			
Area	12			
Address	239 CARNATION AV			
Side/Site	Front - 2			
Alt Address				
Tree Species	Washingtonia robusta / Palm - Mexican Fan			
Common Name	Mexican Fan Palm			
Size	13-18			
Height	60+			
Condition	FAIR			
Grow Space				
Space Size				
Overhead Utility				
Sidewalk Damage				
Note				
Irrigation Flag	Yes	No		
Monitor Flag	Yes	No		
Service Type	Grid Pruning			
Season	JULY			
Estimated Value	\$1,030.00			
Next Date				



Latitude: 33.599127892 Longitude: -117.878384087

Scope	WO Ref #	Description	Who	Service Date	Invoice Date	Service	Price
Involved	23530	2615 - Grid 12 Palms	DSFS	12-24-15	12-31-15	Grid Pruning	45.43
Involved	19433	2111 - Grid 12 Palms	DSFS	12-22-14	11-15-14	Grid Pruning	47.00
Work History			WCA		1-24-13	Other	0.00
Work History			WCA		1-12-12	Other	0.00
Work History			WCA		8-19-10	Other	0.00
Work History			WCA		6-19-09	Other	0.00
Work History			WCA		7-07-09	Other	0.00
Work History			WCA		6-05-07	Other	0.00
Work History			WCA		12-12-06	Other	0.00
Work History			WCA		12-01-05	Other	0.00
Work History			WCA		11-02-04	Other	0.00
Work History			WCA		12-22-03	Other	0.00
Work History			WCA		3-13-03	Other	0.00
Work History			WCA		12-17-01	Other	0.00
Work History			WCA		12-26-00	Other	0.00





Newport  
Beach  
GIS



**Disclaimer:** Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

**Imagery:** 2009-2013 photos provided by Eagle Imaging [www.eagleaerial.com](http://www.eagleaerial.com)

VOSS, COOK & THEL LLP

A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW

895 DOVE STREET, SUITE 450

NEWPORT BEACH, CALIFORNIA 92660-2998

TELEPHONE (949) 438-0225

FAX (949) 438-0226

June 24, 2016

MICHAEL H. VOSS  
BRUCE V. COOK  
FORMER PARTNERS

VIA E-MAIL & MAIL

MPisani@newportbeachca.gov

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
592 Superior Avenue  
Newport Beach, CA 92663

***Re: Notice of Appeal of Municipal Operations Director's Approval of Removal of  
Two Trees Located at 239 Carnation Avenue, Newport Beach***

Dear Mr. Pisani:

We represent The Palisades Condominium Homeowners Association ("TPCHOA") which is comprised of members who own certain residences located across the street from 239 Carnation Avenue in Corona Del Mar. Carnation Avenue is in the neighborhood of Corona Del Mar State Beach. The single family residence located at 239 Carnation Avenue is in the planning process for being converted from a small single story residence to a massive three story structure. Members of the TPCHOA recently noticed that the City of Newport Beach ("City") had posted yellow signs to two of the three palm trees located at 239 Carnation Avenue stating that two of the three trees have been approved for removal by the Municipal Operations Director. Please be advised that TPCHOA provides notice of appeal and requests a hearing as to such approved tree removal on grounds which include the following:

There are in fact three trees grouped together at the subject location as reflected in the attached pictures. The City provides no explanation as to why the two mature City Washington robusta (Mexican Fan Palm) trees in the neighborhood of Corona Del Mar State Beach have been approved for destruction while the third smaller tree remains. It should be noted that the Washington robusta trees are designated "Neighborhood Trees" for the Corona Del Mar State Beach neighborhood according to the City's Policy of Retention, Removal, And Maintenance Of City Trees (G-1). The City provides no explanation why the planned renovation can apparently accommodate the existing less mature tree in the same place but the two tall mature palm trees are to be destroyed thereby negatively impacting the view corridor existing on Seaview Avenue. The City's Municipal Code specifically provides, in pertinent part, that: "[l]andscaping at the edges of roads from which there is an identified public view should be ... maintained to frame and accent public views." See Newport Beach Municipal Code section 20.30.100(E). The subject palm trees "frame and accent public views" from Seaview Avenue yet the public benefit has been discarded by the proposed destruction of trees. The proposed destruction of trees violates

