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# CITY OF COSTA MESA

May 27, 2021

## MEETING OF THE PARKS, ARTS & COMMUNITY SERVICES COMMISSION OFFICIAL - MINUTES

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1. **CALL TO ORDER** by Chair Ashendorf at 4:02pm
2. **PLEDGE OF ALLEGIANCE** Vice Chair Rutherford
3. **ROLL CALL**

**Present:** Chair Ashendorf, Vice Chair Rutherford, Commissioner Glabb, and Commissioner Dorn Parker, and Commissioner Andrade-Vallarta (at 4:19pm)

**Absent:** None

**Staff Present:** Jason Minter, Parks & Community Services Director; Monique Villasenor, Recreation Manager; Ashley Thomas Recreation Supervisor; Robert Ryan, Act. Maintenance Superintendent; Raja Sethuraman, Public Services Director; Cynthia D'Agosta, Fairview Park Administrator and Sylvia Chalmers, Executive Secretary;

4. **APPROVAL OF THE MINUTES OF THE APRIL 22, 2021**

**MOTION/SECOND:** Commissioner Dorn Parker moves to approve the minutes/Seconded by Vice Chair Rutherford. Commissioner Dorn Parker amended her motion to approve the minutes with the amendments given by the public/ Seconded by Chair Ashendorf. The motion carried by the following roll call vote:

**Ayes:** Chair Ashendorf, Vice Chair Rutherford, Commissioner Dorn Parker, and Commissioner Glabb

**Nays:** None

**Absent:** Commissioner Andrade-Vallarta

**Motion Carried:** 4-0

5. **PUBLIC COMMENTS**

**Kim Hendricks:** Informed the Commission that her name is misspelled in the minutes. It is not an "x" it is "cks."

**Flo Martin:** Thanked the Commission for making Wilson Park usable. She sees people utilizing the picnic tables every day.

**David Martinez:** Commented on the minutes from the previous meeting. Under item 10 in the previous minutes, his comment mentioned that he raised concerns for dog and bike citations on the Eastside of Costa Mesa. He wanted to clarify he wanted to raise concerns for the Westside of Costa Mesa. He also requested that bike racks be installed in all the parks in Costa Mesa including Shalimar and Wimbledon Park.

**Hank Castignetti:** Gave an update on the Orange County Model Engineers Goat Hill Junction Railroad. They are open for birthday parties, by reservation. To make a reservation, call (949) 54-trains. He also mentioned that the state is intending to drop COVID restrictions on June 15 and he hopes that would

allow them to operate on the third weekend of the month. He is thankful for the support and everything the Commission does for the City, parks and model engineers.

## 6. COMMISSIONER COMMENTS

**Commissioner Dorn-Parker:** Mentioned that she has been meeting with multiple groups involved with Fairview Park. Although she has utilized the park for over thirty years, she feels newly educated and feels like a better-informed citizen. She loves that it is spring and families are out enjoying the parks. She also announced the *LA Times* wrote about the City of the Arts and noting Chair Ashendorf's work on behalf of the City and the arts.

**Vice Chair Rutherford:** No comment

**Commissioner Glabb:** No comment

**Chair Ashendorf:** Shared that the Cultural Arts Committee was able to secure the Segerstrom Plaza for ARTventure, which will be on November 13. It will be a one-day event outside and more details to follow. She also gave staff a shout out for publicizing art on social media and in the public eye. She attended a soft opening of Costa Mesa Senior Center on Wednesday and participated in an outdoor round table in which everyone was socially distanced and masked. The seniors are very excited to come back. She also completed visiting 28 parks out of 32.

7. **CONSENT CALENDAR** – There are no consent calendar items.

8. **OLD BUSINESS** None

## 9. NEW BUSINESS

a.) Tree Removal Request – 1852 Samar Drive

**Mr. Ryan** presented and answered follow-up questions commissioner's had.

### Public Comment:

**Brian Wood:** The applicant thanked the Commission for their time and allowing him to speak. He informed the Commission that he had been living in the home for 7 years and about 4 years ago, he began noticing problems with his plumbing. Sewage had begun coming into his drains and outside his home with no warning. Over the past 3 years he had 6 clean outs. He has points in the report that he disagrees on such as, the roots in the front yard. He mentioned that these trees in particular are known to have big roots that could cause problems to the sidewalks and residents' plumbing. He asked that this tree be removed for health and safety.

