

Subject:

Roots Damaging Gate

Detailed description:

Roots from the pine tree are causing the gate to his property to not close. Inspect roots.

Req'd date:

2013-09-17 (Request entered by: Daniel Dominguez III)

Req'd by:

Edward Frake

Location:

3462 Wimbledon

Phone:

██████████

Work Order Nr:

13091677

District:

2

Supervisor:

City Arborist

Employee:

Dominguez, Dan

Call back needed:

N

Contacted date:

2013-09-17

OSHA safety concern:

N

Status:

Closed

Completion date:

2013-10-30

Inspection date:

2013-09-17

Hours:

0 Minutes: 15

Material cost:

0.00

Action taken:

9/17/13 Pinus canariensis park-17 23"dsh x 50' in good condition. Tree roots growing under wall. Root prune 15' on north side of the tree along the wall. Site is marked. WCA Inc. Spoke to resident. DD 10/29/13 Verified work completed. DD

Subject:

Roots were cut, but still affecting private wall.

Detailed description:

Roots were cut, but still affecting private wall. Reference previous work order 9/17/13.

Req'd date:

2014-06-13 (Request entered by: MStueve)

Req'd by:

Edward Frake

Location:

3462 Wimbledon Way

Phone:

[REDACTED]

Work Order Nr:

14061006

District:

2

Supervisor:

City Arborist

Employee:

Dominguez, Dan

Call back needed:

Y

Contacted date:

2014-06-20

OSHA safety concern:

N

Status:

Closed

Completion date:

2014-06-20

Inspection date:

2014-06-20

Hours:

0 Minutes: 15

Material cost:

0.00

Action taken:

6/20/14 Tree in question has been previously root pruned. I met the resident on site and probed the root prune area to show him what was done. I did not observe any additional raising of the wall. No action required. DD

Subject:

Roots causing inability to open side yard gate.

Detailed description:

Resides adjacent to Wimbledon Park. The roots from a tree in the park are affecting the ability to open his side gate. States the roots were cut some time ago, but currently having issues again.

Req'd date:

2014-08-06 (Request entered by: MStueve)

Req'd by:

Edward Frake

Location:

3462 Wimbledon Way

Phone:

~~XXXXXXXXXX~~

Work Order Nr:

14081334

District:

2

Supervisor:

City Arborist

Employee:

Kokesh, Douglas

Call back needed:

Y

Contacted date:

2014-08-12

OSHA safety concern:

N

Status:

Closed

Completion date:

2014-10-01

Inspection date:

2014-08-15

Hours:

0 Minutes: 45

Material cost:

0.00

Action taken:

Met with resident regarding tree concern. States that the roots from a tree in Wimbledon Park are pushing on the block wall leading to his side yard. This is causing the gate to have difficulty closing. Proposed 12' of root pruning and linear barrier installation to the tree in question. Resident satisfied. WCA, Inc. to be scheduled to install barrier along and in as close as possible proximity to block wall opposite side gate and using the gate as the center point going 6' in each direction. DK Work completed by WCA, Inc. on 10/1/14. Subsequent work orders received from this resident regarding the same issue (3 work orders on the same issues over the last 3 years) should be scrutinized on the basis of whether the tree really needs to be removed or not. Moving forward, treat issue by having the resident follow-through with a Category 3 removal request to the PRC. If denied by the PRC, resident will need to look into making the necessary repair on his end that allows for the gate to shut properly.

Subject:

Tree issues.

Detailed description:

8/26/20 Resident called on behalf of 90 year old mother, states the tree is very overgrown, the enormous amount of pine needles on the roof pose a fire hazard and the roots are uplifting the property. Requesting removal and states her mother is very upset to continue to deal with their request for removal.

Req'd date:

2020-08-27 (Request entered by: MStueve)

Req'd by:

Joann Frake-Minar

Location:

3462 Wimbledon

Phone:

~~XXXXXXXXXX~~

Work Order Nr:

20081222

District:

2

Supervisor:

City Arborist

Employee:

Ortiz, Jim

Call back needed:

Y

Contacted date:

2020-08-27

OSHA safety concern:

N

Status:

Closed

Completion date:

2021-02-03

Inspection date:

2020-08-27

Hours:

0 Minutes: 55

Material cost:

0.00

Action taken:

8/27/20 - Received e-mail from Division Secretary. There are three Canary Island Pine Trees and one (1) Cajeput tree adjacent to this address. The Canary Island Pine tree numbers are P14, P15 and P18. These trees were last trimmed on 1/4/18&1/5/18. The tree number for the Cajeput tree is P12 and was last trimmed on 1/5/18. All four (4) trees appeared to be stable, there were no noticeable structural defects or any visible signs of any pest or disease activity present during the the time that I inspected these trees. Contacted resident's daughter @ 9:44 am and verbally explained the City's criteria for tree removal. Resident provided e-mail address (mhf-minar@cox.net). E-mailed resident's daughter City's criteria for tree removal and other tree related documents. Will schedule the trimming of the trees in that area - JO 9/4/20 - Received e-mail from City Hall -JO 9/8/20 - Contacted resident @ 1: 13 pm and left message asking for a call back. E-mailed City Hall back stating that I am in contact with this resident - JO 2/3/21 - Trees trimmed by WCA - JO

Subject:

Tree Removal Request

Detailed description:

Provided forwarded information for the removal request of City trees in Wimbledon Park

Req'd date:

2021-06-16 (Request entered by: Jim Ortiz)

Req'd by:

Joann Frake

Location:

3462 Wimbledon Way

Phone:

E-mail

Work Order Nr:

21060940

District:

2

Supervisor:

City Arborist

Employee:

Ortiz, Jim

Call back needed:

N

Contacted date:

2021-06-15

OSHA safety concern:

N

Status:

Closed

Completion date:

2022-01-31

Inspection date:

2021-06-16

Hours:

1 Minutes: 55

Material cost:

0.00

Action taken:

6/15/21 - Received forwarded e-mail for tree removal. No phone number or e-mail address was provided-- JO 6/16/21 - Inspected the location.. The house is on the very north east corner of the park. The tree in question is between the walkway and this home. The tree is identified as P17. The trees species is a Canary Island Pine Tree. This tree was last trimmed 1/5/18. I have generated a work order to have this tree trimmed. The CAT III removal costs are the following: P17 - Canary Island Pine Tree. Closest to Wimbledon Way. The DSH is 27". The removal cost and the 3 to 1 replacement ratio is \$ 1,340.00. This tree is 13'-7" from the common wall. The tree appeared to be stable, the tree has a slight lean. There were no visible signs of any pest or disease activity present during the time that I inspected this tree. Pine needles were noticed on the north side of the roof. Reviewed Arbor Access. There were five (5) additional work orders with this address: The work orders were for the following: 8/27/20 - CM work order # 20081222 - Tree Issues. 8/6/14 - CM work order # 14081334 - Roots causing inability to open side yard gate. 6/13/14 - CM work order # 14061006 - Roots were cut. But still affecting private wall. 9/17/13 - CM work order # 13091677 - Roots damaging gate. 9/4/12 - CM Work order # 12091548 - Park tree damaging wall. Contacted resident's daughter who provided me the resident's phone number (714) 241-0610. Contacted resident @ 11:22 am. Confirmed that the tree that is requested to be removed is closest to Wimbledon Way (P17). Verbally explained the tree removal process and the PACS commission meetings. Asked resident if will provide pictures. Resident will provide pictures at a later date - JO 7/16/21 - Contacted resident @ 10:42 am and left a message stating that I had a few questions in regards to the information provided for the tree removal request - JO 1/17/22 - P17 trimmed by WCA - JO 1/25/22 - Contacted resident @ 9:18 am and could not leave message. Phone kept ringing - JO 1/27/22 - PACS Commission voted to deny this tree removal request - JO 1/31/22 - Denial letter e-mailed to daughter - JO



PARKS, ARTS AND COMMUNITY SERVICES COMMISSION AGENDA REPORT

MEETING DATE: OCTOBER 28, 2021

ITEM NUMBER: 9a

SUBJECT: TREE REMOVAL REQUEST - 3462 WIMBLEDON WAY

DATE: OCTOBER 28, 2021

FROM: PUBLIC SERVICES DEPARTMENT, MAINTENANCE SERVICES DIVISION

PRESENTATION BY: ROBERT RYAN, MAINTENANCE SERVICES MANAGER

FOR FURTHER INFORMATION CONTACT: ROBERT RYAN, MAINTENANCE SERVICES
MANAGER (714) 327-7499

RECOMMENDATION

Staff recommends that the Parks, Arts and Community Services Commission deny the request to remove one (1) City owned tree growing in the Wimbledon Park side of 3462 Wimbledon Way.