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
June 24, 2016  
Page 2

the purpose of the City's Policy G-1, which provides that "City trees are an important part of the character and charm of the entire City and provide environmental benefits as well. ... Neighborhood Trees are Special Trees that by their unusual size, number, species, or location lend a special character to a residential, commercial, or business area. All Special Trees shall be retained, unless there are overriding problems which will require their removal ...." Even if the City deems the trees in question to be "Standard Trees" there has been no finding of any of the five possible reasons to justify removal as required by the City's Policy (G-1).

In addition to the applicant's tree removal request, the applicant's predecessor's-in-interest previously destroyed other parkway trees including full grown palm trees in the exact same location without intervention by the City. However, my September 22, 2014 letter which alerted the City regarding this problem was ignored. The prior removal of trees is not even addressed as the owner is only required to pay for two box trees to be planted at another location, according to the Municipal Operations Director's comments/recommendations. The City and owners of 239 Carnation Avenue should be required to conform to the law including the requirement to retain parkway trees as required by City Policy G-1. Since the planting of any new trees in this area is apparently prohibited by City Policy G-3, the City must preserve the old growth palm trees which are already there. Despite these City Policies, the City has decided to allow the removal of 2 more mature palm trees from the parkway at 239 Carnation Avenue which leaves one palm tree remaining. Alternative engineering must be undertaken to resolve this problem but there is no evidence that all alternatives have been explored.

I have also advised you that another affected neighbor who objects to the tree removal, Richard Madenburg, is currently in Europe and he returns from Europe on July 14th. Although Mr. Madenburg would like to attend the appeal hearing and we have requested a hearing date to accommodate Mr. Madenburg, you have advised me that the City is not inclined to do so since the Commission only meets once per month, and the developer is ready to start demolition shortly. This expedited hearing is ironic given that the City has been on notice of this tree destruction issue since September 22, 2014.

In any event, we respectfully request a hearing to appeal this matter.

Sincerely,



James G. Damon, Esq.

cc: J. Sebag, MD, President



STOP

BY APPOINTMENT ONLY

Call for more information  
910-328-1144  
1144 Street

6/23/2016

**Commission Meeting Notice**  
**IMPORTANT!**

City of Newport Beach  
Municipal Operations Department  
100 Civic Center Drive  
Newport Beach, CA 92660



**Parks, Beaches, and Recreation Commission  
Meeting Notice**

At its July 5, 2016 meeting, the Parks, Beaches, and Recreation Commission will consider an appeal of City staff's decision to remove two Mexican Fan Palm trees at 239 Carnation Avenue, Corona del Mar, to allow development of the property to occur.

Attendance at the meeting is optional.

**DATE:** Tuesday, July 5, 2016  
**TIME:** 6:00 p.m.  
**LOCATION:** City Council Chambers  
Newport Beach Civic Center  
100 Civic Center Drive  
Newport Beach, CA 92660

The Agenda Report will be available on the City's website after July 1, 2016: [www.newportbeachca.gov](http://www.newportbeachca.gov). If you have any questions regarding this meeting, you may contact the Municipal Operations Department at (949) 644-3( ATTACHMENT C



**Commission Meeting Notice**  
**IMPORTANT:**

City of Newport Beach  
Municipal Operations Department  
100 Civic Center Drive  
Newport Beach, CA 92660



**Parks, Beaches, and Recreation Commission  
Meeting Notice**

**At its August 2, 2016 meeting, the Parks, Beaches, and Recreation Commission will consider the removal or moving of two Mexican Fan Palm trees at 239 Carnation Avenue, Corona del Mar, to allow development of the property to occur.**

Attendance at the meeting is optional.

