

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

**September 28, 2005**

The Parks and Recreation Commission of the City of Costa Mesa met in regular session at 6:30 p.m. on September 28, 2005 at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman de Arakal, followed by the Pledge of Allegiance by Commissioner Stiller.

**ROLL CALL**

Commissioners Present:  
Byron de Arakal, Chair  
Wendy Leece, Vice Chair  
Robert Graham, Commissioner  
Mark Harris, Commissioner  
David Stiller, Commissioner

Also Present:

William J. Morris, Director of Public Services  
Stephen N. Mandoki, Director of Administrative Services  
Bruce Hartley, Maintenance Services Manager  
Jana M. Ransom, Recreation Division Manager  
Bart Mejia, Parks Project Manager  
Dean Rodia, Senior Maintenance Supervisor  
Robby Waite, Recreation Coordinator

**MINUTES**

Minutes of the August 24, 2005 meeting will be considered at the October 26<sup>th</sup> meeting.

**PRESENTATIONS**

**ORANGE COUNTY WATER  
DISTRICT ON GROUNDWATER  
REPLENISHMENT SYSTEM**

Ms. Rebecca Long, from the Orange County Water District, made a powerpoint presentation.

The Groundwater Replenishment System is a joint project between the Orange County Water District and the Orange County Sanitation District.

Commissioner Harris commented that he was glad that the Orange County Water District was promoting the project for community awareness.

Discussion between Vice Chair Leece and Ms. Long ensued on the number of families being served in Orange County.

Discussion between Commissioner Graham and Ms. Long occurred on whether or not there is opposition to the project.

Discussion between Commissioner Stiller and Ms. Long took place on the origin of water that goes into the purification system and if there are any plans to build a second facility in the

future.

Chairman de Arakal commended Ms. Long and the Orange County Water District for sticking to the project and commented that water is a more important issue from a future development stand point than transportation infrastructure as water replenishment is mandatory.

Chairman de Arakal stated that the Orange County Water District has promoted the project well by going out to the communities and providing information, which would dispel any myths.

**ORANGE COUNTY GREAT PARK**

Mr. Jordon Perkins, Mr. Justin Edwards and Jeff, Ambassadors for the City of Irvine, made a powerpoint presentation, which provided information regarding the development of the Orange County Great Park.

Chairman de Arakal thanked the group for their presentation.

**ORAL COMMUNICATIONS**

No Items.

**CONSENT CALENDAR**

**NEW INSTRUCTIONAL CLASSES;  
FEE INCREASES**

Ms. Jana Ransom and Mr. Robby Waite were present to answer questions by the Commission.

Discussion between Chairman de Arakal and Ms. Ransom took place regarding class enrollments and direct, in-direct and administrative costs.

Chairman de Arakal requested that staff, in the future, indicate whether or not the new class will be fully or partially supported by the City or self-supported.

Discussion among Chairman de Arakal, Ms. Ransom and Mr. Waite ensued regarding fees and the location for the dog classes.

Discussion between Vice Chair Leece and Mr. Waite took place on the process taken before a new class is offered and on the steps taken when the minimum enrollment requirement for a class has not been met.

Discussion between Commissioner Harris and Ms. Ransom occurred on the age requirement for classes offered to both youths and adults, and on whether or not parents were notified, when they register their child(ren) for a class, that adults will also be in the same class.

Ms. Ransom stated that, in order to inform parents who register their child(ren) for a class, which was also offered to adults, staff would work on adding a statement, on the registration form, that would indicate that adults might also be enrolled in the class.

Discussion between Chairman de Arakal and Mr. Waite ensued on how a class, offered to both adults and youths, is designated

as partially, fully or self-supported.

Discussion between Chairman de Arakal and Ms. Ransom took place regarding who determines the age limit requirement for a class to be offered, and what indemnification the City has against liability.

Discussion between Commissioner Stiller and Mr. Waite ensued regarding provisions made for examining an instructor's criminal history.

Discussion between Commission Stiller and Ms. Ransom occurred on provisions for dogs, in order to determine if a dog is suitable to enroll in a class and to be around people, and whether or not the City has been indemnified as an additional insured on an instructor's liability insurance when a class has been offered on their (non-City) premises.

Discussion between Commissioner Graham and Mr. Waite took place on the process of partnering with private businesses to offer classes.

