



**CITY OF SAN CLEMENTE
DRAFT MINUTES OF THE
BEACHES, PARKS AND RECREATION COMMISSION
REGULAR MEETING
TUESDAY, JULY 8, 2014, 6:00 P.M.**

Chair Streger called the Regular Meeting of the Beaches, Parks and Recreation Commission of the City of San Clemente to order on Tuesday, July 8, 2014, at 6:01 p.m. in the Ole Hanson Fireside Room at the San Clemente Community Center located at 100 North Calle Seville, San Clemente, California. Joanne Baade, City Clerk administered the Oath of Office to appointed Commissioner Chitwood and reappointed Commissioner Streger. Commissioner Foy led the Pledge of Allegiance.

PRESENT Commissioners John Bandaruk, Linda Chitwood, Dagmar Foy, Sherry Murphy, Chair Pro Tem Tom Wicks, Chair Steven Streger

ABSENT Commissioner Chris McCormack

STAFF PRESENT Sharon Heider, Beaches, Parks & Recreation Director
Pamela Passow, Recreation Manager
George Blair, Recreation Supervisor
Rod Mellott, Marine Safety Lieutenant
Aeryn Donnelly, Park Planner
Dennis Reed, Beaches and Parks Maintenance Manager
Maile Stivers, Administrative Assistant

1. NOMINATION AND ELECTION OF CHAIR, CHAIR PRO TEM, AND COASTAL ADVISORY COMMITTEE REPRESENTATIVE

MOTION BY CHAIR PRO TEM WICKS, SECOND BY COMMISSIONER MURPHY, AND CARRIED 6-0, electing Steven Streger to Commission Chairperson.

MOTION BY CHAIR STREGER, SECOND BY COMMISSIONER BANDARUK, AND CARRIED 6-0, electing Tom Wicks to Commission Chair Pro Tem.

CHAIR STREGER APPOINTED Chris McCormack to Coastal Advisory Committee Representative.

2. SPECIAL PRESENTATIONS

A. Award from NOAA to Marine Safety Division

Rod Mellott, Marine Safety Lieutenant reported an award was received by the Marine Safety Division from NOAA (National Oceanic and Atmospheric

Administration) for its assistance in reporting rip current information for NOAA to better predict rip current activity.

3. APPROVAL OF MINUTES

A. June 10, 2014

MOTION BY CHAIR PRO TEM WICKS, SECOND BY COMMISSIONER MURPHY, AND CARRIED 5-0-1 WITH COMMISSIONER FOY ABSTAINING, to approve the Beaches, Parks, and Recreation Commission meeting minutes of June 10, 2014.

3. CURRENT COMMUNITY ACTIVITIES AND EVENTS

A. Recreation Division

George Blair, Recreation Supervisor, reported July is "Parks Make Life Better" month recognizing the importance of access to local parks, trails, open space, and facilities to health and development; noted the Recreation Facebook page is asking San Clemente how parks make their lives better; previewed upcoming events including Beach Concerts on 7/31, 8/14, and 8/28, and the Ocean Festival 7/19 and 7/20; and reviewed activities at the San Clemente Aquatics Center including Active Adventures Camp, swim lessons, and a swim meet 7/18-7/20.

B. Marine Safety Division

Rod Mellott, Marine Safety Lieutenant, reported a busy July 4th weekend with over 300 rescues from dangerous surf conditions; noted the death of a City of Newport Beach lifeguard during a rescue; reviewed the colored flag system used to inform the public of ocean conditions; reported Marine Safety is preparing for another busy weekend with the Ocean Festival; and reported the Junior Lifeguard Program is at full capacity and underway.

C. Park Planning

Aeryn Donnelly, Park Planner, presented photos and updates to current projects including the County of Orange Library Expansion project which has started demolition, the County of Orange La Pata Extension project which has necessitated several closures to San Clemente are trails: Forster Ridgeline, Prima Deschecha Regional, and private Talega area trails, the Marblehead Coastal Development 4.5 mile trail system which is under construction, and the Courtney's Sandcastle Sensory Garden which held a groundbreaking ceremony on 6/28 and will be mobilizing Monday.

D. Beaches and Parks Maintenance

Dennis Reed, Beaches and Parks Maintenance Manager, reported a busy July 4th weekend from a Maintenance standpoint; reviewed preparations for the upcoming Ocean Festival weekend; and noted today marked his 35th year with the City.

E. BP&R Activities Report dated 6/10/14

Received and filed.

4. OLD BUSINESS

None.

5. NEW BUSINESS**A. Policy Regarding Requests to Relocate or Replace Public Trees for Private View Purposes.**

Sharon Heider, Director of Beaches, Parks and Recreation, summarized the contents of the administrative report regarding a policy regarding requests to relocate or replace public trees for private view purposes and responded to Commission inquiries.

