

Attachment B

October 4, 2022, Parks, Beaches, and
Recreation Commission Minutes

CITY OF NEWPORT BEACH

Parks, Beaches & Recreation Commission
Regular Meeting October 4, 2022 – 5:00 p.m.

I. CONVENE MEETING OF THE PARKS BEACHES & RECREATION COMMISSION TO ORDER – 5:00 p.m.

II. ROLL CALL

Present: Hassan Archer, Chair
 Kate Malouf, Vice Chair
 David Granoff, Commissioner
 Laird Hayes, Commissioner
 Heather Ignatin, Commissioner
 Keira Kirby, Commissioner

Excused: Diane Daruty, Commissioner

Staff: Sean Levin, Recreation & Senior Services Director
 Justin Schmillen, Recreation & Senior Deputy Director
 Micah Martin, Deputy Public Works Director
 Kevin Pekar, Parks and Trees Superintendent
 John Nelson, City Arborist
 Mariah Stinson, Administrative Support Specialist
 Arleem Diaz, Department Assistant

III. NOTICE TO THE PUBLIC

IV. PUBLIC COMMENTS ON CONSENT CALENDAR-None

V. CONSENT CALENDAR

A. Minutes of the Parks, Beaches and Recreation Commission Meeting of September 6, 2022

Recommendation: Waive reading of subject minutes, approve and order filed.

Jim Mosher suggested the election dialog be edited on Page 1 of the draft minutes to reflect who made the nominations for Chair and Vice Chair. On Page 5, he recommended the word “university” be changed to “anniversary” and on Page 6, that OASIS be in all caps.

B. PW Activity Report

Recommendation: Receive/file Activity Report.

C. RSS Activity Report

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

Motion by Chair Hassan Archer, seconded by Commissioner David Granoff, to approve V. CONSENT CALENDAR. The motion carried by unanimous vote.

VI. CURRENT BUSINESS

A. Community Service Award- Eric Tweit

Staff recommends that the Parks, Beaches and Recreation (PB&R) Commission approve the Community Service Award recognition of Eric Tweit to be awarded at a future Parks, Beaches and Recreation Commission meeting.

Recreation & Senior Services Director Levin reported the Ad Hoc Committee unanimously supported Vice Chair Malouf's request that Mr. Tweit receive the Community Service Award.

Motion by Commissioner Heather Ignatin, seconded by Commissioner Keira Kirby, to approve the Community Service Award recognition of Eric Tweit to be awarded at a future Parks, Beaches and Recreation Commission meeting. The motion carried by unanimous vote.

B. Big Canyon Habitat Restoration - Phase 3

Review the feasibility study, comment on the project concept plan, and recommend advancing the project to the City Council. This project is led by the Newport Bay Conservancy (Conservancy) in collaboration with the Department of Fish and Wildlife (CDFW) and the City of Newport Beach (City).

Recreation & Senior Services Director Levin introduced Senior Planner Makana Nova from the Department of Community Development and Heather Ceislak from Newport Bay Conservancy who presented the item to the Commission.

Senior Planner Nova gave an overview of the first two phases of the project, the proposed third phase, the California Environmental Quality Act (CEQA) exemption, the benefits of the project, and the project's timeline. Staff recommended that the Commission recommend approval of the project to the City Council.

Commissioner Kirby inquired about the proposed trail changes. Ms. Nova explained the goal was to improve the tidal wetland area and reconfigure the trail into a loop configuration.

Chair Archer wanted to understand more about the improved water flow of the site. Ms. Ceislak explained the upper stream channel would no longer be connect to the Arizona Crossing. This would improve tidal inflow to help the salt marsh habitats. The lower stream would be realigned to flow out closer to the Big Canyon parking lot to reduce standing water.

Commissioner Ignatin asked what percentage of the land in Phase 3 was owned by the State versus the City and the existing vegetation. Ms. Ceislak answered that 80 percent was owned by the California Department of Fish and Wildlife (CDFW) and 10 to 20

percent was owned by the City. She commented that much of the existing vegetation was invasive and was to be removed.

Chair Archer inquired about signage and Ms. Nova confirmed new educational signage would be installed.

Vice Chair Malouf believed notification would be sent out to residents to explain the proposed changes. Ms. Nova stated there was no requirement for notification and that any noticing would be voluntary. Ms. Ceislak added every Thursday Newport Bay Conservancy was on site and many residents were aware of the project.

Commissioner Hayes asked if staff anticipated that the Coastal Commission would approve the project and Ms. Ceislak answered yes.

Commissioner Kirby requested more details about the new signage. Ms. Ceislak explained there would be signage on the access road looking down on the project site and signage at the trailheads.

Commissioner Granoff asked if all the pepper trees were removed in Phase Two and Ms. Ceislak answered yes, those trees were all removed in Phase Two of the project.

Chair Archer opened public comment.