**DATE:** Tuesday, August 2, 2016  
**TIME:** 6:00 p.m.  
**LOCATION:** City Council Chambers  
Newport Beach Civic Center  
100 Civic Center Drive  
Newport Beach, CA 92660

The Agenda Report will be available on the City's website after July 29, 2016: [www.newportbeachca.gov](http://www.newportbeachca.gov). If you have any questions regarding this meeting, you may contact the Municipal Operations Department at (949) 644-3000. ATTACHMENT C



# 239 Carnation Ave.

- 239 Carnation Ave
- Notified Properties



City of Newport Beach  
GIS Division  
July 26, 2016

PRESERVATION OF VIEWS

The purpose of this policy is to identify the importance of views lost to excessive plant growth. The objectives of this policy are to:

- A. Preserve and promote the aesthetic and environmental benefits provided by trees and the preservation of views of the surrounding locale, recognizing views can be enhanced and framed by properly maintained trees.
- B. By example, City will endeavor to maintain all City-owned plants in a manner to maximize public and private view planes. Exceptions can be trees that in themselves enhance either the overall beauty of the area or are included in Preservation of Special Trees list of Council Policy G-1 (Retention or Removal of City Trees). Special requests for view trimming of City trees shall not be honored to protect the tree trimming cycle/schedule unless deemed necessary by the General Services Director or the resident complies with the provisions of the Tree Trimming Standards/Supplemental Trimming section of Council Policy G-1.

In an effort to preserve views in the 200 blocks of Carnation, Jasmine, Larkspur, Marigold, and Orchid Avenues, the planting of parkway trees is prohibited.

Definitions to clarify this policy are:

- A. Unreasonable Obstruction of View. A tree, shrub, hedge or other vegetation should be maintained on public property in the City in such a manner as to not unreasonably obstruct the view from other property.
- B. Views. "View" means a range of sight including pleasing vistas or prospects or scenes. Views include, but are not limited to, the sight of geologic features, bays, oceans, skylines, bridges and parks.

Adopted - July 22, 1991

Amended - January 24, 1994

Amended - March 14, 2000

Formerly I-12



July 29, 2016

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
592 Superior Avenue  
Newport Beach, CA 92663

***Re: Agenda Item VII-C; Removal of Two Washingtonia Robusta Palm Trees  
Located at 239 Carnation Avenue, Newport Beach***

Dear Mr. Pisani:

I attended the July 5, 2016 Parks, Beaches & Recreation ("PB&R") Commission meeting after having viewed the two Washingtonia robusta palm trees and curbside property conditions located at 239 Carnation Avenue in Corona Del Mar. As I stated during my remarks to the Commission on July 5, I am the president and chief executive officer of Senna Tree Company which specializes in the relocation, preservation and sale of large specimen trees. The City of Newport Beach retained my company to save and relocate 38 palm trees at Marina Park. All 38 palm trees were relocated with one hundred percent survival rate. I have reviewed the subject curbside property, the subject trees and portions of the building plans. At the July 5, 2016 PB&R Commission hearing I stated that the subject trees could be relocated to accommodate the owner's building plans. At the conclusion of the hearing, I understood that the Commissioners wanted me to meet with City staff and the owner's representatives to investigate relocation of the subject trees so as to preserve views from Seaview Avenue framed by properly maintained trees.

Following the Commission hearing, I was contacted by the owner's general contractor, Vince Mola, who asked me to meet him at 239 Carnation Avenue on Thursday, July 7. I met with Mr. Mola, Stephen Perkins, the owner of 239 Carnation Avenue, his architect, Andrew Goetz, and Newport Beach Municipal Operations Director Michael Pisano, Newport Beach Landscape Manager Dan Sereno and their assistant. I discussed with them the process of moving the palms and we discussed several options. Mr. Mola was concerned that if both palms were divided and directly relocated to the northeastern and southwestern property lines, the northeastern palm would be in the way of his construction crane. However, everyone was agreeable to directly relocating one palm to the southwestern property line.

