

**CITY OF COSTA MESA
PARKS AND RECREATION COMMISSION**

July 28, 2004

The Parks and Recreation Commission of the City of Costa Mesa met in regular session at 6:30 p.m., July 28, 2004, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Harris followed by the Pledge of Allegiance by Commissioner Burciaga.

ROLL CALL:

Commissioners Present:

Mark Harris, Chairman
Byron de Arakal, Vice Chairman
Mirna Burciaga, Commissioner
James Fisler, Commissioner
Wendy Leece, Commissioner

Also Present:

Steven E. Hayman, Assistant City Manager
William J. Morris, Public Services Director
Marc Puckett, Director of Finance
Jana Ransom, Recreation Manager
Bruce Hartley, Maintenance Services Manager
Bart Mejia, Parks Project Manager

MINUTES

A motion made by Vice Chairman de Arakal, seconded by Commissioner Leece and carried 5 to 0 to approve the minutes of the June 23, 2004 meeting with one change to page three, paragraph three; "Commissioner Fisler indicated" will be changed to "Vice Chairman de Arakal indicated".

ORAL COMMUNICATIONS

Mr. Robert Graham, Dakota Avenue, Costa Mesa addressed the Commission regarding the Parks and Recreation Divisions not having a department head, Talbert Park turf and parking in lower area, and the County river trail from MacArthur Boulevard to Newport Beach.

Mr. Chris Palmer, 18952 MacArthur Boulevard, Suite 220, Irvine, California 92612 representing Assemblyman John Campbell's Office regarding and in support of item 9f (Update on Implementation of Fairview Park Master Plan for Placentia Drain) and hopes the project moves forward because it is essential to the quality of life here in Orange County.

Chairman Harris granted authorization for Mr. Palmer to speak to an agenda item during Oral Communications.

CONSENT CALENDAR

No Consent Calendar items.

OLD BUSINESS

No Old Business items.

NEW BUSINESS

COMMUNITY VALUE STATEMENTS

Staff report presented by Steve Hayman, Assistant City Manager, with PowerPoint presentation by Mr. Marc Puckett, Director of Finance.

Vice Chairman de Arakal stated that he liked the concept of having Community Value Statements. He also recommended having a preamble and suggested several phrase rewordings. Suggestions are as follows:

- Preamble – “Costa Mesa is committed to...”
- Value Statement #1 - “Costa Mesa is committed to the restoration, preservation and enhancement of the physical appearance and functionality of the entire community.”
- Value Statement #2 – “Costa Mesa is committed to ensuring public safety and promote social order...”
- Value Statement #3 – “Costa Mesa is committed to the enhancement and protection of an environment that creates and preserves a strong diverse and balanced economic foundation that encourages businesses to locate and thrive in Costa Mesa.”
- Last Value Statement – “Costa Mesa is committed to the development of a fiscally sound organization that responds to the expectations of its residents through balanced revenue and expenditure policies and through the efficient delivery of exceptional services.”

Commissioner Leece agreed with Vice Chairman de Arakal that improving the wording will improve the vision and help residents embrace the policies.

Mr. Puckett informed the Commission that the Community Value Statements will be reviewed on a two year cycle and they are intended to be extremely high level, very general, very broad in nature so that they do not supplant but bring together what is already in the City’s planning documents and the Community Objectives.

Commissioner Burciaga indicated she would like to see three phrases included:

- “To protect and preserve the natural resources”
- “To maintain public safety and promote social order”
- “To educate our community”

Chairman Harris stated that he was very pleased with what was presented to the Commissioners.

Mr. Hayman concluded that by this October or November they will be formulating the recommended community objectives and the point of doing this on a regular cycle is to get it back to the City Council to get confirmation of the priorities. By doing this it should fit perfectly into the budget cycle.

MOTION

Commissioners’ input requested. No motion required.

**TREE REMOVAL REQUEST –
AVENUE OF THE ARTS –
CENTER TOWER PARKING
ACCESS**

Mr. Bruce Hartley made the presentation.

Discussion ensued regarding the extension of the turn pocket on Town Center Drive and the parking garage access.

Bob Fernandez spoke on behalf of CJ Segerstrom and Sons, 3315 Fairview Road. Mr. Fernandez stated that this request was being presented to the Commission ahead of time because they want to have the work completed prior to the closing of Town Center Drive in front of the Concert Hall so that when that work begins traffic can flow freely around the other areas with out further disruption.