BACKGROUND

The Maintenance Services Division received a letter from the applicant on June 15, 2021, requesting the removal of the tree growing in Wimbledon Park on the west side of 3462 Wimbledon Way (Attachment 1). The applicant states that the tree in Wimbledon Park is damaging the roof of the home; and that the roof and gutters require cleaning every three (3) months, as she believes that the pine needles on the roof are a potential fire hazard. The applicant further stated that the cracks in the garage floor are becoming larger due to the roots from the tree; and that the roots could damage concrete in the backyard and the City owned wall separating the park from the private property.

ANALYSIS

The City Arborist evaluated the tree and the surrounding area on June 16, 2021 and determined that there was no justification for the removal of the tree at staff level (Attachment 2). The tree is a Canary Island Pine Tree (*Pinus canariensis*). This tree is the first Canary Island Pine Tree inside of Wimbledon Park, east of the walkway and west of the block wall. The tree is approximately sixty feet (60') in height with a trunk diameter of twenty-seven (27") inches. The tree is healthy and in good condition; it was last trimmed by West Coast Arborists on January 5, 2018 (Attachment 3). The applicant was informed of the findings. A second work order related to this request dated August 27, 2020 was identified and is attached (Attachment 4).

The amount of pine needle drop beneath the tree and surrounding area appeared to be normal. There was not a significant amount of pine needles on the roof at the time of inspection.

There were no visible signs of cracks or movement of the common wall or driveway at the time on inspection. City staff did request photos of the garage floor and concrete in the backyard; however none were provided.

Previous work orders relative to this address are as follows:

- On September 17, 2013, resident reporting that the roots from the tree in the park were causing a misalignment of the gate located on the north side of the home, which makes the gate difficult to close (Attachment 5). Root pruning was performed on this tree on October 15, 2013 in response to this complaint; and twelve inch (12") root barriers were installed extending fifteen feet (15') north of the tree.
- On August 6, 2014, resident reporting that the roots are affecting the ability to open the side gate; and that the roots were cut some time ago, but currently having issues again (Attachment 6). Additional root pruning was performed on September 2, 2014 which included the installation of an additional twelve-inch root barrier panels extending six (6) feet in either direction using the private property gate as a center point.

The Pine tree that is requested to be removed is not dead, diseased or dying; and it does not appear to be creating an exposure to liability for the City.

The tree does not meet the criteria to be removed as a Category 1 – Health and Safety Removal, according to the Streetscape and Median Development Standards. The tree does not appear to be causing damage to infrastructure; and the pine needle drop appears to be normal for this type of tree. The tree does not meet the criteria to be removed as a Category 2 – Accelerated Removal, according to the Streetscape and Median Development Standards. The request for removal falls under Category 3 – Discretionary Removals, Section 4.0.3 of the Streetscape and Median Development Standards (Attachment 7).

The City Arborist evaluated the tree for possible relocation. Relocation is not recommended due to the size of the tree, low probability of success and the cost of relocation.

ALTERNATIVES CONSIDERED

The Commission could authorize the removal and replacement of the tree, per the Streetscape and Median Development Standards, Section 4.0.2 Category 3 – Discretionary Removals, which would require the replacement of the tree at a 3 to 1 ratio. The applicant would pay all removal and replacement costs. The City Arborist would determine the tree species and location for plantings.

If the tree removal is approved by the Commission, the payment for the removal of the parkway tree and any required mitigation trees must be provided to the City prior to removal and within one year from the date of final approval, after which the approval expires.

FISCAL REVIEW

There would be no fiscal impact to the City if the request to remove the tree was denied, or approved as a Category 3 - Discretionary Removals, as the applicant would pay all costs.

For the Commission's information, removal cost for the tree would be \$810. The replanting costs for the mitigation trees (1 – 24" box size and 2–15-gallon container size) would be \$530. Costs are based on current City contract prices. The total cost for removal and replacement would be \$1,340.

The value of the tree is estimated to be \$14,740.

LEGAL REVIEW

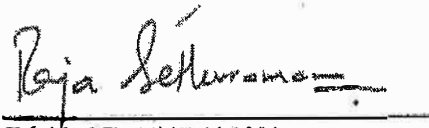
No legal review is required for this item.

CONCLUSION

The City-owned tree that has been requested for removal is located inside Wimbledon Park near the west side of 3462 Wimbledon Way. The tree is in good condition and has been maintained on a regular schedule. The tree litter is not unusual for this type of tree; and the tree is not currently causing any damage to existing infrastructure. The request does not meet the criteria required for staff approval. Therefore, staff recommends that the Commission deny the request to remove the tree.



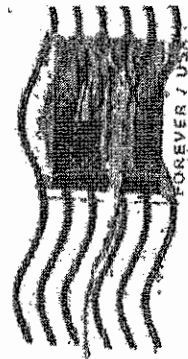
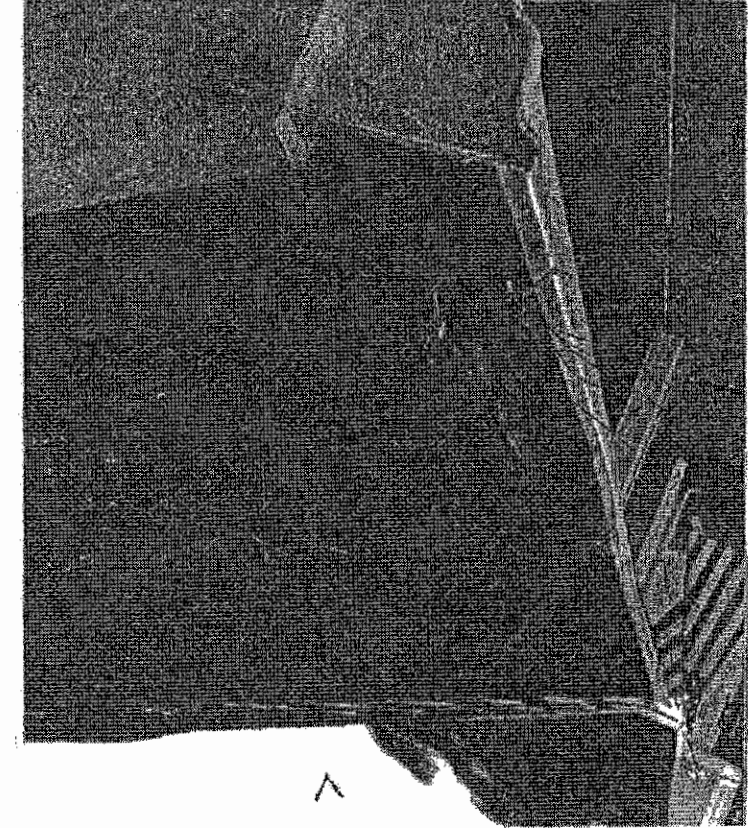
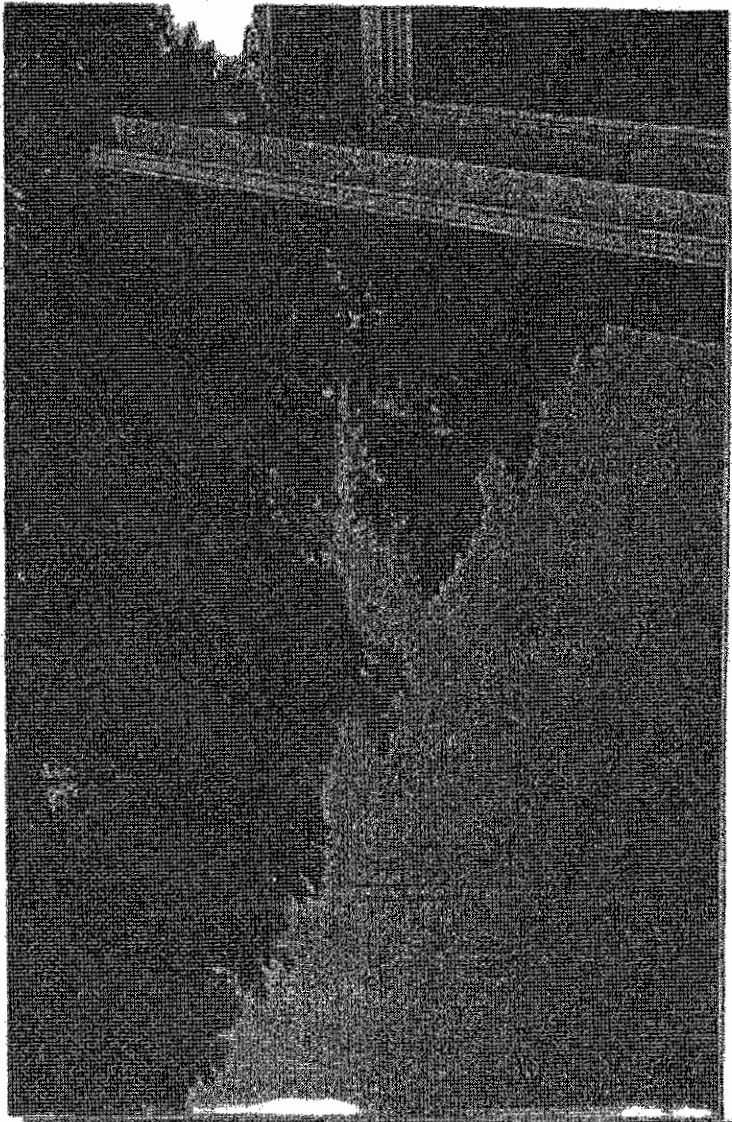
ROBERT RYAN
Maintenance Services Manager