At the conclusion of our meeting on July 7, the owner and his representatives and the City officials decided that one palm tree should be planted on the southwesterly property line and the second palm tree should be planted in the parkway on Seaview Avenue which is possible. I was asked to provide a proposal to move the palm trees to these locations. As requested, I

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
July 29, 2016  
Page 2

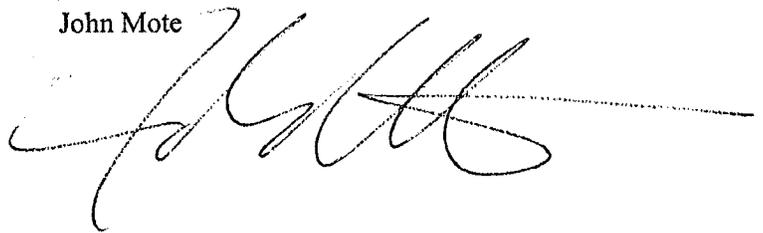
provided a proposal dated July 8, 2016 to Mr. Mola. A copy of that proposal is attached. However, I received no response.

Having received no response, I prepared another proposal to address Mr. Mola's stated concerns that if both palms were divided and directly relocated to the northeastern and southwestern property lines, the northeasterly palm would be in the way of his construction crane. In fact, the tree to be located at the northeastern property line could be removed, stored at my Orange County nursery and then replanted at the northeastern property line once the contractor's construction crane is removed from the site. I forwarded a second proposal to Mr. Mola dated July 21, 2016 which discussed how the two palm trees could be relocated to the northeast and southwest property lines. However, again I received no response.

I believe that both proposals which I provided to Mr. Mola describe how the trees can be saved and relocated. During our meeting at 239 Carnation Avenue on July 7, everyone in attendance agreed that one tree should be relocated to the southwestern corner of the property while accommodating the planned three car garage. As to the northeastern corner, I addressed the ability to relocate a tree there after the contractor's crane is removed. Regarding the city's wastewater manhole, I understand that the City's records reflect that the wastewater line is actually eighteen feet below ground level and the tree relocation only requires a hole 7' feet below ground level. Accordingly, a tree relocated to the northeastern corner can be situated to avoid the utilities and wastewater line. Alternatively, the trees could be relocated to the parkway along Seaview Avenue.

Sincerely,

John Mote

A handwritten signature in black ink, appearing to be 'John Mote', written over a horizontal dotted line.



July 8, 2016

Mr. Vince Mola  
Mola Builders

Regarding: Specimen Palm Preservation Project  
239 Carnation, Newport Beach, CA

Dear Mr. Mola,

Senna Tree Company is pleased to provide our proposal for the Specimen Palm Preservation Project at the above referenced site. Our proposal is based upon the conditions of the site on July 7, 2016 and includes the following scope of work:

**Item A:** *Saw cut and demo 3' x 14' portion of curb and apron at 239 Carnation and 5' x 5' section of sidewalk on Seaview, haul debris off-site.*

**Item B:** *Hand dig as required to expose underground utilities and excavate Palm rootballs, excavate new planting pits.*

**Item C:** *Relocate as directed w/100% washed sand backfill one Palm to parkway on Seaview and one to Westerly P/L at above site the following:*

***(2) 58' Washingtonia robusta***

Please note the following clarifications as part of this proposal:

1. Senna Tree Company is an open shop contractor, non-signatory to any labor agreements.
2. Site is to be readily accessible to hand and backhoe excavation, 60-ton hydrocrane and semi truck and trailer.
3. Senna Tree Company is not responsible for underground utilities, etc.
4. Concrete or asphalt cutting, demolition and removal to be performed by Senna Tree Company. Restoration of hardscapes by others.
5. Traffic control measures, if required are to be provided by Senna Tree Company.
6. All city permits to remove sidewalk and move palm are to be secured by others. Street use permit to stage crane and oversized load and travel permit by Senna Tree Company
7. Warranty: Senna Tree Company shall warranty the above referenced plant material against inferior materials and workmanship for a period not to exceed (1) year. Please note the following clarifications as part of the warranty agreement:

