



**City of Santa Barbara  
PARKS AND RECREATION DEPARTMENT**

**PARK AND RECREATION COMMISSION  
Regular Monthly Meeting**

**Wednesday, October 22, 2008**

**Minutes**

**CALL TO ORDER**

Chair Longstreet called the Park and Recreation Commission meeting to order at 4:02 p.m.

**PLEDGE OF ALLEGIANCE**

Commissioner Forsell

**ROLL CALL**

**Commissioners & Staff Present**

Commissioner Beebe Longstreet  
Commissioner Steve Forsell  
Commissioner Arnolando Gonzalez  
Parks & Recreation Director Nancy Rapp  
Asst. Parks & Recreation Director Jill Zachary  
Urban Forest Superintendent Timothy Downey  
Street Tree Inspector Randy Fritz  
Executive Assistant Karla Megill  
Recreation Programs Manager Sarah Hanna  
Parks Manager Santos Escobar  
Recreation Programs Manager Judith Cook  
Business Manager Nancy Woods  
Creeks Manager Cameron Benson  
Recreation Supervisor Rich Hanna  
Landscape Architect Billy Goodnick  
Recreation Supervisor Jason Bryan  
Recreation Supervisor I Terry Brown  
Golf Course Manager Scott Jorgensen  
City Councilmember Das Williams  
Recreation Supervisor Jeff Smith  
Assistant Community Services Supervisor Ricardo Venegas

**Commissioners & Staff Absent**

Commissioner Ada Conner  
Commissioner Daraka Larimore-Hall

## **CHANGES TO THE AGENDA**

Ms. Rapp recommended that Item 4A (1), Street Tree Removal and Relocations for the West Beach Pedestrian Improvement Project, be addressed with Item 8, West beach Pedestrian Improvement Landscaping Project.

Ms. Rapp announced that Item 9, Tree/Landscaping Preservation and Enforcement Procedures Update is time certain for 5:45 p.m.

## **WRITTEN COMMUNICATIONS**

Chair Longstreet acknowledged a letter received from Carol Bornstein and Bob Cunningham, members of the Street Tree Advisory Committee; and Bill Spiewak concerning Item 9, Tree/Landscaping Preservation and Enforcement Procedures Update.

Speaker: Gene Tyburn advised the Commission that he was cited for pruning a tree. He said he simply deadwooded the tree. Mr. Tyburn said he would not accept the fine and would go to court. Mr. Tyburn refused to stop speaking when informed his time limit was up. To restore order, the Commission recessed at 4:09 p.m. and reconvened at 4:10 p.m.

**COMMUNITY SERVICE RECOGNITION** – None.

## **COMMISSIONER COMMITTEE ASSIGNMENT REPORTS**

Chair Longstreet reported on the activities of the Creeks Advisory Committee. She further said she attended the Lights on Afterschool event at Franklin School.

## **COMMISSION AND STAFF COMMUNICATIONS**

### 1. Introduction of Parks & Recreation Business Manager - For Information

Ms. Rapp introduced Scott McGregor, PhD, Business Manager. She highlighted his background, education, and experience.

The Commission welcomed Mr. McGregor and said they look forward to working with him.

Ms. Rapp talked about the vacancies on the Commission. She said the application recruitment period ends November 3rd and encouraged members of the public to contact her if they are interested in serving.

Ms. Rapp briefly spoke about the Infrastructure Financing Task Force Report, Keeping Santa Barbara In Shape. She said the Task Force presented the report to City Council on October 21st, and she encouraged the Commission to take the time to watch the discussion.

Chair Longstreet requested that the Commission be invited to the Joint meeting of the Community Center Advisory Committees.

## **YOUTH COUNCIL REPORT**

Intern Torres-Santos provided this report. He thanked the Commission for their willingness to have a Youth Intern serve on the Commission. Intern Torres-Santos talked about the Red Ribbon Week activities. He said that on October 14<sup>th</sup>, the Youth Council hosted a candidates' forum with the League of Women Voters on the School Board, which was a well-attended event. Intern Torres-Santos said the Youth Council is fully staffed, and are forming a Junior High Committee. He said the Youth Council has two junior high representatives.

Mr. Torres-Santos advised that the Youth Council is planning a Speak Out for December 1st, focusing on graffiti, and they are working with Lights on Afterschool to put on a talent contest at Washington School.