In answer to Commissioner Harris' question, Mr. Fernandez stated that the Performing Arts Center is suppose to submit a letter requesting the closure of Town Center Drive within two years and if this plan does not work the Segerstroms are obligated to come back and pay to put the street back to its current configuration. He does not believe this is likely because there is a new master plan for the front of the Concert Hall and they are committed along with the Performing Arts Center to promote it and see that it is built.

Vice Chairman de Arakal requested of Mr. Hartley that when the petitioner is ready to construct the median and do some landscaping that the Commission be able to see the landscape plan for the median.

MOTION

A motion was made by Vice Chairman de Arakal and seconded by Chairman Harris and carried 5 to 0 to approve request for the removal of five Canary Pine Trees with a 3:1 replacement ratio (1-24" box size and 2-15 gallon size trees) for each tree.

**TREE REMOVAL REQUEST –
604 KNOWELL PLACE**

Mr. Bruce Hartley made the presentation.

In response to questions from Commissioners, Mr. Hartley stated that the cause of the concrete cracking was not found and that normally there would be an above root or something that indicates what is there. Mr. Hartley also stated that while not necessarily concurring with the applicant's letter, there are some issues which currently do not pose a hazard, however if left unattended it might create some sort of hazard.

Chairman Harris stated that he went out to the location to view the area and the curb is rising. His concern is that there is a potential for water to be held there. He noted that one option would be to prune the roots, however the tree might not survive.

Mr. Larry Green, 604 Knowell Street, Costa Mesa, addressed the Commission informing them that he has lived at this address for approximately ten years. He stated that during this time he has grinded down the concrete sidewalk twice and it is still at least an inch and a half above the other part of the sidewalk. He also stated that the driveway was not his concern only, the front sidewalk, which he is willing to take care of the cosmetic work and walkway if the City will remove the tree. Additionally, he informed the Commission that out of the 20 plus houses on Knowell Street there are only four of these types of trees left on the entire street.

Chairman Harris informed Mr. Green that if motion is approved, he would be responsible for paying for the removal of the tree and the

3:1 tree replacement ratio; one 24 inch box tree to replace the existing tree and two 15 gallon trees that would go into the City's inventory. He further explained that this criterion is a requirement for any tree removed under a convenience removal.

Mr. Hartley stated that the City's removal cost is based on the diameter of the tree, which for this tree would be approximately \$200 to \$250. The other cost Mr. Green would be responsible for, if the removal is approved, is \$250 for the replacement trees.

In response to questions from Vice Chairman de Arakal, Mr. Morris informed the Commission that an assessment/priority list of all missing sidewalks in the City was completed about five years ago and forwarded to the City Council. This list has 13 different priorities starting with arterial roadways and has an estimated cost over 17 million dollars of sidewalks that would need to be installed. City Council has been allocating approximately 100 thousand dollars per year and they are still within the first two highest priorities. High pedestrian traffic (i.e. school zones) is higher on the priority list than low pedestrian traffic (i.e. residential) areas such as this.

Discussion ensued regarding sidewalks at the right of way line, the ten-foot parkway area, the six-inch curb and the Americans with Disabilities Act (ADA), which requires all improvements to conform to the Federal requirements of the ADA.

Commissioner Fislser stated that while he does not believe the tree is causing any damage, he would support the motion because he can appreciate the applicant's desire to improve the aesthetics of the house.

MOTION

A motion was made by Chairman Harris, seconded by Commissioner Leece and carried 5 to 0 to approve the request and to replace the tree at the standard 3:1 ratio, with removal and replacement costs to be paid by the applicant.

TREE REMOVAL REQUEST – 1781-C NEWPORT BOULEVARD

Mr. Bruce Hartley made the presentation.

In response to questions from Vice Chairman de Arakal, Mr. Hartley informed the Commission that this particular tree is a Queen Palm which has a full canopy and can grow up to 40 feet in height. He also stated that the fronds could grow to be 30 feet above ground, while Mr. Jazayeri's business sign is 16 feet from the ground.

Behzad Jazayeri, 10 Celerno, Irvine (business address is 1781-C Newport Boulevard) addressed the Commission regarding his request to remove the tree that is blocking his sign. He stated that there are two trees in front of his business and when they are in bloom his business has zero visibility from the street. He also pointed out on a picture a wire that runs across the top of the trees.

Chairman Harris informed Mr. Jazayeri that he was on the committee that selected these trees for the Streetscape and Medians Development Standards and explained how and why those trees were selected.