Discussion between Commissioner Graham and Ms. Ransom ensued on the selection process of a business, whether or not the City offers classes to Costa Mesa residents at a lower cost than a business, and if there were any opposition from businesses because the City offers similar services at a lower cost.

Discussion between Chairman de Arakal and Mr. Waite occurred on the timeline dates for offering the classes, changing of the fees and for printing the brochures.

Discussion between Chairman de Arakal and Ms. Ransom took place on having both youths and adults enrolled in the same class and for youths to pay an adult rate for a class.

Vice Chair Leece stated that parents are responsible for their own children.

Commissioner Harris requested that staff provide a notice on the registration form for classes open to both youths and adults, so that the parents are aware that their child(ren) will be with adults in the class, and to have the City Attorney approve the notice before it is implemented.

Vice Chair Leece stated that the current system has safeguards in place and that it is the parent's responsibility, not the City's, who choose to enroll their child(ren) in a class offered to both youths and adults, which would release the City of any liability.

Commissioner Graham agreed with Vice Chair Leece's statement and stated that the City's obligation is to provide a full disclosure to the residents on the nature of the class and the potential participates and to allow the parent to make the final decision.

## **MOTION**

Motion made by Commissioner Harris, seconded by Commissioner Stiller, and carried five to zero to approve thirteen (13) new contract instructional classes as well as a fee increase for four (4) existing instructional classes, as proposed in Attachments "A" and "B" of the staff report, with the condition that there is notification on the registration forms for classes open to

both youths and adults so that the parents are aware that their child(ren) will be with adults in the class and to have the City Attorney sign off on it before it is implemented.

Chairman de Arakal agreed that it is the parent's responsibility to have their child(ren) enroll in a class with adults and, if the parent is concerned about their child(ren), they should stay and watch, and if a parent signed a waiver it would indemnify the City against liability; however, he has a problem creating an environment where a liability issue could occur.

Chairman de Arakal stated that he is interested in exploring and examining current programs that are offered to both youths and adults.

Vice Chair Leece commented that the Commission should not be paranoid about being sued for liability.

**PUBLIC HEARING**

No Items.

**OLD BUSINESS**

No Items.

**NEW BUSINESS**

**TREE REMOVAL REQUEST –  
127 FLOWER STREET**

Mr. Bruce Hartley made a powerpoint presentation. The applicant's son was present to answer questions by the Commission.

**MOTION**

Motion made by Commissioner Harris, seconded by Chairman de Arakal, and carried five to zero, to approve the request for the removal and relocation of one City owned parkway palm located in the public right-of-way at 127 Flower Street, with the condition that the palm be transplanted onto the property at the conclusion of construction, with the applicant paying all associated costs for the removal and replanting of the palm.

The applicant must complete the palm relocation within one year from the date of approval, after which the approval expires.

**TREE REMOVAL REQUEST –  
214 22<sup>ND</sup> STREET**

Mr. Bruce Hartley made a powerpoint presentation.

Discussion between Commissioner Harris and Mr. Hartley ensued on the fifth sentence, under Analysis of page two of the staff report, in regards to infrastructure.

Commissioner Graham stated that he does not want the tree to be removed because it has a significant impact to the streetscape.

**MOTION**

Motion made by Chairman de Arakal, seconded by Commissioner Stiller, and carried five to zero, to approve the request for the removal of one City parkway tree located in the public right-of-way at 214 22<sup>nd</sup> Street, with the following conditions:

1. The authorization to remove the parkway tree is granted only upon final approval of the project by all applicable City departments, and;
2. The applicant shall pay all associated costs for the removal of the tree and shall replace the tree removed with one twenty-four inch box-size tree, to be planted in the parkway at 214 22<sup>nd</sup> Street, and two fifteen gallon-size trees to be planted elsewhere on City property.
3. The applicant must complete the tree removal and complete all required mitigation within one year from the date of approval, after which the approval expires.

**TREE REMOVAL REQUEST –  
254 VICTORIA STREET**

Mr. Bruce Hartley made a powerpoint presentation.

Discussion between Chairman de Arakal and Mr. Hartley occurred on whether or not there were any coordination between the utility agency and the City for trimming trees.

Discussion between Commissioner Harris and Mr. Hartley took place regarding the current practice of the City on planting trees near utility lines and when is a tree determined to be a safety hazard for being too close to an infrastructure.

Commissioner Stiller stated that Commissioner Harris made a good point and believes in a proactive perspective.