**Flo Martin:** Stated if the Commission votes to remove the tree, she hopes they would consider planting new trees.

**Chair Ashendorf:** Asked staff if hydro jetting or realigning the pipes could be a way to resolve this issue.

**Mr. Ryan:** Explained that hydro lining would repair and seal the gaps in the pipes. In turn, would prevent the tree roots from entering into the pipe. He stated that repair would be the homeowner's responsibility.

**Vice Chair Rutherford:** Asked if the synthetic turf lining on the public parkway could be preventing water from getting to the roots of the trees, causing the roots to grow elsewhere.

**Mr. Ryan:** Stated that is a possibility.

**Vice Chair Rutherford:** Stated that the sidewalk had no damage where the tree is. He believes trees are essential to the green infrastructure in the City and should not be removed unless necessary. He asked staff for their recommendation on how to confront the root problem.

**Mr. Ryan:** Recommended the hydro jetting or realigning the sewer line. In his similar personal experience, he dug up his own yard to find the break in the line.

**Commissioner Glabb:** Met with the family and walked on the turf. He mentioned that there is some lift and indentations. He performed research on the City website and found the City can be responsible for damage to a homeowner's sewer lateral when the city trees misaligned or wrap around the pipe itself. He believes the city should further investigate. He believes it should be a category one based on safety and health. He asked staff if having the OC health agency take a look at the pipes would help make a decision. He is concerned for the children in the home.

**Mr. Ryan:** Informed Commissioner Glabb OC Health Agency would not need to be involved.

**Commissioner Dorn Parker:** Reiterated to confirm that Mr. Wood would like them to rule not on the tree but the health and safety issue, so the city would cover the entire amount and replanting. She wanted to confirm that his application was submitted as a category one and not a category three.

**Mr. Ryan:** Answered that he believes it to be a category three.

**Commissioner Dorn Parker:** Shared a personal story that related to the topic and concluded that there is not enough information to ensure it is that tree that is causing the plumbing problems. She shares empathy with the family but would not like the tree to be removed. She asked staff work with Mr. Wood to locate the exact problem.

**Vice Chair Rutherford:** Concurred with Commissioner Dorn Parker.

**MOTION/SECOND:** Vice Chair Rutherford moves to approve staff recommendation with discretion for staff to do whatever is necessary to inspect the sewer issue, find the underlying cause of the problem, and if necessary, provide additional support and consultation to the resident to get the sewer fixed /Seconded by Chair Ashendorf. The motion carried by the following roll call vote:

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

**Nays:** Commissioner Glabb

**Absent:** None

**Motion Carried:** 4-1

b.) Review of the Proposed Capital Improvement Program for Fiscal Year 2021-2022 through 2025-2026

**Mr. Yang** presented.

**Chair Ashendorf:** commented that it has been a joy to see the completion of the Bridge Shelter and Norma Hertzog Community Center.

**Public Comment:**

**Kim Hendricks:** Made a comment about the stairs and Fairview Park possibly triggering measure AA. She would like to see \$250,000 go towards the restoration of Fairview Park.

**Flo Martin:** Informed the Committee that the 2 wooden bridges at Wilson Park need some repair. She recommends for staff to investigate. She also mentioned the north sidewalk on Avocado is not ADA friendly.

**Hank Castignetti:** Mentioned he would like to see funds to support Fairview Park restoration.

**David Martinez:** Stated he likes the plans but did not feel additional parking is needed at Jack Hammett Sports Complex. He also hopes additional areas are being considered for park development. He mentioned to the Committee that Twinkle Park could be improved by connecting the two sides of the park.

**Chair Ashendorf:** Asked how the community will be notified of the capital improvements.

**Mr. Yang:** Informed the Commission that the Public Services Department makes the effort to keep the community engaged through public outreach meetings and social media.

**Mr. Sethuraman:** Added that they also notify the surrounding residents of the project. He also mentioned the team would like to improve in this area and are looking forward to doing so in the incoming fiscal year.

**Commissioner Dorn Parker:** Thanked the staff for making repairs to the sidewalks near her home. She also wanted to confirm if the City works alongside the Chargers in regards to the Jack Hammett projects. She asked if it is possible to find additional resources to support adding Fairview Park as an additional project this fiscal year.

**Mr. Sethuraman:** Fairview Park has some funding from ongoing projects that will be rolled over into the next fiscal year. The Chargers were notified of the improvements, but not because of their contribution for utilizing the field.

**Commissioner Dorn Parker:** Mentioned she will be following up with Mr. Minter to better understand the scope of the improvements.