In response to questions from Commissioner Leece, Mr. Jazayeri confirmed that he did contact the City several times from June to February requesting it to be trimmed. They came in June and trimmed it and he was happy, however subsequent requests were denied.

In response to questions from Commissioner Leece and a request for clarification from Chairman Harris, Mr. Hartley confirmed that they have trimmed the tree in front of his business on a more regular basis than the three and a half years that most trees in Costa Mesa get trimmed. However, most palms are trimmed annually. He also stated that trimming the tree annually is not a problem, trimming it every couple of months is very costly and does not achieve a permanent resolution to his problem. In addition, trimming a tree every two months and removing the fronds is not healthy; it will only slow the growth down.

In response to questions from Behzad Jazayeri regarding trimming the tree at his own expense and the wire that runs above the trees, Mr. Hartley informed the Commissioners that in the past the City has allowed homeowners to contract with a certified arborist for the tree trimming. Mr. Hartley voiced some concerns that in this situation the trimming could be severe and if cut improperly could kill the tree. With regard to the wire, Mr. Hartley stated that he believed it goes to a streetlight, it is not a high-tension line, but he does not believe it will be an issue.

Further discussion ensued regarding the business signage/marquee's location, font style and City sign ordinance. Commissioner Leece suggested that the requestor review the type and style of font that is being used for greater visibility by the public.

MOTION

A motion was made by Commissioner Leece, seconded by Chairman Harris and carried 5 to 0 to deny the request to remove the tree, with a stipulation allowing the petitioner to contract with a City approved arborist at his expense to trim the tree. Petitioner must also notify the City when he plans to trim it.

TREE REMOVAL REQUEST – 2561 WESTMINSTER AVENUE

Mr. Bruce Hartley made the presentation.

In response to a question from Chairman Harris, Mr. Hartley informed the Commission that the capsules typically ripen, drop during the fall and are normally gone by end of winter; usually a two to four month period depending on growing conditions.

Michael Vrbas, 2561 Westminster, property owner addressed the Commission regarding his request to have the tree removed because the sticker balls falling out of the tree cause injury to his children and also to prevent further damage to his vehicles and property. Mr. Vrbas displayed pictures of the front of his property and explained that a large remodel of his home was recently completed and two birch trees (one 24 inch box and one 15 gallon) were recently planted away from the new driveway. He also stated that the tree looks good this time of year, but come wintertime it drops leaves and the sticker balls make a mess.

At the request of Commissioner Leece, the daughter of Mr. Vrbas answered a few questions stating that there are a lot of the sticker balls and it hurts when she steps on them.

Mr. Vrbas stated that his neighbor across the street has volunteered to take the tree. He also displayed pictures of the tree and his neighbor's property where the tree would be placed if approved.

In response to questions from Chairman Harris (regarding costs associated with moving, transplanting and replacement), Mr. Hartley stated that the applicant is required to place a deposit or bond to cover removal and 3:1 replacement ratio costs probably in the amount of \$250. Then, after one year, they would evaluate the tree during the growing season to ensure its viability. If tree lives, then

the deposit is returned. However, if the tree dies then the deposit would be retained to cover the cost of tree removal and replacement. Mr. Hartley also stated that the applicant would be responsible for the cost of transplanting the tree, approximately \$500. Additionally, the removal and transplant would be done by the property owner, who must use a certified, licensed and bonded arborist. Lastly, if the request is approved, the approval to remove the tree would expire in one year.

Commissioner Leece stated that she would approve a motion to remove/transplant the tree because it is affecting the quality of life and the safety of the children.

Commissioner Fislser stated that he met with the applicant, looked at the property and the tree does not fit in aesthetically with his landscaping plans. He also stated that he met his neighbor who likes the tree.

MOTION

A motion was made by Vice Chairman de Arakal, seconded by Chairman Harris and carried 5 to 0 to approve the request and directed that the tree be relocated at the applicant's expense and to post a bond to cover the cost in case the tree dies within one year of transplant.

UPDATE ON IMPLEMENTATION OF FAIRVIEW PARK MASTER PLAN FOR PLACENTIA DRAIN

Mr. William Morris presented the item for Mr. Molendyk.

Vice Chairman de Arakal expressed concerns regarding elements of the design such as "first flush" run off before it gets into the riparian area, and the flow of water so that there is no stagnate water.

Mr. Morris informed the Commission that design specifics of screening of litter and types of water quality to be delivered to the headwaters of this area will be addressed by the consultant that the City hires.