Mike Smith, stated he enjoyed his time on the Commission, noting he is now on the Planning Commission; opined as a resident of Shorecliffs which had conflict over two-story structures blocking views and now has limitations on structures, there should be a policy to remove trees that block views as well; and opined there are "good, bad and ugly trees", and the good ones should stay, bad ones go, and ugly ones trimmed.

John Hazeltine, stated he is a resident of Talega, and Talega's HOA expressly prohibits the removal of HOA trees to protect private views; opined the removal of public trees is bad public policy; opined individuals seek to remove trees for private benefit, monetary gain, or to protect an investment at the expense of everybody else; opined citizens benefit from the view of developed space being buffered by trees; and opined an ordinance to enhance the urban forest should be crafted.

Michael Kaupp, via a letter read by Patricia Holloway, opined that if Commissioners disagree with staff recommendation, they need to voice their concern, and consider recommending this issue be tabled until a more comprehensive tree ordinance is created as recommended in the Centennial General Plan in order to consider the issue as part of a larger discussion about trees.

Patricia Holloway, distributed a map to Commissioners of homeowners association boundaries in San Clemente; noted as a resident of Rancho San Clemente, that many trees have been removed by the HOA, and the HOA has full authority to require private tree removal and remove trees in common areas; opined that it would be unfair to grant HOAs influence over areas outside of their HOA boundaries; and opined this constitutes privatization of public space.

Bob Keyes, stated his view has been diminished over the last five years from his home near Verde Park; opined the issue is not about enhancing views but restoring views; opined his view and home value being taken away is an issue, and a policy should be created to restore views; and opined a policy that prohibits this from happening in the future should also be created.

Diane Keyes, opined the existing policy should be amended to restore views; opined eucalyptus trees in Verde Park are too tall, block views, and can come down and injure or kill people; opined that eucalyptus trees are a fire hazard that burn quickly and explode; and opined Verde Park trees should be replaced with trees that are safer and do not block views.

Georgette Korsen, opined public trees are precious resources that belong to the community, and tree removal for a homeowners association or individual's ambition for personal gain is a sad proposition; stated the General Plan's intention is to preserve, protect and increase the City's tree canopy; and opined that a tree ordinance as called for in the General Plan should be created.

Alan Korsen, opined the tree policy should not be amended; stated the City Council approved the Sustainability Action Plan which included creating an urban forest and tree preservation program, and the GPAC and Planning Commission discussed, but decided not to include private view preservation; opined replacing a mature tree with a smaller tree is not tree neutral, and would degrade the City's urban forest; and opined introducing an ordinance that is not required and against the intent of the General Plan would be incorrect.

Carol Wonderleigh, opined the policy should be changed; stated she purchased her home in 1994, and opined reading her CC&R's implied to her the City of San Clemente mandated tree heights; opined that the City of San Clemente has let homeowners down by allowing trees to grow tall; and opined eucalyptus are dangerous, explode, are a dirty tree, and can be replaced by a nice tree.

Mike Leifer, opined the policy should be changed; stated the trees around the reservoir near his home are too tall; stated that eucalyptus is no longer on the City's landscape palette; opined the loss of a view ruins the experience of living here, and the loss of a tree does not ruin the experience of living here; and opined the City should be a leader in addressing trees that obscure the views of others, and private property owners may do the same.

Bill Stewart, stated he has lived in San Clemente for 42 years; stated he purchased his home with a panoramic ocean view, and the trees around a City reservoir have become a wall; stated he has spent thousands of dollars having the trees trimmed; opined he is trapped in a bureaucracy; expressed a willingness to adopt the hill and perform maintenance; and opined his ocean view being taken away is not right.

C.L. Snider, stated he has lived in San Clemente for 49 years; stated in the 70's, the City removed trees in Bonito Canyon Park to thin the area; noted recent fallen limbs in Bonito Canyon Park, and opined the trees are dangerous and there may be a lawsuit, accident or fire; opined Verde Park should have been taken subject to Broadmoor CC&R's; stated he wants to enjoy what he paid for 30 years ago; and

stated he is currently suing a neighbor due to a tall pine tree that is taking away his sunsets; and opined views increase property values which brings more money to the City.

George Brody, stated he purchased his home in 1977, and Verde Park was a nice park with small trees; stated he spoke to many of his neighbors, whose opinions included a hope for the City to comply with the Broadmoor CC&R tree height limits; stated several of his neighbors were not concerned about tree heights as their views were not affected; stated all of his neighbors were concerned about walking in the park due to the possibility that large branches may fall; opined eucalyptus trees burn like torches; opined Broadmoor should be given back safety and ocean views; and presented photos of his current view with eucalyptus trees.

Gregg Lipanovich, opined the policy should be changed; stated that home values were taken away; expressed an interest in participating on a subcommittee; stated the City is stupid about trees citing the tree outside the Community Center that drops berries, trees on the side of the golf course that drops seed pods, and trees that grow to 100 feet in Verde Park; and expressed a desire to be contacted by those that agree.