RAJA SETHURAMAN
Public Services Director

- ATTACHMENTS:
1. Applicant Letter and Photographs
 2. Maintenance Services Work Order (06/16/21)
 3. Arbor Access Tree Maintenance Information (West Coast Arborists)
 4. Maintenance Services Work Order (08/27/20)
 5. Maintenance Services Work Order (09/17/13)
 6. Maintenance Services Work Order (08/06/14)
 7. Streetscape and Median Development Standards, Section 4.0
Criteria for Parkway Tree Removal/Replacement
 8. Arborist Photographs

C: Joanne Frake
3462 Wimbledon Way
Costa Mesa, CA 92626

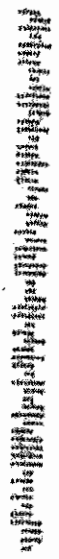


SANTA ANA, CA 926
7 JUN 2021 PM 5 L

FOREVER / USA

ATTACHMENT 1

*Parks and Community Services
P.O. Box 1300
Costa Mesa, California
92628-1300*



92628-120000

June 1, 2021

Parks and Community Services
P. O. Box 1200
Costa Mesa, California 92628-1200

Attention: Laura Gomez

In 2014, my husband and I talked with the City of Costa Mesa about removing a tree that is very close to our home. Consequently, this tree was never removed, and now has become so large and tall that it is damaging our roof. Consequently, we also have to have our gutters cleaned to remove the needles and leaves every few months.

When the park was developed there were three trees planted very close to our home. My husband, a retired firefighter was very concerned that these trees could be a fire hazard in the future. He requested that the trees be removed, because trimming hadn't helped in the past. If anyone accidentally threw a cigarette or a match down on the ground, a fire would instantly start in the neighborhood.

Now due to the tree roots, the cracks on my garage floor have become larger and more apparent. I am worried about the brick fence around my house becoming cracked due to the adjacent trees. There is also a lot of concrete in my backyard that could crack and be affected as well.

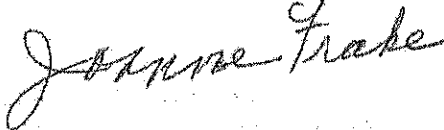
I have written many letters and attached pictures over the years regarding these trees and their impact on our home. I have also made calls to the city and the Parks and Community Services and requested the office document my correspondence.

The Orange County Fire Authority always reminds homeowners to remove the brush and trees away from their homes, especially during fire season but also year-round as well. Does an accident have to occur to prove their point?

I would like to request once again for the city to please remove the largest tree which is leaning over the roof of our home. Also, I would like to request this letter be documented. The last letter and pictures I submitted were never received.

I hope the city addresses these issues before these trees completely crack my foundation or worse yet start a fire around my home.

I look forward to hearing from you,

A handwritten signature in cursive script that reads "Joanne Frake".

Joanne Frake
3462 Wimbledon Way
Costa Mesa, California 92626

Subject:

Tree Removal Request

Detailed description:

Provided forwarded information for the removal request of City trees in Wimbledon Park

Req'd date:

2021-06-16 (Request entered by: Jim Ortiz)

Req'd by:

Joann Frake

Location:

3462 Wimbledon Way

Phone:

E-mail

Work Order Nr:

21080940

District:

2

Supervisor:

City Arborist

Employee:

Ortiz, Jim

Call back needed:

N

Contacted date:

2021-06-15

OSHA safety concern:

N

Status:

In Progress

Completion date:

0000-00-00

Inspection date:

2021-06-16

Hours:

1 Minutes: 30

Material cost:

0.00

Action taken:

6/15/21 - Received forwarded e-mail for tree removal. No phone number or e-mail address was provided-- JO
 6/16/21 - Inspected the location.. The house is on the very north east corner of the park. The tree in question is between the walkway and this home. The tree is identified as P17. The trees species is a Canary Island Pine Tree. This tree was last trimmed 1/5/18. I have generated a work order to have this tree trimmed. The CAT III removal costs are the following: P17 - Canary Island Pine Tree. Closest to Wimbledon Way. The DSH is 27". The removal cost and the 3 to 1 replacement ratio is \$ 1,340.00. This tree is 13'-7" from the common wall. The tree appeared to be stable, the tree has a slight lean. There were no visible signs of any pest or disease activity present during the time that I inspected this tree. Pine needles were noticed on the north side of the roof. Reviewed Arbor Access. There were five (5) additional work orders with this address: The work orders were for the following: 8/27/20 - CM work order # 20081222 - Tree Issues. 8/6/14 - CM work order # 14081334 - Roots causing inability to open side yard gate. 6/13/14 - CM work order # 14061006 - Roots were cut. But still affecting private wall. 9/17/13 - CM work order # 13091677 - Roots damaging gate. 9/4/12 - CM Work order # 12091548 - Park tree damaging wall. Contacted resident's daughter who provided me the resident's phone number (714) 241-0610. Contacted resident @ 11:22 am. Confirmed that the tree that is requested to be removed is closest to Wimbledon Way (P17). Verbally explained the tree removal process and the PACS commission meetings. Asked resident if will provide pictures. Resident will provide pictures at a later date - JO

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Site Detail (33.694612434691,-117.90529778089)(WCA InventoryID: 2204841)					
District	Address	Location	Species	DBH	Height
PARKS	2 X WIMBLEDON PARK	Park-17	<i>Pinus canariensis</i> CANARY ISLAND PINE	25-30	60+
Maintenance	Condition	Est. Value	Utility	Parkway	PSHB
Grid/Routine Trim	Good	\$14,740	No	99	
Priority	Valid	PW Type			
N/A	Yes	Other			

Crew	Date	Work Type / Comments	Job # / Acct #	Invoice#	Amount
WCA	01/05/2018	Grid Prune - 15% thinning	39725	133217	\$46.70
WCA	10/01/2014	Grid Prune - 15% thinning	28318	100477	\$46.00
WCA	09/02/2014	Root Prune/12" RB Installation (CANARY ISLAND PINE)	28318	99700	\$77.00
WCA	10/15/2013	Root Prune/12" RB Installation (CANARY ISLAND PINE)	25119	91971	\$105.00
WCA	11/12/2012	Root Prune/12" RB Installation (WEEPING INDIAN LAUREL FIG)	22986	84115	\$210.00
WCA	06/13/2011	Grid Pruning	16780	73231	\$46.60
WCA	02/05/2008	Grid Pruning	11049	51207	\$45.10
WCA	08/18/2004	Grid Pruning	7329	33721	\$41.50
WCA	09/10/2001	Service Request	4219		\$41.50

Subject:

Tree issues.