At the request of Vice Chairman de Arakal, Mr. Morris explained how the system is designed, where the run off water source will come from, what happens to it as it comes down and works its way into the seasonal creek community. Mr. Morris also stated that two major purposes will be served, 1) re-establishing a wetlands habitat area, and 2) cleaning the water before it gets to the ocean. He also stated that the water is currently taken to the treatment plant, but this is a temporary solution and should not continue. The ultimate solution will be to treat it naturally. This multi-faceted program will create a wetlands area as well as an educational source.

In response to questions from Chairman Harris, Mr. Morris stated that the water will be brought through the wetlands area and at the end of the process the water will be discharged directly back into Greenville Banning Channel and out to the ocean. It will have the type of water quality that does not need further treatment.

Chairman Harris expressed concerns with all projects like this because of the maintenance and operation expenses after the initial funding period, especially during bad fiscal times.

Mr. Morris stated that State Fish and Game and U.S. Fish and Wildlife have indicated that if a riparian area can be established and maintained in the first five years, from that point on it becomes less intense to maintain. Once established, and as long as all factors continue together, the maintenance costs should drop significantly.

Mr. Morris informed the Commission that one example for funding he can point to is the generation of approximately one million dollars that was created by the need of the flood control district to clean out the lower reach of the Santa Ana River where it has the sandy bottom. That area established vegetation very quickly and with most native species in there. The same kind of thing can, hopefully, happen outside the riverbed in Fairview Park.

Mr. Robert Graham, Dakota Avenue, Costa Mesa displayed a map of Fairview Park and expressed some concerns regarding lack of parking in the lower area near Swan Drive; the picnic area in the lower area not having parking near it; the trail connecting the upper and lower areas of the park; how steep the trail gets; how hot it is during the summer to walk the trail from the upper parking to the lower picnic area; the need for kids to have recreation fields; the desire to give the coastal shrubs in the lower area back to the County of Orange and get a like amount at the end of 19th Street where the City has no fields for the children; and finally, he stated that he liked the idea of water flow and natural growth of the trees.

Former Parks Commissioner David Stiller, 2879 Regis Lane, Costa Mesa addressed the Commission stating that he agreed with Mr. Graham regarding the playing fields. He also stated that he had concerns about mosquito abatement and the West Nile Virus, adding that a concept will need to be developed for continual positive flow of water through the basin and a way to ensure constant movement.

Neil Horgan, 2827 Nevis Circle, Costa Mesa, stated that he likes the plan, however he expressed three concerns, 1) parking, 2) the setting up of a miniature water treatment plant and 3) stagnant water and mosquitoes.

In response to question from Commissioner Leece regarding adding the community concerns to their recommendation, Mr. Morris explained that the process to be followed is included in the Council Policy for Implementation of the Fairview Park Master Plan, Attachment 3. Any changes, such as a request for a parking lot would have to follow those same procedures, which is not part of the agenda item being considered tonight. Additionally, there are certain requirements that must be followed and if it would take four or more hours of staff time that must go to City Council first before following through with any request and then Council would give direction to either proceed or to not proceed.

Commissioners discussed parking in the lower area, surplus land that would be good for ball fields, the educational opportunities of the Fairview Park Master Plan, minimizing the threat of mosquitoes by generating continuous water flow, water quality, request for changes to the Fairview Park Master Plan under City Council Policy #500-11, and conformance of the seasonal creek community plan with the Fairview Park Master Plan.

MOTION

A motion was made by Vice Chairman de Arakal, seconded by Chairman Harris and carried 5 to 0 to approve staff's recommendation that the improvements to the Placentia Drain conform to the intent of the Fairview Park Master Plan.

RECREATION MANAGER'S REPORT

Ms. Ransom began her presentation with the mission statement for the Recreation Division, "We create community through people, parks and programs." She also stated that the Costa Mesa Recreation Division plays an important role in creating a healthy community through diverse and innovative recreation programs. It also provides

space to learn and play, space to be safe and secure and space to create and imagine.

Ms. Ransom updated the Commission on the following programs: Camp Costa Mesa; Early Childhood Program; the Summer Programs; the Playground Programs at Balearic Park, Wakeham Park and Rae School; Mobil Recreation and Mobil Skate Programs; CostaMazing's final event, Dining through the Decades, and its Closing Ceremony; the Teen Program; Concerts in the Park; Circle of Service Induction Ceremony; Shakespeare on the Bluff; Kids Night Out and Family Night Out Programs; the Adult Sports Programs; and Summer Swim Olympics to be held on August 14, 2004.