## **CONSENT CALENDAR**

2. Summary of Council Actions - For Information
3. Approval of Minutes - For Action

Recommendation: That the Commission waive the reading and approve the minutes of the regular meeting of September 24, 2008.

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to waive the reading and approve the minutes of the regular meeting of September 24, 2008.**

## **STREET TREE ADVISORY COMMITTEE ITEMS**

4. Street Tree Advisory Committee Recommendations - For Action

Recommendation: That the Commission:

- A. Approve the following Street Tree relocations.
  1. West Beach Pedestrian Improvement Project - Cabrillo Blvd. - Earthform Design, Jeannette Candau - (4) Washingtonia robusta, Mexican Fan Palms

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to concur with the staff recommendation concerning the West Beach Pedestrian Improvement Project street tree removals and relocations.**

Ms. Candau advised that they will be creating a panel review for the art project for West Beach Project. Ms. Candau would like a volunteer and would like to address this at the next meeting.

B. Approve the following Street Tree removal request.

1. West Downtown Pedestrian Improvement Project - Earthform Design, Josh Monroy - various street trees on Anapamu and Ortega Streets

Mr. Downey said the interest is to improve the pedestrian experience coming from the overpasses at Ortega and Anapamu over the Highway 101 Freeway. He said the project consists of improved sidewalks, crossings, new street trees, some tree removals where necessary, and pedestrian friendly lighting. Mr. Downey provided a brief presentation highlighting the tree removals. He said there are 18 proposed tree removals; 10 proposed shrub removals, 87 proposed new tree plantings, and a net gain of 69 trees. Mr. Downey advised that the Street Tree Advisory Committee (STAC) recommends the approval of all removals with the exception of the three Tipuana trees. He said the STAC recommendation is to approve only two of the Tipuana trees, citing that it would be too great an impact to lose that many trees.

Mr. Downey advised that the staff recommendation is to approve all of the Tipuana tree removals because it is a good opportunity to make a change. He said staff contends there will not be a big loss of canopy cover with the large trees on the other side of the street.

Mr. Downey clarified that the STAC recommendation is to approve all removals with the exception of the 3 Tipuana trees.

He further clarified the staff recommendation is to approve the removal of all trees, and approve the replacement trees with suggestions to add a few more Cape Chestnuts in the one block of Ortega or Anapamu Street.

Mrs. Rossi, 316 W. Ortega, advised the Commission that she and her husband want to keep the tree in front of their house and asked staff to look and see if it could be saved. She said otherwise, they won't have any trees in front and will have direct sunlight on their home.

Chair Longstreet indicated that it is not identified on the plans for removal. She said the plans she has states the canopy tree is to remain.

Mr. Rossi indicated there is a sign on the large Chestnut tree that indicates it will be removed. He stated he would like it to be nursed back to health. He asked if the other five trees on Ortega Street could continue to be pruned. Mr. Rossi further asked the timing of the project.

Mr. Downey said the tree in front of Mr. Rossi's tree is not scheduled for removal and was possibly posted in error.

Ms. Candau said the project is scheduled for construction March 2009 and will take approximately six months to complete.

Mr. Ryan Tiernan, 408 W. Ortega, commented that the trees on that block are beautiful and agreed with the STAC, that it is excessive to remove them all. He further said a number of the signs that had been on the trees indicating that they were to be removed had been taken down.

Mr. Downey said that in the 100 block where the Tipuana trees are, there will be one Oak tree left.

Chair Longstreet said she visited the 200 Block of Ortega Street yesterday. She said that if root pruning is done, there will be an issue because of all the pruning Edison has done on the trees. Ms. Longstreet said her gut is to lean towards the STAC recommendation, but the block will be softened by the Oak tree, and it may work because the majority of the canopy comes from the other side of the street. She said she doesn't want to stop the project and the sidewalk repair.

Chair Longstreet asked about the root pruning that will need to be done on the trees. Mr. Downey said he does not know the extent of the damage to the trees until the sites are opened up. He further said he concurs with the Street Tree Advisory Committee on two trees, 222 W. Ortega and 703 De la Vina Streets.

Commissioner Gonzalez asked whether the tree will be in danger of falling once the roots are pruned.

Mr. Downey said it is true that when you prune the roots of trees they are at more risk of toppling over. He said if the Commission chooses to have the trees remain, the trees will be monitored closely. Mr. Downey stated that if it becomes a safety issue, staff will look at solutions such as possible removal.