Kathy Martz, stated she has been a resident for 41 years; opined the policy should not be changed; stated she belongs to the Broadmoor Homeowners Association, and does not wish to give them more power; stated she knows the trees are trimmed in Verde Park; noted agreement with a letter submitted by Mike Cotter proposing a tree ordinance; questioned if the trees are removed what Broadmoor will do to the Marblehead outlet center that will also interfere with views; and opined she has a view that is interrupted by trees and likes the view with trees.

Linda Milliken, opined the policy should be changed; opined there should also be a safety review policy; stated fallen branches around the reservoir site have damaged the fence a couple times, and if a tree damages her home the City will be responsible; and stated children hang out in the lot that is not maintained near the reservoir.

Bob Szpila, stated in the 70's when Broadmoor was trying to get its development approved, the City worked with Broadmoor to establish a one-story home and tree height limit to protect the views of the homes above Broadmoor; stated Broadmoor is forced to protect the views of the homes above it, while the City takes views away in Broadmoor; stated there is a species of eucalyptus tree in Verde Park that is not on the park plan; opined the eucalyptus are a fire hazard and a danger; and presented photos of views impacted by trees and park plan documents.

Larry Rannals, stated he is a 29 year resident of San Clemente; opined a change in policy is good for San Clemente; opined views enhance quality of life and value of homes; opined that a policy should be established that allows people to restore views they once had; and opined the trees in Verde Park are not trimmed well.

Bob Joseph, stated he is 20 year resident; stated the comments heard are the same used 50 years ago when he was with the Coastal Commission; stated views are affected by more than trees, manmade structures also impact views, and views go two ways; opined this policy change being initiated by complaints suggests that the issue is individually focused; and opined that for the policy to be changed, the City Council will need to make a finding that there is a public benefit for a tree removal.

Ed Beyer, stated he is a resident in Broadmoor since 1977, and lost his view 25 years ago; stated Broadmoor designed the park, and the City did not follow the directions in allowing tall trees; stated there is an ordinance 8-52-030 requiring private property maintenance if it is detrimental to surrounding property; and opined it is a lie that the trees in Verde Park are trimmed.

Joan Thompson, opined the policy should not be changed; opined it would burden the City to "be judge and jury" in tree disputes; opined the issue is a maintenance issue; and opined the two sites discussed could be dealt with without changing the policy for the entire city.

Rick Loeffler, opined there is a need to address this issue; stated he is a 12 year resident of Rancho San Clemente; noted dealings with the City and homeowners association in attempts to have trees on Calle Del Cerro and overhanging his yard trimmed, citing disagreements between the City and HOA of who is responsible for maintenance.

Jane Davis, opined Ole Hanson emphasized that everyone was entitled to a view of the ocean, and questioned what his thoughts would be.

Jeff Turner, stated he is a resident of Broadmoor and the trees do not affect his view; and opined that a policy needs to be in place to address older areas of the City as eucalyptus would not likely be planted in the park if it was developed today, and the City should have a policy to take care of people who had a view that was taken away.

Larry Culbertson, opined the policy we have is working fine and should not be changed, but if it is amended, replacement should be emphasized.

Judy Jones, stated she is a resident of the Coast; noted the many slopes in San Clemente, and opined trees are needed to support the slopes; and opined a decision should be postponed until a tree ordinance is crafted.

Commissioners discussed the areas in the City that are affected by the policy, a desire for more information and discussion regarding the issues raised by members of the public, and possible work of the subcommittee.

IT WAS MOVED BY CHAIR STREGER, SECOND BY COMMISSIONER BANDARUK, AND CARRIED 4-2 WITH COMMISSIONER MURPHY AND CHAIR PRO TEM WICKS VOTING NOE, to form a subcommittee for the purpose of revisiting the existing policy, and reporting back with any proposed changes.

CHAIR STREGER APPOINTED Chair Pro Tem Wicks and Commissioner Bandaruk to the Subcommittee.

6. PUBLIC INPUT

None.

7. COMMUNICATIONS

None.

8. ITEMS FROM COMMISSION

A. Subcommittee Reports

1. C.A.R.E. Program Subcommittee- Commissioner Murphy questioned the date that City Council will consider the C.A.R.E. Program. Director Heider established the item will be considered at the July 15 City Council meeting.

B. Items from Commissioners

1. Coastal Advisory Committee (CAC) – none.
2. BP&R Foundation – Chair Pro Tem Wicks reported the purpose and activities of the Friends of San Clemente Beaches, Parks and Recreation Foundation; reported a recent successful golf tournament with nearly 100 players; and reported the Carnival Colossal is planned in October.

9. ADJOURNMENT

There being no other business before the Commission, Chair Streger adjourned at 8:16 p.m. to the Beaches, Parks and Recreation Commission regular meeting on August 12, 2014, at 6:00 p.m., in the Ole Hanson Fireside Room of the Community Center, 100 North Calle Seville, San Clemente, CA.

Chairperson and Commissioner of the
Beaches, Parks & Recreation Commission

Beaches, Parks & Recreation Director