Vice Chair Leece stated that Commissioner Harris made a good point and believes that the City should have higher standards as it relates to the appearance of trees.

Commissioner Graham stated that to take a proactive approach on tree removals would be dangerous and recommended not to replant a tree in the same tree well.

**MOTION**

Motion made by Commissioner Harris, seconded by Commissioner Stiller, to deny the removal of the easterly tree, to authorize the removal of the westerly tree, under health and safety issue, which is next to the fire hydrant, other utility poles and underground utility lines in the area, to not replace the tree in the same tree well, and that the City pays for the removal costs.

**SUBSTITUTE MOTION**

Motion made by Chairman de Arakal, seconded by Vice Chair Leece, and carried three to two, with Commissioner Stiller and Commissioner Graham voting “No,” to authorize the removal of two City parkway trees located in the public right-of-way at 254 Victoria Street and to require a three to one replacement for each tree, which would be two twenty-four inch box-size and four fifteen gallon-size trees, the cost will be borne by the

applicant and with no requirement that the trees be replaced in front of the property.

**NEWPORT BOULEVARD  
LANDSCAPE IMPROVEMENTS  
BETWEEN 17<sup>TH</sup> STREET AND  
BRISTOL STREET**

Mr. Bart Mejia made a powerpoint presentation. Mr. Brent Praegitzer, Landscape Architect from LBP Design Group, and Mr. David Sorge, Design Project Manager from Public Services/Transportation Services, were present to answer questions by the Commission.

Discussion between Commissioner Stiller and Mr. Mejia took place regarding low water usage for the plants and whether or not the irrigation system is part of the project.

Discussion between Commissioner Harris and Mr. Praegitzer ensued on whether or not the water would be domestic or reclaimed for the center medians.

Discussion between Chairman de Arakal and Mr. Praegitzer occurred regarding an alternative for a median accent shrub other than the Windmill Palm.

Discussion between Chairman de Arakal and Mr. Sorge took place on whether or not the selection of street furniture and street lighting design elements would be brought to the Commission for input, in order to provide recommendations for the City Council.

Discussion between Commissioner Graham and Mr. Mejia occurred on whether or not staff supports the plan and if staff is also happy with it.

Discussion between Commissioner Harris and Mr. Sorge ensued regarding the length of time it would take to complete the project.

**MOTION**

Motion made by Chairman de Arakal, seconded by Commissioner Harris, and carried five to zero, to recommend to the City Council an amendment to Section 2.02 Street Tree Palette Description and 6.03 Median Installation: Major Arterials of the Streetscape and Median Development Standards, to designate the proposed parkway and median plant palette, in Attachment 1 of the staff report, for Newport Boulevard between 17<sup>th</sup> Street and 19<sup>th</sup> Street, and to have the design elements relative to street lighting, street furniture and bus shelters be reviewed by the Parks and Recreation Commission for recommendation to the City Council.

Vice Chair Leece recommended that staff take a poll from Costa Mesa residents on the lights located on 19<sup>th</sup> Street and to provide a variety of style that would compliment the City.

Motion made by Chairman de Arakal, seconded by Commissioner Stiller, and carried five to zero, to recommend to the City Council an amendment to Section 2.02 Street Tree Palette Description of the Newport Boulevard Streetscape Study and Landscape & Sign Guidelines and Section 2.02 Street Tree Palette Description and 6.03 Median Installation: Major Arterials of the Streetscape and Median Development Standards, to designate the proposed parkway and median plant palette, in Attachment 1 of the staff report, for New-

port Boulevard between 19<sup>th</sup> Street and Bristol Street.

**COST RECOVERY METHODS FOR DAMAGED/REMOVED PARKWAY TREES**

Mr. Bruce Hartley introduced Mr. Dean Rodia, Senior Maintenance Supervisor, who made a powerpoint presentation and was present to answer questions by the Commission.

Discussion between Commissioner Harris and Mr. Rodia ensued on whether or not City staff or an outside consulting arborist would provide an arborist report in order to place a value on a tree.

Discussion between Chairman de Arakal and Mr. Hartley took place on the most appropriate approach the City uses to determine the value of municipal trees.

Discussion between Commissioner Stiller and Mr. Rodia occurred on whether or not the trunk formula was used to determine the value of a tree and then presented the findings to the negligent party in order to reach an agreement on the value of the tree.

Discussion between Commissioner Stiller and Mr. Rodia took place in regards to obtaining a state certification for arborist from the International Society of Arboriculture.