- a. Warranty is contingent upon maintenance performed by Senna Tree Company to be billed at \$780.00 per month, as provided for in Alternate #1 of this proposal.
  - b. Warranty expires upon termination of maintenance agreement not to exceed (1) year.
  - c. In the event tree(s) die during maintenance period tree(s) shall be replaced with same size and species at no cost to owner.
- 8. There is no compacted backfill of tree removal sites included in this agreement.
  - 9. There is no import/export of soil included in this agreement.
  - 10. This proposal is based on a standard forty (40) hour workweek. Any work or schedule requiring overtime will result in additional charges.
  - 11. The parties agree that any dispute arising out of this Agreement or any resulting transaction shall be decided by neutral, binding arbitration. The arbitrator shall be a retired judge or justice, or an attorney with at least 5 years of experience, unless the parties mutually agree to a different arbitrator.
  - 12. Payment Terms: 50% deposit prior to commencement, payment is then to be made by the 10<sup>th</sup> of the month based on progressive monthly billings submitted by the 25<sup>th</sup>. Balance due upon completion of work.

**Total lump sum for the above-described work is ..... \$12,856.00**

Alternate #1: Provide maintenance and warranty on above referenced Palms to be billed at \$780.00 per month.

An authorized signature in the space provided below will convert this proposal to our entire agreement and this will be our contract. If this signature is transmitted by facsimile machine, it will be acceptable and binding as if it were the original. Please sign the original and return it to us and keep one copy for your own files.

Sincerely,

**SENNA TREE COMPANY**

*John C. Mote*

John Mote,  
President  
ISA Certified Arborist #0508

Accepted By: \_\_\_\_\_

Title: \_\_\_\_\_

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

Lic # 731721

Alternate #1: \_\_\_\_\_

JMJ-JCM/mm

## MAINTENANCE RECOMMENDATIONS

These maintenance recommendations are provided for your information and use to implement at the time Senna Tree Company completes our contract and/or concludes maintenance responsibilities for trees referenced in our proposal. If maintenance services have not been offered as part of the scope of work or as an alternate please contact a Senna Tree Company representative for a monthly maintenance cost.

To insure continued establishment of your plant materials we have provided the following basic watering recommendations as a guideline.

1. Water your trees by filling the earth-watering basin constructed at the perimeter of the rootball with water, allowing the water to percolate into the rootball a minimum depth of 18" each watering. Refill basin if necessary to achieve the recommended percolation depth. Verify the depth of percolation with a soil probe.
2. Before watering again take a soil sample from the rootball with a soil probe and inspect soil moisture. This will indicate if adjustments in watering frequency are required. Use the following schedule as a starting point.

Warm weather:        Fill basin twice weekly.  
Cool weather:        Fill basin once a week.

3. Periodically rebuild watering basin and pull weeds as required to maintain water-holding capacity.

These recommendations address in a general way the most important aspect of plant maintenance. Fertilization, pest control and professional monitoring etc. are other aspects, which will help contribute to the successful establishment of your plant materials.

Thank you again for your business and please do not hesitate to call if we can be of further assistance.



July 21, 2016

*Sent via email mbibuilder@hotmail.com*

Mr. Vince Mola  
**MOLA BUILDERS**  
21370 Andalucía Lane  
Huntington Beach, CA 92648

Regarding: Specimen Palm Preservation Project  
239 Carnation  
Newport Beach, CA

Dear Mr. Mola,

Senna Tree Company is pleased to provide our alternate proposal for the Specimen Palm Preservation Project at the above referenced site. Our proposal is based upon the conditions of the site on July 7, 2016 and includes the following scope of work:

- Item A: *Saw cut & demo 3' x 14' portion of curb and apron at 239 Carnation and haul debris off-site.*
- Item B: *Hand dig as required to locate underground utilities, excavate palm rootballs and excavate new planting pits.*
- Item C: *Relocate as directed with 100% washed sand backfill (1) palm to Westerly P/L at above site. Load and transport (1) palm to Senna Tree Company Fullerton nursery, heal into storage and maintain.*
- Item D: *Deliver from Senna Tree Company Fullerton nursery and install in city easement east P/L with 100% washed sand backfill the following:*
- (2) 58' *Washingtonia robusta*

Please note the following clarifications as part of this proposal:

1. Senna Tree Company is an open shop contractor, non-signatory to any labor agreements.
2. Site is to be readily accessible to hand and backhoe excavation, 60-ton hydrocrane and semi truck and trailer.
3. Senna Tree Company is not responsible for underground utilities or their re-routing, hardscapes and/or landscapes.
4. Concrete or asphalt cutting, demolition and removal to be performed by Senna Tree Company. Restoration of hardscapes by others.
5. Traffic control measures, if required are to be provided by Senna Tree Company.
6. City permits to remove curb and move palm are to be secured by others. Street use permit to stage crane and oversized load and travel permit by Senna Tree Company
7. Warranty: Senna Tree Company shall warranty the above referenced plant material against inferior materials and workmanship for a period not to exceed (1) year. Please note the following clarifications as part of the warranty agreement:
  - a. Warranty is contingent upon maintenance performed by Senna Tree Company to be billed at \$680.00 per month, as provided for in Alternate #1 of this proposal.
  - b. Warranty expires upon termination of maintenance agreement not to exceed (1) year.
  - c. In the event tree(s) die during maintenance period tree(s) shall be replaced with same size and species at no cost to owner.
8. There is no compacted backfill of tree removal sites included in this agreement.
9. There is no import/export of soil included in this agreement.
10. This proposal is based on a standard forty (40) hour workweek. Any work or schedule requiring overtime will result in additional charges.
11. The parties agree that any dispute arising out of this Agreement or any resulting transaction shall be decided by neutral, binding arbitration. The arbitrator shall be a retired judge or justice, or an attorney with at least 5 years of experience, unless the parties mutually agree to a different arbitrator.
12. Payment Terms: 50% deposit prior to commencement, payment is then to be made by the 10<sup>th</sup> of the month based on progressive monthly billings submitted by the 25<sup>th</sup>. Balance due upon completion of work.

***Total lump sum for the above-described work is \$16,756.00  
plus maintenance and storage costs while at Senna Tree Company  
nursery to be billed at \$200.00 per month***

Alternate #1:

*Provide maintenance and warranty of above referenced palms to be billed at \$680.00 per month.*

An authorized signature in the space provided below will convert this proposal to our entire agreement and this will be our contract. If this signature is transmitted by facsimile machine, it will be acceptable and binding as if it were the original. Please sign the original and return it to us and keep one copy for your own files.

Sincerely,

**SENNA TREE COMPANY**

*John C. Mote*

John Mote  
President  
ISA Certified Arborist #0508

License #731721

JMJ-JCM/mm

Cc: Mr. James G. Damon – Voss, Cook & Thel, LLP  
[sent via email JDamon@vctlaw.com](mailto:JDamon@vctlaw.com)

Accepted By: \_\_\_\_\_

Title: \_\_\_\_\_

Alternate #1: \_\_\_\_\_

## MAINTENANCE RECOMMENDATIONS

These maintenance recommendations are provided for your information and use to implement at the time Senna Tree Company completes our contract and/or concludes maintenance responsibilities for trees referenced in our proposal. If maintenance services have not been offered as part of the scope of work or as an alternate please contact a Senna Tree Company representative for a monthly maintenance cost.

To insure continued establishment of your plant materials we have provided the following basic watering recommendations as a guideline.

1. Water your trees by filling the earth-watering basin constructed at the perimeter of the rootball with water, allowing the water to percolate into the rootball a minimum depth of 18" each watering. Refill basin if necessary to achieve the recommended percolation depth. Verify the depth of percolation with a soil probe.
2. Before watering again take a soil sample from the rootball with a soil probe and inspect soil moisture. This will indicate if adjustments in watering frequency are required. Use the following schedule as a starting point.

Warm weather:        Fill basin twice weekly.  
Cool weather:        Fill basin once a week.

3. Periodically rebuild watering basin and pull weeds as required to maintain water-holding capacity.

These recommendations address in a general way the most important aspect of plant maintenance. Fertilization, pest control and professional monitoring etc. are other aspects, which will help contribute to the successful establishment of your plant materials.

Thank you again for your business and please do not hesitate to call if we can be of further assistance.