Detailed description:

8/26/20 Resident called on behalf of 90 year old mother, states the tree is very overgrown, the enormous amount of pine needles on the roof pose a fire hazard and the roots are uplifting the property. Requesting removal and states her mother is very upset to continue to deal with their request for removal.

Req'd date:

2020-08-27 (Request entered by: MStueve)

Req'd by:

Joann Frake-Minar

Location:

3462 Wimbledon

Phone:

714-606-6410

Work Order Nr:

20081222

District:

2

Supervisor:

City Arborist

Employee:

Ortiz, Jim

Call back needed:

Y

Contacted date:

2020-08-27

OSHA safety concern:

N

Status:

Closed

Completion date:

2021-02-03

Inspection date:

2020-08-27

Hours:

0 Minutes: 55

Material cost:

0.00

Action taken:

8/27/20 - Received e-mail from Division Secretary. There are three Canary Island Pine Trees and one (1) Cajeput tree adjacent to this address. The Canary Island Pine tree numbers are P14, P15 and P18. These trees were last trimmed on 1/4/18&1/5/18. The tree number for the Cajeput tree is P12 and was last trimmed on 1/5/18. All four (4) trees appeared to be stable, there were no noticeable structural defects or any visible signs of any pest or disease activity present during the the time that I inspected these trees. Contacted resident's daughter @ 9:44 am and verbally explained the City's criteria for tree removal. Resident provided e-mail address (mhf-minar@cox.net). E-mailed resident's daughter City's criteria for tree removal and other tree related documents. Will schedule the trimming of the trees in that area - JO 9/4/20 - Received e-mail from City Hall -JO 9/8/20 - Contacted resident @ 1: 13 pm and left message asking for a call back. E-mailed City Hall back stating that I am in contact with this resident - JO 2/3/21 - Trees trimmed by WCA - JO

Costa Maintenance©2008 - 2021- City of Costa Mesa

Maintenance Services Work Order

Subject:

Roots Damaging Gate

Detailed description:

Roots from the pine tree are causing the gate to his property to not close. Inspect roots.

Req'd date:

2013-09-17 (Request entered by: Daniel Dominguez III)

Req'd by:

Edward Frake

Location:

3462 Wimbledon

Phone:

██████████

Work Order Nr:

13091677

District:

2

Supervisor:

City Arborist

Employee:

Dominguez, Dan

Call back needed:

N

Contacted date:

2013-09-17

OSHA safety concern:

N

Status:

Closed

Completion date:

2013-10-30

Inspection date:

2013-09-17

Hours:

0 Minutes: 15

Material cost:

0.00

Action taken:

9/17/13 Pinus canariensis park-17 23"dsh x 50' in good condition. Tree roots growing under wall. Root prune 15' on north side of the tree along the wall. Site is marked. WCA Inc. Spoke to resident. DD 10/29/13 Verified work completed. DD

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Subject:
Roots Damaging Gate
Detailed description:
Roots from the pine tree are causing the gate to his property to not close. Inspect roots.

Req'd date:
2013-09-17 (Request entered by: Daniel Dominguez III)
Req'd by:
Edward Frake
Location:
3462 Wimbledon
Phone:
[REDACTED]

Work Order Nr:
13091677
District:
2
Supervisor:
City Arborist
Employee:
Dominguez, Dan
Call back needed:
N
Contacted date:
2013-09-17
OSHA safety concern:
N
Status:
Closed
Completion date:
2013-10-30
Inspection date:
2013-09-17
Hours:
0 Minutes: 15
Material cost:
0.00

Action taken:
9/17/13 Pinus canariensis park-17 23"dsh x 50' in good condition. Tree roots growing under wall. Root prune 15' on north side of the tree along the wall. Site is marked. WCA Inc. Spoke to resident. DD 10/29/13 Verified work completed. DD

Costa Maintenance©2006 - 2021- City of Costa Mesa

Subject:

Roots causing inability to open side yard gate.

Detailed description:

Resides adjacent to Wimbledon Park. The roots from a tree in the park are affecting the ability to open his side gate. States the roots were cut some time ago, but currently having issues again.

Req'd date:

2014-08-06 (Request entered by: MStueve)

Req'd by:

Edward Frake

Location:

3462 Wimbledon Way

Phone:

[REDACTED]

Work Order Nr:

14081334

District:

2

Supervisor:

City Arborist

Employee:

Kokesh, Douglas

Call back needed:

Y

Contacted date:

2014-08-12

OSHA safety concern:

N

Status:

Closed

Completion date:

2014-10-01

Inspection date:

2014-08-15

Hours:

0 Minutes: 45

Material cost:

0.00

Action taken:

Met with resident regarding tree concern. States that the roots from a tree in Wimbledon Park are pushing on the block wall leading to his side yard. This is causing the gate to have difficulty closing. Proposed 12' of root pruning and linear barrier installation to the tree in question. Resident satisfied. WCA, Inc. to be scheduled to install barrier along and in as close as possible proximity to block wall opposite side gate and using the gate as the center point going 6' in each direction. DK Work completed by WCA, Inc. on 10/1/14. Subsequent work orders received from this resident regarding the same issue (3 work orders on the same issues over the last 3 years) should be scrutinized on the basis of whether the tree really needs to be removed or not. Moving forward, treat issue by having the resident follow-through with a Category 3 removal request to the PRC. If denied by the PRC, resident will need to look into making the necessary repair on his end that allows for the gate to shut properly.

4.0 CRITERIA FOR PARKWAY TREE REMOVAL/REPLACEMENT

Based on guidelines established by City Council ordinance, the Public Services Director is authorized to approve or deny all tree removal requests, or may agendaize any removal request for review by the Parks and Recreation Commission.

Any removal decision made by the Public Services Director may be appealed to the Parks and Recreation Commission for review. Decisions made by the Parks and Recreation Commission are final and may not be appealed to the City Council. The Public Services Director will notify the property owner/applicant of every decision to ensure that any appealed decision will not be implemented until after the appeal is heard.

Decisions made by the Parks and Recreation Commission are valid for a period of one year. All requests for removal and specified mitigation measures approved by the Parks and Recreation Commission must be completed by the applicant within one year from the date of approval. If tree removal and/or mitigation is not completed within one year, the approval is rescinded.

Tree removal denials made by the Parks and Recreation Commission may not be reconsidered for a period of one year from the date of denial.

All property owners/applicants wishing removal of a parkway tree(s) shall complete the "Request for Tree Removal" application available from the Public Services Department. Removal requests will fall into one of three categories:

- Category 1 – Health and Safety Removals
- Category 2 – Accelerated Removals
- Category 3 – Discretionary Removals

4.0.1 Category 1 – Health and Safety Removals

Removal of a street tree at no cost to the property owner/applicant may be considered on the following basis, and in accordance with Public Services policies:

- If the tree is dead, dying, critically diseased, or damaged beyond reasonable repair.
- If the tree is causing a safety hazard (such as significant sidewalk and curb uplifting), and root pruning is determined not to be a viable option. Root pruning, sidewalk shaving, and sidewalk rerouting shall be considered as alternative options when evaluating the removal of trees that are causing safety hazards.