Chair Longstreet said the project is wonderful. She said she appreciates the access from the Westside to downtown; the corridor is heavily used. Ms. Longstreet said it is important for the pedestrian amenities and the sidewalk amenities. She further said would like to save one or two of the trees, but is not willing to sacrifice the look and feel of the project on a tree that is declining.

**Commissioner Steve Forsell moved, seconded by Commissioner Arnaldo Gonzalez, and passed 3/0 to approve Item 4B(1) to concur with the staff recommendations.**

C. Deny the following Street Tree removal requests.

1. 9 La Cadena St. - Ernesto Santillan - Persea americana, Avocado

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to concur with the staff recommendation concerning the removal of the Persea americana tree located at 9 La Cadena Street.**

2. 322 W. Pedregosa St. - Cynthia Ellestad - Eucalyptus ficifolia, Red Flowering Gum

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to concur with the staff recommendation concerning the removal of the Eucalyptus ficifolia tree located at 322 W. Pedregosa Street.**

D. Approve the following Setback Tree removal request.

1. 1233 Alta Vista Rd. - Action Tree for Satterfield Property Management  
- (2) Quercus agrifolia, Coast Live Oak

Ms. Lawson, 1233 Alta Vista Road, said the removal of the trees will significantly affect her apartment. She said it shades her apartment and provides a home for nesting birds. Ms. Lawson said the tree is currently bare, but when it is full, it is beautiful. She urged the Commission to consider not removing the two trees.

Ms. Mora, 1233 Alta Vista Road, concurred with Ms. Lawson's comments.

Ms. Lawson requested that the request be denied until they can have further dialogue with the owner.

Commissioner Forsell asked what the size of the replacement trees would be and how much shade or protection would they provide as compared to the existing trees.

Mr. Downey said the two trees that are the subject of the request are on the side of the property. He said there are adjacent street trees between the street and the property on that side and there would not be room on that side to replace the street trees. Mr. Downey said the replacement trees are typically are 15-gallon size. He further said there is a need to have trees on that side of the property.

Commissioner Forsell asked whether the replacement trees would correct the concerns of the two residents.

Mr. Downey said it would not. He said there are street trees adjacent to these trees that do help with the shade.

Chair Longstreet commented that depending on what occurs tonight, the residents could still contact the owner and he could stop the removal process. Mr. Downey said that is correct, if the Commission approves the removals, the owner does not have to go through with the removal; it is at the discretion of the owner.

Commissioner Gonzalez asked how far the other trees are from the building.

Mr. Downey said the trees are currently about eight feet from the building and two feet from the sidewalk. He said the adjacent street tree would be in the parkway on the other side of a four-foot sidewalk. Mr. Downey said there is about seven feet separating the street tree from these two trees.

**Commissioner Steve Forsell moved, seconded by Commissioner Arnaldo Gonzalez, and passed 3/0 to defer action on item 4D(1) until next month until the residents have the opportunity to discuss this matter with the landlord and see if he returns with the same request or not.**

## **ADMINISTRATIVE AND STAFF REPORTS**

### 5. Franklin Center Renovation Project - For Information

Recommendation: That the Commission receive a presentation on the joint City and County renovation project at the Franklin Neighborhood Center.

Ms. Venegas provided this report.

### 6. Fiscal Year 2008 Annual P3 Performance Measurement Report - For Information

Recommendation: That the Commission hear a report on the Parks and Recreation Department Fiscal Year 2008 Performance Measurement Program (P3).

Ms. Rapp provided a discussed Fiscal Year 2008 P3 highlights.

The Commission praised staff's performance.

Intern Torres-Santos said it is great to see the number of youth participating in the Department programs.

7. Fiscal Year 2008 Annual Contributions Report - For Information

Recommendation: That the Commission receive a report on the donations and grants received by the Parks and Recreation Department during Fiscal Year 2008.

Mr. McGregor provided this report.

**OLD BUSINESS**

8. West Beach Pedestrian Improvement Landscaping Project - For Action

Recommendation: That the Commission:

- A. Review and approve the proposed Street Tree relocations; and,
- B. Provide recommendations to the Historic Landmarks Commission and City Council regarding the proposed West Beach Pedestrian Improvement Project.

Mr. Escobar introduced this item and provided a brief overview of the project.