**VOSS, COOK & THEL LLP**  
A LIMITED LIABILITY PARTNERSHIP  
ATTORNEYS AT LAW  
895 DOVE STREET, SUITE 450  
NEWPORT BEACH, CALIFORNIA 92660-2998  
TELEPHONE (949) 435-0225  
FAX (949) 435-0226

MICHAEL H. VOSS  
BRUCE V. COOK  
FORMER PARTNERS

July 29, 2016

VIA E-MAIL

MPisani@newportbeachca.gov

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
592 Superior Avenue  
Newport Beach, CA 92663

***Re: Response To Municipal Operations Director's Approval of Removal of Two  
Trees Located at 239 Carnation Avenue; August 2 Agenda Item VII-C***

Dear Mr. Pisani:

We represent The Palisades Condominium Homeowners Association ("TPCHOA") which is comprised of members who own certain residences located across the street from 239 Carnation Avenue in Corona Del Mar. The single family residence located at 239 Carnation Avenue is in the planning process for being converted from a small single story residence to a massive three story structure. Members of the TPCHOA and other concerned neighbors appeared at the July 5, 2016 hearing before the Newport Beach Parks, Beaches & Recreation ("PB&R") Commission to oppose the decision by the City of Newport Beach ("City") Municipal Operations Director to destroy two fifty-eight (58) foot Washingtonia robusta palm trees located on the City parkway at 239 Carnation Avenue. John Mote, the president and chief executive officer of Senna Tree Company which specializes in the relocation, preservation and sale of large specimen trees, also addressed the Commission on July 5. Mr. Mote noted that the City had retained his company to save and relocate 38 Washingtonia robusta palm trees at Marina Park. All 38 palm trees were relocated with one hundred percent survival rate. At the July 5 PB&R Commission hearing Mr. Mote stated that the subject trees located at 239 Carnation Avenue could be relocated to accommodate the owner's building plans. At the conclusion of the hearing, the Commissioners stated that they wanted City staff and the interested parties to investigate relocation of the subject trees so as to preserve the trees on the property.

Please be advised that the TPCHOA opposes the decision of the City Municipal Operations Director to remove/destroy the subject palm trees. Following the July 5 hearing, Mr. Mote provided a proposal for the relocation of the subject trees to the property lines at 239 Carnation Avenue. Neither the City nor the owner of the subject property responded. Additionally, following Mr. Mote's meeting with City staff and the owner's representatives on July 7, the owner and his representatives and the City officials decided that one palm tree should be planted on the southwesterly property line and the second palm tree should be planted in the

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
July 29, 2016  
Page 2

parkway on Seaview Avenue. As requested, Mr. Mote provided a proposal to move the palm trees to those locations. Again, Mr. Mote received no response from either the City or the owner.

The Newport Beach PB&R Commission Staff Report prepared for the August 2, 2016 Commission hearing specifically notes that at the July 5, 2016 PB&R Commission meeting, “the Commission directed staff to meet with the property owner to determine alternatives to retain the trees on the property.” In response, the PB&R Staff Report recommends either destroying the trees or relocating the trees off the property to 2500 and 2520 Seaview Avenue in Corona Del Mar thereby effectively destroying the westerly views of Newport harbor from Seaview Avenue framed by the properly maintained trees. As proposed by the City, once relocated the two trees would stand in a row on the parkway on Seaview Avenue without framing any seaward views for any of the concerned residents.

The PB&R Commission Staff Report states, in part, that “[t]he property owner feels there is not enough space on the southern corner of the property for a large tree, given the width of the property and the requirement for a 3-car garage.” However, following the July 5 Commission hearing, Mr. Mote was contacted by the owner’s general contractor, Vince Mola, who asked Mr. Mote to meet him at 239 Carnation Avenue on Thursday, July 7. Mr. Mote met with Mr. Mola, Stephen Perkins, the owner of 239 Carnation Avenue, his architect, Andrew Goetz, and Newport Beach Municipal Operations Director Michael Pisano, Newport Beach Landscape Manager Dan Sereno and their assistant. Mr. Mote discussed with them the process of moving the palms and they discussed several options. However, everyone was agreeable to directly relocating one palm to the southwestern property line. For some unknown reason, the owner has apparently changed his mind and the City staff appears to support that change of mind.