- If the tree presents a foreseeable risk of injury and liability to the public.

If the tree is damaging vital infrastructure (such as sewer, water, gas, electrical conduit) or other major structural damage, proof of damage must be submitted by the property owner/applicant prior to the final approval and scheduling by the Public Services Director.

4.0.2 Category 2 – Accelerated Removals

The City may remove or allow a street tree to be removed, as a "convenience" to property owners or other City departments, if the tree meets the "Accelerated Removal Criteria" and the property owner agrees to the following Criteria and Conditions:

Criteria

- a. The tree(s) is a City designated "Problem Tree Species" (*Ficus microcarpa* or *F. retusa*, *F. nitida*, *Fraxinus uhdei*, *Schinus terebinthifolius*, *Cupaniopsis anacardioides* or other tree species so designated by the Parks and Recreation Commission), or...
- b. The Director may determine to remove a tree based on the following factors and determine the individual tree to be a 'nuisance' and qualify for an Accelerated Removal, with all Conditions to be met in order to allow for the removal of the parkway tree:
 - Any tree, where the amount and/or nature of litter from the tree (pods, seeds, flowers, sap, etc.), is significantly greater than can be expected from a typical tree of that variety; or
 - Any tree, where impacts on surrounding public or private property improvements (i.e. hardscape, landscape, masonry structures, etc.) are significant or are potentially significant in the future; or
 - The tree is causing unreasonable impacts on the property owner where it is located.

Conditions

- a. If the sidewalk, curb and/or gutter are damaged by said property owner/applicant (final conditions shall be inspected by the City), the property owner/applicant agrees to pay for all damaged concrete within forty-five (45) calendar days after tree removal. If damage occurs, the property owner/applicant agrees to obtain all permits and provide a bond for completion, and securing a licensed contractor.

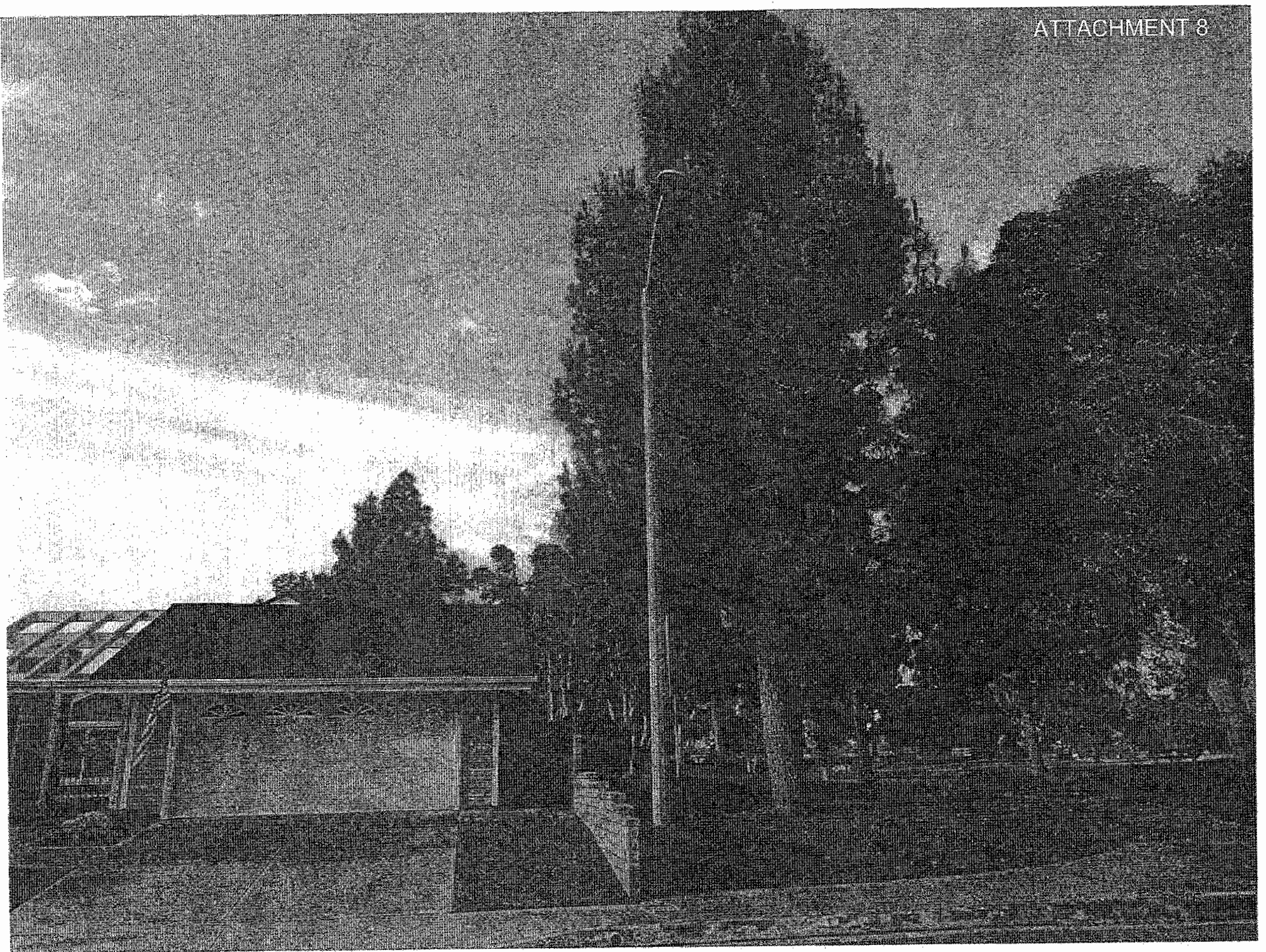
- b. If tree is to be removed by City, City staff will prepare a cost estimate for removal based on established contract prices. The property owner/applicant agrees to pay for the service by check or cash. If tree is to be removed by property owner/applicant, the City will require an approved licensed, bonded and insured contractor to remove the tree and stump. Date of removal shall be approved by the Public Services Department.
- c. The property owner/applicant agrees to pay the Public Services Department for tree replacement costs based upon the adopted City Council 3:1 tree replacement ratio. For every one mature tree removed, three (3) new trees consisting of one (1) 24" box tree and two (2) 15-gallon trees shall be planted, with tree locations to be determined by the Public Services Department. Property owner/applicant agrees that the Public Services Department will select the tree species and determine minimum acceptable tree species height, trunk caliper, and crown development criteria.