Jim Mosher recalled the Commission appointed a subcommittee that monitored Phase Two of the project and he inquired if Phase Two was fully complete. He suggested the vicinity map and the design plan be made clearer before the project goes to the Council.

Chair Archer closed the public comment.

Ms. Nova confirmed the main construction portion of Phase Two was complete and was undergoing vegetation monitoring. She confirmed that staff will update the exhibits as requested.

Motion by Chair Hassan Archer, seconded by Commissioner Heather Ignatin, to approve recommending the advancement of the project to the City Council. This project is led by the Newport Bay Conservancy (Conservancy) with collaboration with the Department of Fish and Wildlife (CDFW) and the City of Newport Beach (City). The motion carried by unanimous vote.

C. Marina Park Community and Sailing Center Presentation

Presented by Recreation Supervisor Danny Rice

Recreation Supervisor Rice gave an overview of the facilities, programs available and staff duties at Marina Park and programming on the Peninsula.

Commissioner Kirby shared that many folks have expressed their appreciation about the staff at Marina Park.

Chair Archer opened public comment; seeing none public comment was closed.

Chair Archer concurred with Commissioner Kirby's comment.

D. Review of Council Policy G-1 Notification Procedures

Presented by City Arborist John J. Nelson

City Arborist Nelson reported the Commission requested a review of the G-1 Policy's notification requirements at its September 6, 2022, meeting. He reviewed the administrative history of the policy and the updates made with respect to notification requirements.

Commissioner Granoff asked how complaints were handled for trees posted for removal and the how the calculation of support from adjacent homeowners was determined. Mr. Nelson confirmed there is an appeal process. The 60 percent of adjacent homeowners notified was calculated by the parcel numbers.

Commissioner Kirby understood the 60 percent of signatures that approved the removal of a tree was only required if the home was not in a Homeowners Association (HOA). Mr. Nelson confirmed that is correct and the City had no authority over how an HOA does its notifications. Deputy Public Works Director Martin added that the City does request that HOAs discuss the removal in their meeting and that the minutes of that meeting be provided to the City.

Commissioner Ignatin stated the G-1 Policy was silent on how an HOA notifies its residents and that was the issue. Mr. Nelson reconfirmed that the City does not have direct authority over notification procedures in an HOA.

Chair Archer opened public comment.

Jim Mosher understood the Municipal Operations Department draws a 500-foot radius circle for notification, but that was a different procedure than the Planning Department's notification process. He supported the Municipal Operation Department's method over the Planning Department's method. He commented that sending the Commission's decision about a tree to one Council Member defeated the purpose of having seven Council Members. The decision should be sent to all Council Members. He mentioned that Council recently discussed changing the G-1 Policy to allow a homeowner to replace a City tree if there were no objections from neighbors.

Chair Archer closed public comment.

VII. ANNOUNCEMENTS/FUTURE AGENDA ITEMS

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

Recreation & Senior Services Director Levin announced the Halloween Spooktacular will be held on October 29, 2022, and that the Fostering Interest in Nature (FiiN) program has been a huge success.

John Salazer addressed the concerns about the current condition of the sand at the public beaches. He gave an overview of the changing conditions of the shoreline and how the City maintains the beaches.

Deputy Public Works Director Martin summarized the decision regarding the 938 Sandcastle reforestation request that was appealed to the City Council. The City Council voted to overturn the Commission's decision to deny the reforestation request. As part of the Council's discussion, they requested specific language changes with regard to reforestation of standard trees in the G-1 Policy. Staff will return to the Commission with those suggested changes.

Commissioner Hayes asked what the vote was at Council to overturn the decision and Deputy Public Works Director Martin replied 6-1.

Commissioner Kirby understood Council's decision was not based on the Commission misinterpreting the current policy. Deputy Public Works Director Martin confirmed the Council believed the policy should be changed. Commissioner Kirby stated that based on the available information, the Commission was following the policy to the best of its ability. Deputy Public Works Director Martin and Recreation & Senior Services Director Levin agreed.

Deputy Public Works Director Martin announced that John Nelson was nominated for the Dorothy Palin Employee of the Year Award. On October 13, 2022, an announcement will be made on who the Employee of the Year is.

Commissioner Ignatin requested Staff bring back at a future meeting how many "Tree City USA" signs are within the City, their location, and whether more should be installed.

Chair Archer opened public comment; seeing none public comment was closed.

VIII. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the PB&R Commission. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Commission has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers.

Al Gells, a resident, mentioned that Newport Beach Tennis and Pickleball Club was one of the largest clubs in the country. He requested information about what the City plans to do to replace and provide future sites for pickleball courts.

IX. ADJOURNMENT – 6:13 p.m.

Submitted by: *Mariah Stinson*
Mariah Stinson, Administrative Support Specialist

Approved by: *Hassan Archer*
Hassan Archer, Chair