Ms. Candau said the Commission has not received a report on this item since 2007. She introduced Steve Yates, Conceptual Motion Company, and Sam Maphis, Earthform Landscape Designs.

Mr. Yates provided a presentation on the West Beach Pedestrian Improvement Landscaping Project. He said the Commission is being asked to approve the street tree removals and provide comments to the Historic Landmarks Commission.

Commissioner Forsell expressed concern about the additional financial burden of \$20,000 per year. He asked staff whether a way has been proposed to generate the funding or will it come from another source. He further asked if the figure is accurate for the additional work.

Ms. Rapp responded saying that the City Administrator asked the Parks and Recreation Department to comment on the design in terms of the sustainability, regardless of who was going to maintain it, that it was a good design, and in the best interest of the City. Ms. Rapp said staff has done that and provided the estimated maintenance costs. She said that the decision as to who will maintain it and how it will be funded has not yet been made. Ms. Rapp indicated that the options are that it could be given the Parks and Recreation Department, Waterfront Department, or event the Public Works Department. Ms. Rapp said staff has heard there is a willingness to have a discussion about the possibility that the businesses in the area could do some



kind of assessment district. Ms. Rapp reiterated that a decision has not yet been made and stated that if the Commission is concerned about the possible impacts to the Parks and Recreation Department budget, it is appropriate to make those comments.

**Commissioner Comments:**

Commissioner Forsell expressed concern about the additional financial impact to the Parks and Recreation Department.

Chair Longstreet expressed concern about the area between Los Baños Pool and stated that she would like that area planted heavily with unfriendly plants in the areas that people sleep currently and, to make it as safe as possible.

Chair Longstreet commented that she is not a major supporter of the Flag Pole. She said she likes looking out at the boats, but she is not sure the Flag Pole serves the purpose over the long-term. Ms. Longstreet said she believes the signage will serve the purpose and it will be more economical.

Chair Longstreet talked about the trees at Ambassador Park; she said she is a fan of the historic look of matching palms down Cabrillo Boulevard. She expressed that she does not think Ambassador Park will be addressed by moving the two trees across the street. Ms. Longstreet said the paving and etching and other amenities put in will do the same thing, and the historic look of the palms will still be there.

Chair Longstreet said she too shares the concern regarding maintenance and the impact to the Parks and Recreation Department.

Chair Longstreet asked whether the Refuge Islands will be planted or mainly hardscape with boulders.

Sam Maphis responded saying that they will be mainly planted, so as a parkway median they will be mostly landscaped to about 18-inches high to a flowering, interesting foliage pattern. He said there is one area on the small side of the median will be paved with a hard material with a stone like pattern. Mr. Maphis said the reason that area will not be planted is a traffic issue. He said it is to accommodate the turning radius of larger trucks and dredge equipment coming into work the Harbor during the annual contract.

Chair Longstreet inquired as to the square footage on the opposite side. Mr. Maphis indicated he would estimate it to be 35 to 40 square feet; substantial enough so that the plantings will be seen as a break and will tie into the parkway and some of the plantings on both sides.

Chair Longstreet expressed concern that the medians on Carrillo Street are not

particularly pretty and difficult to maintain. She said she does not want something set up that is difficult to make attractive and put staff out there maintaining something in an unsafe location. Ms. Longstreet commented that if there could be more hardscape, something less maintenance oriented, that would be her goal.

Chair Longstreet reiterated that she would like to see all the palms match along the Boulevard. She acknowledged staff's safety concerns, but said it is more aesthetic.

Mr. Downey said the Street Tree Advisory Committee recommends approval of the landscaping plan as is, on the condition that the Phoenix Palms that will be placed along the street would have a minimum of 20 feet of height before the first green fond on the tree. Mr. Downey indicated that staff, for various maintenance and safety reasons, does not recommend placing the Canary Island Palms on the south side of Cabrillo Boulevard. He said the designated species for that side of the street is the Washingtonia Robusta. Mr. Downey stated there are maintenance and safety issues regarding falling debris at that location.

There was some question as to what was included in the staff recommendation for item 4A (1). Ms. Rapp asked Mr. Downey to clarify the staff recommendation. Mr. Downey said the staff recommendation is that the relocation of Palms be approved to be consistent with Washingtonia trees along Cabrillo Boulevard not the Phoenix. He said that does include the relocation of some trees to Sea Landing, some trees within the relocated slightly at the intersections. Mr. Downey said the relocations would be approved, except that staff does not recommend Phoenix be planted on Cabrillo Boulevard.