4.0.3 Category 3 – Discretionary Removals

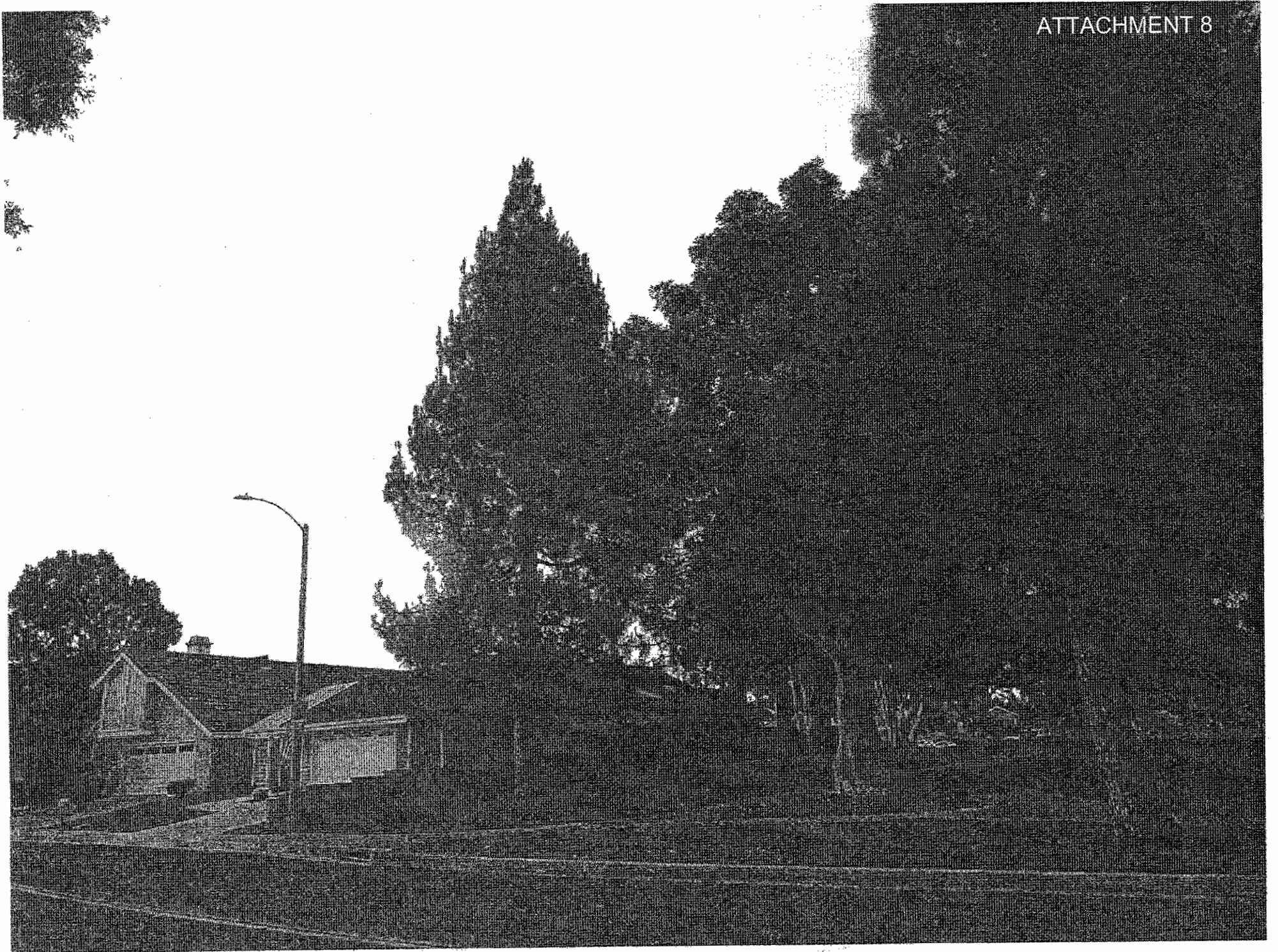
Requests for removal of City-owned trees in parks, parkways, or rights-of-way not covered under Category 1 or Category 2 shall be agendized for review and determination by the Parks and Recreation Commission.

Final determination by the Parks and Recreation Commission will be based on information provided by the property owner/applicant as well as the following:

- 1) Is the request from City staff, commercial applicant, or residential property owner/tenant?
- 2) Are there alternatives to removal which have not been considered?
- 3) Who will bear the financial responsibility for removal/transplanting/replacement?
- 4) Is transplanting a viable option from the standpoint of tree survivability?
- 5) Is "in-kind" replacement or 3:1 replacement (1-24" box, plus 2-15 gallon) more appropriate?
- 6) What are the aesthetic impacts to the neighborhood or to existing planting themes?
- 7) Does the removal pose any adverse impacts to adjacent property owners?



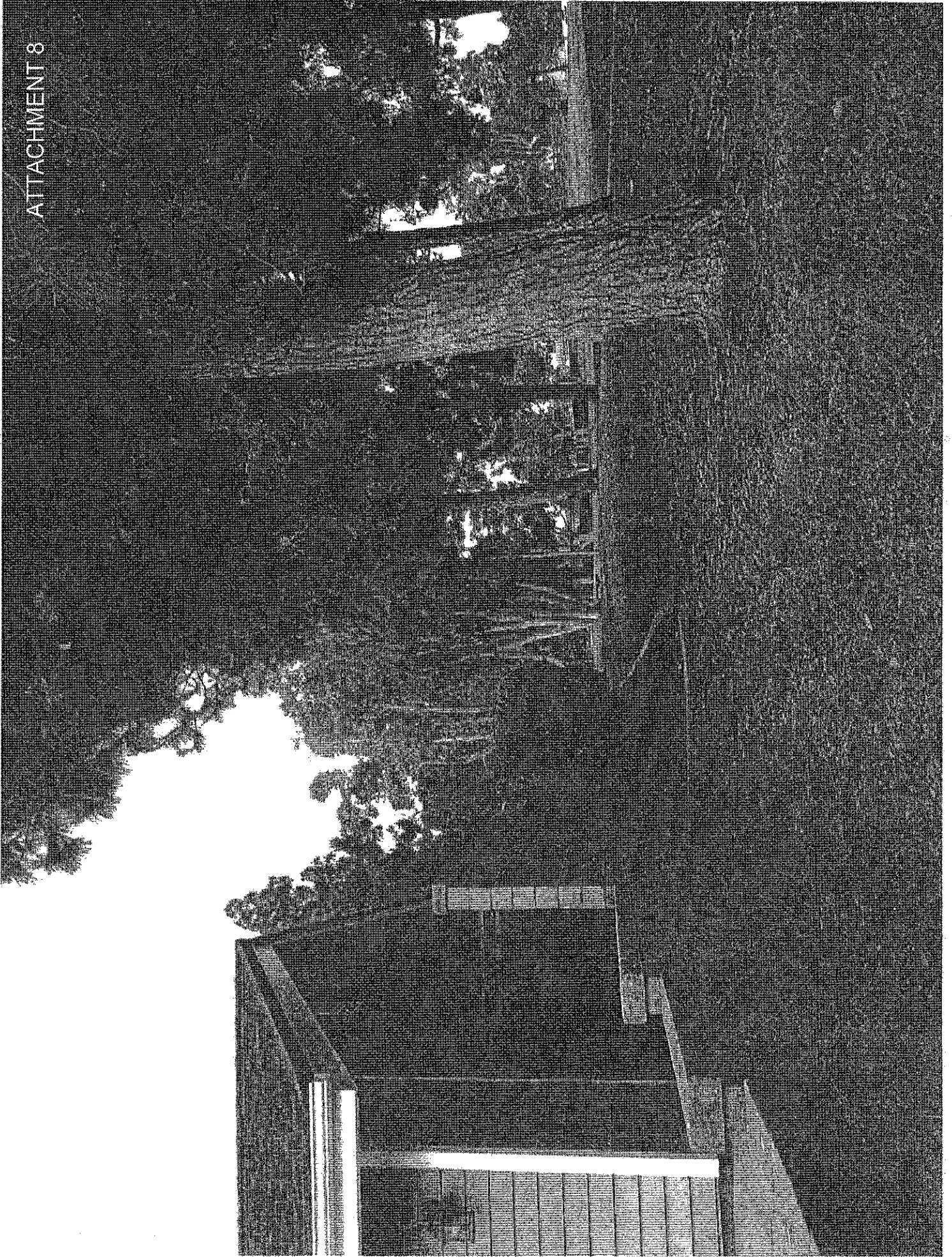








ATTACHMENT 8



WELCOME TO THE COSTA MESA PARKS, ARTS & COMMUNITY SERVICES COMMISSION

**OCTOBER 28, 2021
4:00 P.M. – UNOFFICIAL MINUTES**

1. **CALL TO ORDER...** Chairperson Ashendorf at 4:01pm
2. **PLEDGE OF ALLEGIANCE** by Vice Commissioner Brown
3. **ROLL CALL**

= Present = Absent

Commissioners

- Angely Andrade Vallarta
- Kelly Brown
- Elizabeth Dorn Parker
- Scott Glabb
- Cassius Rutherford, Vice Chair
- Charlene Ashendorf, Chair

City Staff

- Jason Minter, Parks & Community Services Director
- Raja Sethuramen, Public Services Director
- Seung Yang, City Engineer
- Monique Villasenor, Recreation Manager
- Robert Ryan, Maintenance Services Manager
- Laura Fautua, Executive Secretary

4. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 23, 2021 MEETING**
MOTION/SECOND: Commissioner Dorn-Parker made a motion to approve the minutes with Ms. Fautua's correction of her name/Seconded by Commissioner Brown.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

5. **PUBLIC COMMENTS**

Jenn Tanaka: Asked for Harper Park to be considered for renovation. Wondered if there is a surplus of funds available for renovation. Inquired if there is a way to incorporate a dog park on the East side and for more inclusive play equipment for all.