**Mr. Sethuraman:** Announced that the Wilson Bridges is a project that they have funding for.

**Vice Chair Rutherford:** Wanted clarification about the funding towards Ketchum Libolt Park.

**Mr. Minter:** Explained that there was some pervious funds from years ago and an allocation of per capita funds that goes along with the grant that the City had applied for.

**Vice Chair Rutherford:** Hopes the City is able to receive the grant. He also thanked the staff and City for improving the park access on the Westside. He asked what the decision process was to include the Tanager Park playground replacement versus the Shalimar Park playground.

**Mr. Ryan:** Informed the Commission they have made some improvements to the Shalimar Park equipment over the years and given that Tanager park has workout equipment that is in poor condition and highly used, they will be replacing the equipment for safety and aesthetic.

**Commissioner Vallarta:** Would like to see more plans for the parks in district 4 and 5. Asked to hear about the plans for Westside park development.

**Mr. Sethuraman:** Informed the Commission they need to wait for the funds to build in order to work on developing parks in the Westside

**Commissioner Vallarta:** Asked how the City is engaging Vans in the expansion of the skate park.

**Mr. Sethuraman:** Explained the City is working with skating groups for input but not Vans specifically. He also mentioned there is some interest in having a skate park in the Westside.

**Chair Ashendorf:** Asked when the master plan will be completed.

**Mr. Minter:** Informed the Commission that there is a possibility to complete the master plan by the end of the calendar year.

**Chair Ashendorf:** Requested that trees be planted along Shalimar Park.

**MOTION/SECOND:** Chair Ashendorf moves to recommend to City Council, the fiscal 21/22 CIP improvement budget and the proposed five-year capital improvement budget and include the comments made by the Commission/ Seconded by Commissioner Dorn Parker. The motion carried by the following roll call vote:

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

**Nays:** None

**Absent:** None

**Motion Carried:** 5-0

c.) Consideration of a proposal from the Harbor Soaring Society for the use of the Fly Field at Fairview Park

**Ms. D'Agosta** presented.

**Mike Costello**, president of the Harbor Soaring Society presented.

**Commissioner Vallarta:** Asked Mike Costello how he foresees the enforcement of some of the recommendations.

**Andy Campbell**, Chair of the Fairview Park Steering Committee presented.

**Vice Chair Rutherford:** Thanked everyone for the time and effort they have put into discussing the issue. He asked what justifications the Committee had to relocate the Fly Field to the Eastside versus researching modifications that could be made in the current location.

**Andy Campbell:** Answered in an effort to restore the vernal pools, refrain from planes going in to Waldorf School, and not having sufficient modifications they entertained the idea of moving the flyers to the Eastside.

**Ms. D'Agosta:** Clarified that during the April 14, Fairview Park Steering Committee meeting two motions were considered. One of the motions was to keep the Fly Field on the Westside with modifications and it was not passed but considered.

**Andy Campbell:** Explained the Committee came to that conclusion based on the findings that more species have moved to the park during the time the Fly Fields were closed.

**Vice Chair Rutherford:** Asked if Andy Campbell attended the public meeting with community members when this was being evaluated.

**Andy Campbell:** Answered that he did attend.

**Vice Chair Rutherford:** Explained that it seems extreme to move the location rather than executing modifications.

**Kim Hendricks**, a member of the Fairview Park Alliance presented.

**Chair Ashendorf:** Asked Ms. D'Agosta if the report created by her was new or if it was annual occurrence.

**Ms. D'Agosta:** Answered the report was new.

**Bettina Eastman**, a wildlife biologist representing the Sea and Sage Audubon Society presented.

**Henry Smith:** A member from the Harbor Soaring Society, wanted to express a comment on the surveys regarding the impact of model airplanes and birds. He noted a survey from Sage and Sea included gas powered model airplanes. He reassured everyone that the safety meeting was mandatory for everyone. He stated that the resident birds become adapted to the model airplanes. He also stated that people disturb the birds as much as the planes do. Recommended to open the field to perform research on the impact of model airplanes and birds.

**Chair Ashendorf:** Asked is the Harbor Soaring Society is planning to run different as a 501C3.

**Henry Smith:** The society is in the process of becoming 501 c3.

**Public Comment:**

**Andy Campbell:** Confirmed the survey did contain data from gasoline planes. However, the main finding was the grassland being negatively affected from flyers retrieving their planes. He also clarified his statement of skipping safety meetings was an analogy on how no one should skip a wildlife interaction training because both are important. He also mentioned a study has shown birds that do not have an external reaction still have elevated heart rate and become nervous around planes.