The PB&R Commission Staff Report also states, in part, that “[t]t was determined that the north corner was not a potential site, since the home’s utilities run through that area, which also includes a City wastewater manhole.” In fact, Mr. Mote was not consulted regarding this purported “determination.” Regarding the City’s wastewater manhole, the Staff Report is silent on the fact that the City’s records reflect that the wastewater line is actually eighteen feet below ground level. Mr. Mote has opined in his proposal dated July 21, that one of the subject trees can be relocated to the northeastern corner at 239 Carnation Avenue while avoiding the utilities and wastewater line. Moreover, the building plans for 239 Carnation Avenue as apparently approved by the City reflect at page S1.2 a “proposed King Palm” located at the northeastern corner at 239 Carnation Avenue. The PB&R Commission Staff Report offers no explanation for the conflict.

It should be noted that the Washington robusta trees are designated “Neighborhood Trees” for the Corona Del Mar State Beach neighborhood according to the City’s Policy of Retention, Removal, And Maintenance Of City Trees (G-1). The City’s alternative plan to destroy the two tall mature palm trees at 239 Carnation Avenue will negatively impact the view corridor existing on Seaview Avenue. The City’s Municipal Code specifically provides, in pertinent part, that: “[l]andscaping at the edges of roads from which there is an identified public

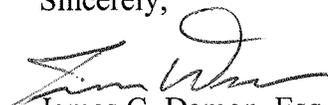
Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
July 29, 2016  
Page 3

view should be ... maintained to frame and accent public views." See Newport Beach Municipal Code section 20.30.100(E). The subject palm trees "frame and accent public views" from Seaview Avenue yet the public benefit would be discarded by the proposed destruction of trees.

The alternatively proposed destruction of trees violates the purpose of the City's Policy G-1, which provides that "City trees are an important part of the character and charm of the entire City and provide environmental benefits as well. ... Neighborhood Trees are Special Trees that by their unusual size, number, species, or location lend a special character to a residential, commercial, or business area. All Special Trees shall be retained, unless there are overriding problems which will require their removal ...." Even if the City deems the trees in question to be "Standard Trees" there has been no finding of any of the five possible reasons to justify removal as required by the City's Policy (G-1). There has been no determination mandated by the City's Policy, G-1, which discusses the removal of Standard City Trees and provides in part: "[t]he City Arborist shall determine whether in his/her judgment specific treatment can be initiated to retain the tree ..." (Emphasis added.) The Tree Inspection Report, Attachment D to the Staff Report prepared for the July 5 Commission hearing, omits any discussion as to whether alternative treatment can be initiated to retain the subject trees. However, the proposals provided by Mr. Mote establish that such "alternative treatment" is available.

The new Staff Report seems to imply that the subject trees cannot be relocated on the subject property because of City Council Policy G-3 (Preservation of Views). However, Policy G-3 does not prevent relocation of the subject trees. The purpose of the G-3 policy is to identify the importance of views lost to "excessive plant growth." There has been no finding that the subject trees represent "excessive plant growth." Moreover, the stated objectives of this policy are to: "[p]reserve and promote the aesthetic and environmental benefits provided by trees and the preservation of views of the surrounding locale, recognizing views can be enhanced and framed by properly maintained trees." (Emphasis added.) In fact, the G-3 policy explicitly states that the "City will endeavor to maintain [the subject City-owned palm trees] in a manner to maximize public and private view planes." The proposals currently provided by the PB&R Commission Staff fail to provide for maintaining the subject City-owned palm trees in a manner to maximize public and private view planes. Additionally, to the extent an argument is made that the G-3 policy would somehow prohibit moving the trees on Carnation Avenue, the stated exception to the G-3 policy applies since the subject palm trees "in themselves enhance ... the overall beauty of the area." The City and the owner of 239 Carnation Avenue should be required to conform to the law including the requirement to retain parkway trees as specified by City Policies G-1 and G-3. The City should also take into consideration the impacts on public parking and the effects on public safety signage at the intersection of Carnation and Seaview Avenues.

Sincerely,



James G. Damon, Esq.

Mike Pisani, Director  
Municipal Operations Department  
City of Newport Beach  
July 29, 2016  
Page 4

cc: J. Sebag, MD, President