Jim: Asked if more signage advertising this meeting where the public can place more input on play equipment for parks. Asked if the commission can look into more pickleball and zip lining equipment at parks.

Bob Amerend: Was asked to move his comments to the item section he wanted to discuss.

Bruce Green: Requested to speak for a later item and his hand raised was by accident.

6. **COMMISSIONER COMMENTS**

Vice Chair Rutherford: Thanked City staff on City events and encouraged the public to continue to have conversation with people who are unvaccinated to get vaccinated.

Commissioner Glabb: Attended the Barktoberfest and really enjoyed the event even though there was a drizzle.

Commissioner Andrade Vallarta: Attended the scarecrow festival and had a great time. Also went to the trains at the OCME lot in Fairview Park

Commissioner Brown: Also attended the Scarecrow event and is curious how we can implement more art within the parks. Asked to take a less traditional approach and hold sessions at coffee shops to spread city information. Announced the arts specialist position to her colleagues regarding hiring.

Commissioner Dorn Parker: Will continue to work with the community to increase the access and use of the parks. Requested for City Council to review the current bicycling rules and make amendments in regard to e-bikes.

Chair Ashendorf: Is looking forward to having the Art Specialist on board to support the arts in the City. She announced her attendance at the 21st Orange County Arts Awards at the Samuelli Theater. She recognized Tom Titus as a strong advocate for the Civic Playhouse and a pillar in the community. As a member of the Steering Committee for the County of Orange and Charitable Ventures she announced there is funding for robotic pets, iPads, and technology training for seniors.

Mr. Minter congratulated Chair Ashendorf for her article about little free libraries and little free canvases being featured in the paper. Reminded the Commission they must be on camera during the duration of the meeting.

7. **CONSENT CALENDAR** – None

8. **OLD BUSINESS**

- a) Tree Removal Request - 1777 Oriole Drive Update
Mr. Ryan presented to the Commission on what staff is doing regarding this tree review.

9. **NEW BUSINESS**

- a) Tree Removal Request - 3462 Wimbledon Way
Mr. Ryan presented.

Public commenter, Mary Helen Frake-Minar had technical difficulties.

Chair Ashendorf inquired regarding the tree causing roof damage to a homeowner.

MOTION/SECOND: Commissioner Dorn-Parker made a motion to move this item to a later time so we can attempt to get the homeowner on/Seconded by Vice Chair Rutherford.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

[Comments after 9b motion.]

Mary Helen Frake-Minar: has provided many photos sent via mail. Pine needles cannot be moved with the lawn mowers because they are so thick. Rats use them for nesting. Pines clog gutters.

Commissioner Dorn Parker asked if there can be a movement to January's item for a better review.

MOTION/SECOND: Vice Chair Rutherford made a motion to move this item to a later time so we can attempt to get the homeowner on/Seconded by Chair Ashendorf.

Commissioner Dorn Park then made a substitute motion to move the item for a later date. Seconded by Commissioner Glabb.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb

Nays: Vice Chair Rutherford, Chair Ashendorf

Absent: None

Motion Carried: 4-2

Mr. Minter provided meeting assistance to Public Commenter Mr. Green and Commissioners regarding how motions work and public comment.

[Moved to Item 9c.]

- b) Tree Removal Request - 2722 Sandpiper Drive
Mr. Ryan presented.

Public Comment:

Bruce Green: resident has concerns of the tree regarding the debris that contributes to allergies, regular maintenance and damage to cars, sidewalks and streets.

MOTION/SECOND: Chair Rutherford made a motion to approve staff's recommendation/Seconded by Commissioner Dorn-Parker.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Vice Chair Rutherford, Chair Ashendorf

Nays: Commissioner Glabb

Absent: None

Motion Carried: 5-1

[Returned to item 9a.]

- c) Design of Playground, Fitness Equipment, and Surface Replacement at Tanager Park
Mr. Ryan presented and answered any questions commissioners had regarding the designs.

Commissioner Dorn-Parker requested how to turn physical spaces into other opportunities such as pickleball courts. Mr. Ryan mentions that Tanager Park is currently in a design phase to convert the basketball courts into pickleball courts.

Public Comment:

Derek Weiss Bender: has concerns about the updates and regarding less functional play space with equipment reduction.

Commissioner Brown asked if the item can be moved to a later meeting for a better outreach approach.

Mr. Ryan clarified the concerns for moving this to a later date since costs will increase throughout January and will likely to continue to increase as more time passes. Also clarified where sand will remain and where rubberized surfaces will be placed.

MOTION/SECOND: Chair Rutherford made a motion to approve staff's recommendation option 1/Seconded by Commissioner Dorn-Parker.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

- d) Design of Playground Equipment and Surface Replacement at Jordan Park
Mr. Ryan presented.

Commissioner Dorn Parker is excited to see the new installation in her district. Many people from the public utilize this park space

Public Comment:

Barbara: Asked if there is a way to get a drinking fountain at this location

Mr. Ryan mentioned that we are looking to install fountains in the future at park locations without fountains.

MOTION/SECOND: Commissioner Dorn-Parker made a motion to approve staff's recommendation option one/Seconded by Commissioner Brown.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

- e) Donation of a Concrete Pad at the Mesa Verde Library
Supplemental received – updated on 10/28 11:00am

Mr. Yang presented.

Public Comment:

Bob Ooten: Looking forward to having an ADA pad and looking forward to the several adult and youth programs that will be utilizing the space.

Vice Chair Rutherford thanked the friends of the library regarding a private fund to help push city development.

Chair Ashendorf encouraged the public to visit the library and check out the children's area.

MOTION/SECOND: Chair Ashendorf made a motion to approve staff's recommendation to approve the installation of a concrete pad at front patio area of the Mesa Verde Library/Seconded by Commissioner Dorn Parker.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

- f) Donation of Outdoor Musical Instrument Equipment at the Donald Dungan Library in Lions Park

Supplemental received – updated on 10/28 11:00am

Mr. Minter presented.

Public Comment:

Donna Stapleton: Requested that outdoor musical instruments be installed near the Donald Dungan library to help encourage musical creativity within the public.

MOTION/SECOND: Chair Ashendorf made a motion to approve staff's recommendation to approve the donation of the outdoor musical instrument equipment at the Donald Duncan Library. /Seconded by Commissioner Glabb.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

- g) Commission Request for ride-alongs with the Costa Mesa Park Rangers
Mr. Minter gave background for park ranger ride-alongs.

Commissioners selected their ride along dates for touring, from the dates in the report. There was a correction made.

Commissioners scheduled their ride along times with the exception of Commissioner Glabb and Vice Chair Rutherford.

10. MONTHLY REPORTS

- a) **Park Ranger Report - September 2021**
Supplemental received – updated on 10/28 11:00am

Mr. Minter informed the Commission, patrols at the park have increased. More citations have been issued and will most likely show in the next meetings report. He recommends deferring to the Bikeway and Walkability Committee in regards to bike laws and e-bikes.

Commissioner Brown would like to see updates to the bike laws in regards to bike licensing. She also mentioned she conversed with David Martinez and acknowledges citations are happening primarily in the west side.

Commissioner Andrade Vallarta supports Commissioner Brown's Comment and would like to ask if there is a follow up to the camping citations in regards to providing social services.

Mr. Minter informed the Commission when it comes to the issue of homelessness they are potentially referred to the outreach program. He also mentioned the Police Department is exploring different opportunities for bike licensing. He can ask Lieutenant Watkins to present hard data and a breakdown of the citations.

Commissioner Dorn Parker mentioned the Bikeway and Walkability Committee has asked for the Commission's support in regards to bringing up bike licensing to Council.