Discussion between Chairman de Arakal and Mr. Hartley ensued to have staff communicate with the City Attorney on the next step in the process in order to apply the methods presented in placing a value to a municipal tree.

Discussion among Commissioner Stiller, Mr. Hartley and Mr. William Morris occurred on the current process staff would take in order to establish responsibility, determine a value and to seek recovery for damages to a municipal tree.

Discussion among Chairman de Arakal, Commissioner Harris and Mr. Morris ensued on the Commission being able to implement the procedure, to place a value on municipal trees, and to have Risk Management hold the appropriate party responsible for damages he/she had caused to a municipal tree.

**MOTION**

Motion made by Chairman de Arakal, seconded by Commissioner Harris, and carried four to one, with Commissioner Stiller voting “No,” to recommend that the City Council provide staff additional time to develop a report to the Parks and Recreation Commission for a subsequent meeting regarding the implementation of a Tree Appraisal and Cost Recovery Program. To also ensure that the program is separate and apart from the applications for tree removals relative to construction, this program would be associated with intentional damage or unauthorized removal of a tree, or damage caused by an accident to a tree.

Commissioner Stiller stated that he did not support the motion because he felt that there is a procedure in place where a liable party could be identified and charged.

**RECREATION MANAGER’S**

Ms. Jana Ransom made a powerpoint presentation.

## REPORT

- Over 7,000 people attended the Summer Concerts in the Park. Also, the 2006 Summer Concert Series would be held on Thursday evenings beginning on July 6, 2006.
- Summer Camp 2005 was successful and fee increases were implemented in the beginning of Summer. Spaces were filled to approximately 1,072 participants.
- The Early Childhood Program (ECP) for Fall 2005-2006 has two sessions, which are at maximum capacity.
- The Drop-In Teen Program had 99 participants in August.
- The Advisory Committee on Teens (ACT) is underway and they would like to invite new members to join.
- The Teen Camp had 81 teens participate in the program, which were filled to capacity.
- The Aquatics Program had 865 lap swimmers, 58 senior aquatics participants and 852 open swim patrons. Both the adult swim lessons and the youth water polo classes were filled to capacity.
- Adult Basketball Leagues were filled for the Summer and there are a few openings for the Fall.
- Adult Softball Leagues for the Fall will be held at Lions Park Davis field due to the construction at the TeWinkle Athletic Complex.
- The Adult Open Gym Volleyball had 125 participants.
- The Neighborhood Community Center (NCC) facility was rented out every week throughout the year. For the month of August, NCC totaled 4,770 attendees and brought in \$8,102 in revenue. Also, fee waived events at NCC, for the month of August, totaled \$3,905 in waived revenue with an attendance of 921 people.
- Summer 2005 Instructional Class session offered 177 classes, with 23 classes canceled due to low enrollment, while 70 classes were at maximum enrollment. Revenue for the Summer instructional class session totaled \$116,984.
- Fall 2005 Instructional Class session began on September 19 and will run through December 19.
- Correction on the staff report to reflect that the After School Playground Program that was located at Rea Elementary School was moved to Pomona School and not Paularino School.
- The Youth Flag Football Program has 195 children registered, and the Youth Flag Football Cheerleading Program currently has 25 participants registered. Both programs are still open for registration.
- The "Value of the Month" for the Mobile Recreation Program is "Friendship."
- The Kids Nigh Out event will be an excursion to the "LA Angels vs. Texas Rangers" on September 24.

### Upcoming Events:

- The next Kids Night Out event will be a "Halloween Party" on October 29.
- The Holiday Snow Hill event will take place on December 10.

Discussion between Commissioner Stiller and Mr. Hartley ensued on whether or not the Neighborhood Community Center needed refurbishing.

Discussion between Commissioner Stiller and Ms. Ransom took



place regarding the August Field Ambassador's report where, on four occasions, an organization reserved a lit field and did not show up.

**MAINTENANCE SERVICES  
MANAGER'S REPORT**

None.

**PARKS PROJECT MANAGER'S  
REPORT**

Mr. Bart Mejia presented the report.