**Wendy Leece:** A member of the Fairview Park Alliance, is concerned about measuring sound and how it can be regulated. She is also concerned about the drones flying in the park when they are not allowed to.

**Jay Humphrey:** A resident, explained that Fairview park has very unique landscapes and should be persevered for years to come.

**Devon Bradley:** A Costa Mesa resident and Sea and Sage Audubon member, informed the Commission that there are multiple members of the Society present. They are present in support of Fairview Park and hope the City will adopt the staff recommendations and take the opportunity to improve the overall protection of the park.

**Kevin K:** A long time Costa Mesa resident would like to see some compromise and give the flyers an opportunity to execute their modifications.

**Matt Garcia:** Informed the Commission that the Harbor Soaring Society has helped him establish a career in STEM. He believes the Harbor Soaring Society makes the park a better and safer place. He also mentioned he voted for measure AA because he wanted to keep the park the same.

**John Ritthouse:** A resident stated that the model air planes that make the most noise are not included in the proposal and the noise from the high school are more intrusive. He also stated that having an adult presence at Fairview Park is beneficial.

**Don Wittenberg:** Stated that the Harbor Soaring Society has created different proposals to reduce their impacts of flying in the park. He believes they should be able to continue use of the field with their modifications.

**Debby Koken:** Stated that the flying hobby is not compatible with Fairview Park. She believes the park should be an open space for the community to enjoy.

**Ella Mumolo:** Stated that flying model airplanes is a great way to encourage people in STEM. She would appreciate if the fly fields were opened again.

**Kim Hendricks:** Stated that Measure AA represents the community opinions about Fairview Park better than the comprehensive evaluation study. She also mentioned that Measure AA was based off the Fairview Master Plan and not the current amenities at the park.

**Henry Smith:** Stated flying is a benefit to the community. He also stated the modifications of the fly field can make the park better overall.

**Hank Castignetti:** Stated the flyers are an asset to the city and should be moved to the Eastside of the park.

**Greg Stone:** Asked to keep the fly field in a modified capacity in order to continue supporting education.

**John Chen:** Thanked the Harbor Soaring Society for their impact in his career. He also expressed he would like to see the society continue to fly and hopes a common ground is found.

**Peter Garbani:** Believes the fly field should have a year trial period with modifications and host only Harbor Soaring Society members.

**Commissioner Dorn Parker:** Thanked the staff, community groups, and citizens for their work to support Fairview Park. She believes the City should partner with a flying organization to help monitor the fly field. She stated she will support the continued use of the fly field with modifications, including a study to relocate the field on the Eastside. She also would like the partner to contribute financially towards the study. The City needs to invest in their own research to measure the impacts of the park. Hopes to find a solution to have an open park for the public to enjoy and protect it.

**Commissioner Vallarta:** Brought up a concern of who would be enforcing the modifications. She also mentions it would be counterintuitive to invest in the rehabilitation of the park and continue to allow flying. She asked the Harbor Soaring Society to consider the use of gliders and relocation.

**Vice Chair Rutherford:** Thanked everyone for their participation towards the issue. He hopes they find a compromise for all the groups to enjoy the park.

**Chair Ashendorf:** Stated their current state, the Harbor Soaring Society members are having a hard time responding to the information they are being given. She mentioned there has to be penalties for those who break the rules and limiting the flying time would be a strong compromise in moving this forward. She would also like the City to engage with the Audubon Society to make a better decision.

**Commissioner Dorn Parker:** Expressed concern about having individual flyers on the field and holding the Harbor Soaring Society as responsible for the actions of non-members. She also believes the field should not be open until negotiations are finished.

**Vice Chair Rutherford:** Stated that he would like to have the field open with modifications and be able to adjust the modifications when it is necessary. He liked the modification of the additional certificate and limiting the time of flight.

**Chair Ashendorf:** Brought up the idea of having the date for reassessment of the fly fields be in September when the Orange County Model Engineers open up again.



**Mr. Minter:** Informed the Commission if a decision is made, there will be a lengthy process to be able to execute.

**Ms. D'Agosta:** Explained her compatibility report contains meeting summaries and she may have to include recommendations for modifications. She informed the Commission that she will include tonight's conversation in the report.

**Commissioner Vallarta:** Asked if there would be an evaluation for environmental impact if the Commission moves forward with the recommendation for modification.

**Ms. D'Agosta:** From the information and guidance provided by the regulatory agencies there can be solid recommendations about the habitat.