Mr. Minter mentioned that the Police Department is working with the legal team to provide safer e-Bike laws and regulations and will look into what appropriate actions the commission can take.

- b) **Director's Report - September 2021**
Mr. Minter presented. Ms. Villasenor provided a recap regarding the events that occurred.

11. CORRESPONDENCE None

12. ADJOURNMENT by Chair Ashendorf at 6:41pm

NEXT REGULAR MEETING: JANUARY 27, 2022 AT 6:00P.M., VIA ZOOM WEBINAR

JANUARY 27, 2022
6:00 P.M. – UNOFFICIAL MINUTES

1. **CALL TO ORDER** by Chairperson Ashendorf at 6:00pm
2. **PLEDGE OF ALLEGIANCE** by Commissioner Glabb
3. **ROLL CALL**

= Present = Absent

Commissioners

- Angely Andrade Vallarta*
- Kelly Brown
- Elizabeth Dorn Parker
- Scott Glabb
- Cassius Rutherford, Vice Chair
- Charlene Ashendorf, Chair

City Staff

- Jason Minter, Parks & Community Services Director
- Monique Villasenor, Recreation Manager
- Robert Ryan, Maintenance Services Manager
- Ashley Thomas, Recreation Supervisor
- Laura Fautua, Executive Secretary

*Commissioner Andrade Vallarta entered the meeting at 6:17pm.

4. **APPROVAL OF THE MINUTES OF THE OCTOBER 28, 2021 MEETING**

MOTION/SECOND: Commissioner Dorn-Parker made a motion to approve the minutes/Seconded by Vice Chair Rutherford.

The motion carried by the following roll call vote:

Ayes: Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: Commissioner Andrade Vallarta

Motion Carried: 5-0

5. **PUBLIC COMMENTS**

Bronwyn Jones: would like to have a vending machine at the Costa Mesa Skate Park and offered to provide and manage the vending machine.

6. **COMMISSIONER COMMENTS**

Vice Chair Rutherford: Would like to get the 10 people group size for park permits addressed sometime this year. Gave kudos to City staff with all the work they do for the community.

Commissioner Glabb: No comments.

Commissioner Brown: Thanked City Staff and Park Ranger Anderson for the City ride-along opportunity. Learned a lot about park management and areas that are patrolled. Noticed recent activity with Costa Mesa's Social Media accounts and has enjoyed seeing artwork and historical building information.

Commissioner Dorn Parker: Also thanked Park Ranger Anderson and Vaughn. The ride-along gave her an understanding of the parks reports, how Rangers work to ensure the parks are well used and perform outreach towards some of the members outreach to some of the

members of our community that find themselves unhoused experienced trauma or in crisis. Mentioned the Costa Mesa Historical Society put out a calendar about the historic homes from the East Side, for a \$10 donation. Explained it would be wonderful opportunity to understand the history of our City. Thanked everybody for the work they have done for the parks. Mentioned the upcoming year will be innovative due to the pandemic, thanked staff and Commissioners for the work in advance. Wants to thank the staff and all the commissioners for the work we have ahead this year.

Chair Ashendorf: The Mesa Verde Library concrete pad that was approved in October has been completed and is looking forward to seeing future activities at the library. Excited to have Art on the Fifth artist, Karen Nguyen, displaying her art until the end of March. Happy to also see a new art installation at TeWinkle Middle School, as well as, the Youth Art Gallery up and going again at City Hall. The Exhibit, at the Costa Mesa Senior Center is featuring Michael Wards is on display. Observed many park users at Fairview Park and wants to remind the public there is a Fairview Park sign that states all motorized and remote control vehicles are prohibited. Request for staff to take a look at some of the outdated signage that that is on display at Fairview Park and updating the information kiosks.

7. **CONSENT CALENDAR** – None

8. **OLD BUSINESS**

- a) Tree Removal Request – 3462 Wimbledon Update
Mr. Ryan presented to the Commission

Commissioner Andrade Vallarta entered the meeting.

Public Comment:

Mary Helen Frake-Minar: explained the background of the photos that were provided to the Commission and the excess of pine needles that drop from the tree. Would like the Commission to reconsider taking out this tree.

Commissioner Glabb inquired what the City Arborist said about the tree. Mr. Ryan responded and with the health of the tree.

Vice Chair Rutherford recommended to move forward with staff's recommendation, since the tree does not need to be removed because there is no threat and the tree is healthy.

Commissioner Dorn-Parker thanked staff for the Commission additional time to evaluate the report and allow the resident to provide more information and details. Mentioned that when walking the area, she found it to be a really great healthy tree.

Commissioner Glabb asked if the resident could hire another arborist to get a second opinion and can she file a claim with the City to have somebody come out and clean up the pine needles?

Mr. Ryan addressed the questions and mentioned that it is possible, however, it may be a onetime cleanup and would not alleviate any ongoing maintenance.

MOTION/SECOND: Chair Ashendorf made a motion to approve staff's recommendation/Seconded by Vice Chair Rutherford.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Vice Chair Rutherford, Chair Ashendorf

Nays: Commissioner Glabb

Absent: None

Motion Carried: 5-1

9. NEW BUSINESS

- a) Major League Baseball Annual Report
Ms. Thomas presented.

Commissioner Rutherford acknowledge the team registration numbers exceeded those posted by Irvine, Newport Beach, Fountain Valley, and even Huntington Beach.

MOTION/SECOND: Chair Ashendorf made a motion to receive and file/Seconded by Commissioner Dorn-Parker.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Glabb, Commissioner Dorn-Parker, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

- b) Tree Removal Request – 1107 Visalia Drive
Mr. Ryan presented.

Commissioner Dorn Parker thanked Mr. Ryan for explaining the process. Informed the Commissioners, when reviewing the tree onsite, it looks healthy.

Commissioner Glabb reviewed past agenda from 2018 to 2021 and noticed there were 21 tree removal requests and 17 of those were by residents. The Commission denied all 17 resident requests. The other four requesting removal were in front of businesses and all were approved by the City and the Commission. Asked if a business takes precedence over residents for tree removal. Mr. Ryan informed the Commission, business do not take precedence over tree removals.

Vice Chair Rutherford appreciates this open and collaborative forum. Reminisced on some of the public benefits of previous tree removal, such as you the Merrimac Way project, Which resulted in a protected bike lane, so users like children can bike from Joanne Street to Merrimac Way and over to OCC. Also the removal of the dying trees at Lions park made room for a new reimaged space for the community.

No public comments.

MOTION/SECOND: Commissioner Dorner Parker made a motion to approve staff's recommendation/Seconded by Chair Ashendorf.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Vice Chair Rutherford, Chair Ashendorf

Nays: Commissioner Glabb

Absent: None

Motion Carried: 5-1

- c) Memorial Donation Kiernan Patrick Locke
Mr. Ryan presented and answered any questions commissioners had regarding the designs.

Public Comment:

Mat Garcia: As a resident, thinks this donation is a great idea and supports it.

Bronwyn Jones: Finds this gesture very beautiful and shows a lot of compassion for other kids and families who walk by and get to experience this tribute.

MOTION/SECOND: Chair Ashendorf made a motion to approve the memorial Donation for Kiernan Patrick Locke/Seconded by Vice Chair Rutherford.

The motion carried by the following roll call vote:

Ayes: Commissioner Andrade Vallarta, Commissioner Brown, Commissioner Dorn-Parker, Commissioner Glabb, Vice Chair Rutherford, Chair Ashendorf

Nays: None

Absent: None

Motion Carried: 6-0

10. MONTHLY REPORTS

- a) Park Ranger Report - October through December 2021
- b) Director's Report – October through December 2021
Mr. Minter presented. Ms. Villasenor provided a recap regarding the events that occurred.

11. CORRESPONDENCE

- 12. ADJOURNMENT** by Chair Ashendorf at 6:41pm.

NEXT REGULAR MEETING: FEBRUARY 24, 2022 AT 6:00P.M., VIA ZOOM WEBINAR