- Fairview Park – Master Plan: Mr. Robert Staples, Fairview Park Plan Administrator, was successful in obtaining a grant from the California Department of Parks & Recreation Land and Water Conservation Fund in the amount of \$225,000, which would implement some improvements to Area D of the master plan.
- Fairview Park – Fairview Park Wetlands and Riparian Habitat Project: City Council awarded a contract for the design of the Fairview Park Wetlands and Riparian Habitat Project. Staff will begin applying for a grant to implement this project.
- Fairview Park – Placentia Bridge: The contractor had submitted the drawings, which are currently being reviewed by staff. The project is on schedule.
- TeWinkle Park Athletic Field: Construction operations are taking place. The contractor is working diligently to complete the project and stay on schedule.
- TeWinkle Park Lake Improvements: Staff is waiting for Southern California Edison to provide service for power, which would activate the water pumps and get the system started.
- TeWinkle Skate Park: Staff is currently in the process of designing additional improvements, as approved by City Council.
- TeWinkle Park: Grant for the construction of the Angels tot-lot in the amount \$930,000, which would include the reconstruction of the restroom facility, picnic shelters and other improvements around the tot-lot area.

Discussion between Chairman de Arakal and Mr. Mejia ensued regarding the Army Corps of Engineers partnering with the City on the Wetlands and Riparian Habitat project and on the status of when the U.S. Fish and Wildlife would contact LAX in regards to the Vernal Pool Restoration project.

Discussion between Vice Chair Leece and Mr. Mejia took place regarding the Athletic Field Lighting locations.

Discussion among Commissioner Graham, Mr. Mejia and Mr. Hartley ensued on the long-term maintenance cost for the Riparian Habitat at Fairview Park.

Discussion between Commissioner Graham and Mr. Morris occurred regarding the maintenance cost for the Coastal Sage Scrub.

Discussion between Commissioner Harris and Mr. Mejia took place regarding the type of fish that would be put into the TeWinkle Park Lake.

Discussion between Commissioner Stiller and Mr. Mejia ensued regarding the Athletic Field Lighting and whether or not the City would use the same transformer for both the lake and the sports complex at TeWinkle Park.

## **COMMISSIONER'S COMMENTS**

Commissioner Stiller stated that he is concerned with the Park Rangers Report on alcohol violations. Ninety-three violations were issued for the whole city, in which 40 of them were issued at Lions Park. Because of the high amount of alcohol violations, Commissioner Stiller would like for the Commission to reconsider placing a second skate park at Lions Park.

Commissioner Graham invited fellow Commissioners to attend and support the next City Council meeting in which his proposal for Fairview Park would be reviewed.

Commissioner Harris thanked staff for providing great agenda reports for the Commission and appreciates all the hard work staff has done.

Vice Chair Leece mentioned that she received two letters from residents regarding the Canyon Park encroachment issue and would like more information from staff.

Vice Chair Leece stated that she received an e-mail message from Mr. Millard regarding dangerous conditions at Paularino Park and would like to resolve this issue.

Vice Chair Leece mentioned that she attended the Emergency Preparedness Training at the Fairgrounds, which was sponsored by the Costa Mesa Citizen Corp and is free, and recommended the training to everyone.

Chairman de Arakal stated that he is withdrawing his request to agendaize a review of AYSO 97's Group 1 status because he is currently satisfied that staff, the City Council and the community recognized the significant lack of lit fields. Chairman de Arakal also mentioned that he is satisfied that AYSO 97, AYSO 120 and Pop Warner are able to work together and not be rigid in finding a facility. He stated that he reserves the right to bring it up again, if the organizations do not cooperate with one another and/or certain issues, with respect to certain facilities with lit fields, do not materialize. Chairman de Arakal also urged ASYO 97 and 120 regions to respect the traditional boundaries of the 55 Freeway.

Chairman de Arakal reported that the Bristol Street Mixed Used Overlay Committee had completed its work and had developed the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan. Chairman de Arakal also commended Claire Flynn, Development Services/Planning, who spearheaded the committee, Mike Robinson, Development Services/Planning, Perry Valentine, and Shaheen Sadeghi who owns the CAMP and the LAB. He hoped that the City Council would embrace, support and adopt the SoBECA Urban Plan.

Chairman de Arakal stated that he noticed, on the Park Ranger's Report, that Park Rangers would issue citations for non-use of equipment at the skate park, alcohol and parking violations, yet in every instance where dogs were not leashed, only warnings were issued, which is not fair. He encouraged

the police department to cite owners of dogs off-leash and not just warn them.

**ADJOURNMENT:**

The meeting was adjourned at **9:55 p.m.** to the Study Session on Wednesday, October 26, 2005 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  
Director of Public Services