**Commissioner Vallarta:** Asked if the modifications would be in compliance of the US Fish and Wildlife.

**Ms. D'Agosta:** Stated the City has been in contact with the US Fish and Wildlife.

**Mr. Minter:** Added it is difficult to stay in compliance when an entire community is involved.

**Commissioner Vallarta:** Asked to confirm how many Costa Mesa residents had permits versus nonresidents in 2019.

**Mr. Minter:** Confirmed there were 34 residents that received a permit in 2019. He also stated that it is difficult to track the users of the fly field that do not have permits.

**Commissioner Vallarta:** Stated seeing the low amount of permits from Costa Mesa residents and not receiving much detail about how students benefit makes it difficult for her to make a connection. She also stated the population ratio in district four and five needs the open space.

**Commissioner Dorn Parker:** Believes the more activities at the park, the more community will come to the park and participate.

**Vice Chair Rutherford:** Moved for a motion to continue the use of the fly field activity at the current location with significant modifications as recommended by the Commission such as: a mandatory training certificate with curriculum developed by the Harbor Soaring Society, require a 501©3 for HSS organization, and see that HSS makes more of an effort in educational aspects for the youth. Adjust permitted flying time/availability of fly field for use based on recommendations from the Audubon Society.

**Commissioner Dorn Parker:** Requested an amended motion to Vice Chairs recommendation to include a stipulation for staff to also modify as they see necessary. With that modification to Vice Chair motion, she would second.

**Mr. Minter** asked if this suspends the evaluation of moving the fly field to the Eastside.

**Vice Chair Rutherford:** Clarified that East Side is still an option, but during the duration of the

evaluation, he requests the current fly field location be available with modifications.

**Commissioner Vallarta:** Asked if the modifications to be considered included moving the fly field.

**Vice Chair Rutherford:** Confirmed the motion is to evaluate the movement to the Eastside but will not include the move in the motion due to not enough evidence being available.

**Commissioner Glabb:** requested to modify it to just silent gliders.

**Ms. D'Agosta:** Mentioned that allowing just gliders has not been investigated and is recommended that we limit the usage rather than one type of aircraft, since it will require review with HSS, AMA, and legal counsel.

**Vice Chair Rutherford:** Agreed with Ms. D'Agosta's suggestion.

**MOTION/SECOND:** Vice Chair Rutherford moved for a motion to continue the use of the fly field activity at the current location with significant modifications as recommended by the Commission such as; a mandatory training certificate with curriculum developed by the Harbor Soaring Society, require a 501©3 for HSS organization, see that HSS makes more of an effort in educational aspects for the youth, adjust permitted flying time/availability of fly field for use based on recommendations from the Audubon Society, include a stipulation for staff to also modify as they see necessary and evaluation of the East Side while the current location is open. Seconded by Commissioner Dorn Parker. The motion carried by the following roll call vote:

**Ayes:** Vice Chair Rutherford, Commissioner Glabb, Commissioner Dorn Parker, and Chair Ashendorf

**Nays:** Commissioner Andrade-Vallarta

**Absent:** None

**Motion Carried:** 4-1

## 10. **Park Ranger Monthly Report** (April 2021)

### **Public Comment:**

**David Martinez:** Mentioned that the bike citation given at Talbert Park makes for the 8<sup>th</sup> bike license citation in that location since October. He also mentioned the Westside has received all the bike license citations.

**MOTION/SECOND:** Chair Ashendorf made a motion to receive and file the report. Seconded by Vice Chair Rutherford. The motion carried by the following roll call vote:

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

**Nays:** None

**Absent:** None

**Motion Carried:** 5-0

**11. Parks & Community Services Director's Report**  
(April 2021)

**Mr. Minter** presented and answered follow-up questions commissioners had.

**Public Comment:**

**David Martinez:** Commented that he cannot attend the upcoming Drive in Movie because he does not have a car. He hopes there are future movie events that he can participate in.

**Mr. Minter:** mentioned that the department is planning a Movie in the Park event later in the summer.

**MOTION/SECOND:** Commissioner Darn Parker made a motion to receive and file the report. Seconded by Commissioner Glabb. The motion carried by the following roll call vote:

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

**Nays:** None

**Absent:** None

**Motion Carried:** 5-0

**12. Adjournment** meeting adjourned by Chair Ashendorf at 7:52pm

**NEXT REGULAR MEETING: JUNE 24, 2021 AT 4:00 P.M., VIA ZOOM WEBINAR**