Ms. Ransom informed the Commission that the Chalk Art Festival will be held at Balearic Park on October 30, 2004. Ms. Ransom also commended Donna Robb, Chairman of the Cultural Arts Committee, for the flyer artwork that she created.

Additionally, Ms. Ransom stated that the Summer Aquatics Program experienced electrical problems at Costa Mesa High School. The program had to be shut down for three days and about 80 refunds were issued. Those affected were also given the opportunity to sign up early for subsequent sessions. Most of the participants were accommodated.

Lastly, the Adult Softball Program is in its last season at TeWinkle Park before renovations begin next month. The program will be scaled down 30% and moved over to Davis Field.

In response to questions from Commissioner Leece, Ms. Ransom stated that the use of Mesa Verde School fields has been looked into and discussions have occurred between Newport Mesa Unified School District and the City. However, there are several obstacles that must be overcome before the fields could be used: 1) Prince of Peace uses these fields during school for their P.E. Program, 2) parking impact on the neighborhood, 3) fields are in bad shape and would require work before they are suitable for use, and 4) there is a trench that runs through the fields creating a problem.

PARKS PROJECTS MANAGER'S REPORT

Mr. Mejia updated the Commissioners on the Gisler Park Slope Restoration. Bids went out but were unsuccessful at getting responsive bids. A recommendation will be made to City Council to reject all bids and authorize the re-advertising of the project.

In response to a question from Chairman Harris regarding encroachments, Mr. Morris stated that a firm was hired to do a survey of Fairview and Canyon Parks. It was determined that areas in Canyon Park have some turf and plantings done by the adjacent homeowners and they are under a permit that was issued by the previous Community Services Department. Those permits are on record and at this point, those permits are being honored.

COMMISSIONERS COMMENTS

Commissioner Burciaga thanked staff for their reports and commented on the Joint Use Agreement articles in the Daily Pilot and on a meeting that happened at Costa Mesa High School with some parents. She stated that a lot of those parents worry about the way the Joint Use Agreement has been implemented. In her opinion there has been a lot of confusion and misunderstanding and feels sorry for the children because they are the ones paying the consequences.

In response to Commissioner Burciaga's comments, Ms. Ransom stated that the quarterly meeting she alluded to in her Recreation

Manager's Report was between City staff and Assistant School Superintendents, Paul Reed and Tim Marsh. At these meetings they discuss operational issues related specifically to the Joint Use Agreement. The one that Commissioner Burciaga is alluding to is the one that the City Manager holds with the Superintendent of Schools, Dr. Barbot. Those quarterly meetings are a much higher-level policy making conversation that is different than the one held by City staff and the Assistant School Superintendents. Ms. Ransom also informed the Commission that the school district has worked very hard to implement procedures within their own system to ensure proper accountability for coaches renting fields.

Commissioner Leece commented on how long it has taken to reach some of the people that were not complying with the Joint Use Agreement. She also stated that she was appalled by the number of trash issues and the amount of time City staff spends picking up after the users.

Commissioner Leece also stated that these quarterly meetings should be planned for the entire year, agendaized and minutes should be taken.

Vice Chairman de Arakal stated that it was clear to him that some policies were not followed and there were some consequences for those policies not being followed. The Joint Use Agreement is good for both the school district and the city because the fields are public facilities whether they belong to the school district or the city. He also stated his disappointment with the Daily Pilot journalists assuming that everything related to the coaching department issues at Costa Mesa High School was related to the Joint Use Agreement and their fields.

Chairman Harris concurred with Vice Chairman de Arakal and added that he was upset because Mr. Ken Sipes received some comments that were uncalled for. He also commended Mr. Sipes and stated that Mr. Sipes is one of the best Recreation Coordinators that the City has.

The Commissioners discussed writing a letter/rebuttal article to the Daily Pilot to address the Joint Use Agreement issues and some comments that were made about Mr. Sipes. Chairman Harris and Vice Chairman de Arakal are considering writing a commentary rebuttal article for the Pilot.

Chairman Harris concluded his comments by stating that the Circle of Service Induction Ceremony was an amazing event and that Ms. Ransom did a great job emceeding it.

ADJOURNMENT:

The meeting was adjourned at **10:15 p.m.** to the Study Session on Wednesday, August 25, 2004 at 5:15 p.m. in Conference Room 1A, followed by the regular Commission meeting at 6:30 p.m. in the Council Chambers.

Submitted by:

William J. Morris
Public Services Director