The Commission concurred there was not need to revisit the motion for item 4A (1).

Chair Longstreet asked whether the Commission still needed to address the species change. Ms. Rapp indicated that when they concurred with the staff recommendation for item 4A (1) they included the approval of the removal, the relocation, and that the Palms on Cabrillo instead of the Canary Island Pine will be the Washingtonia Robusta.

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to approve the landscaping plan as presented, with the comments the Commission is concerned about the maintenance cost going forward, and to incorporate in to the recommendations the specific comments made by Ms. Longstreet with regard to various items.**

9. Tree/Landscaping Preservation and Enforcement Procedures Update - For Action

Recommendation: That the Commission:

- A. Receive a presentation on the Tree and Landscaping Preservation and Enforcement Procedures Update; and
- B. Provide recommendations to the City Council regarding proposed revisions to City policies and enforcement procedures related to the protection of trees.

Ms. Zachary provided this report.

**Public Comment:**

Wesley Brown read a letter from Bill Spiewak. A copy of this letter is on file in the Parks and Recreation Department.

**Commissioner Comments:**

Commissioner Forsell commented that the modified proposed fine structure appears to be equitable and he believes it is best to base fines on the trees rather than on whether the violator is a tree company, single family owner, or multiple family owner. Mr. Forsell asked who determines what the fine will be and whether there is a minimum fine.

Mr. Downey said the proposed fine structure is designed to provide flexibility. He said if a violation is minor and a fine is not warranted, there could be no fine, and if warranted, there could be a higher fine as determined by the level of the violation primarily determined by Code Enforcement or the Arborist.

Commissioner Forsell asked whether an individual would have the right to appeal a fine to the Park and Recreation Commission or to City Council.

Mr. Vincent, City Attorney's Office, said the fine structure would be the fine structure applicable to administrative citations. He said the Administrative Citation Process would be administered initially by a Code Enforcement Officer through the Community Development Department. He said a party who receives a citation from a Code Enforcement Officer does have an appeal right and may have an administrative appeal hearing by Hearing Officer from another Department. Mr. Vincent indicated that after that hearing, there is one final level of appellate review, which is with the Superior Court system.

Commissioner Gonzalez commented that he suspects there are many families in Santa Barbara who are not aware of the rules and regulations, and

asked regarding the penalties, how the Department will educate the public on the new policies before they are implemented.

Mr. Downey said the Department will use all available means to educate the public. He said there have been recommendations to use of water bill inserts, public meetings, newspaper advertisements, etc. Mr. Downey said that if a violation occurs, knowledge of the ordinance may play into the level of the violation.

Commissioner Gonzalez asked regarding the various companies who do pruning for the City, whether a specific person provides guidance to those individuals in regards to the rules and regulations.

Mr. Downey said the contracts are written in such a way that they are specific about the types of pruning the contractors are schedule to do. He said the contractors are required to have a certified Arborist on site while pruning occurs, and, in addition, Forestry staff check on their work periodically to make sure they are complying with the work they are contracted to do.

Chair Longstreet asked how staff determines whether 1/3 or 1/4 of the tree is removed.

Mr. Downey responded saying that the Best Management Practices and American National Standards Institute (ANSI) A300 pruning standards mention 1/4 of the foliage of the tree can be removed. He said the Municipal Code states that 1/3 of the size of tree can be removed. Mr. Downey said that if he comes in contact with a tree that has been pruned, based on his knowledge of the species and the size of the cuts, he can determine how much of the size of the tree has been removed. He stated that if 1/4 of the foliage were the specification, it would be difficult to determine after the fact whether more than 1/4 had been removed. Mr. Downey indicated that is part of staff's concern about going to the other standards.

Chair Longstreet asked whether if you prune 1/4 this year then 1/4 next year, will the City be able to stop that gradual removal of a tree.

Mr. Downey said that the 1/4 of the tree removed in a 12-month period as specified in the Best Management Practices and ANSI Standard is based upon tree growth rates, and would no significantly reduce the size of the tree over time. He said the tree can biologically accept that kind of treatment and still provide the benefits to the community.

Chair Longstreet said she agrees with the new proposed fine structure and stressed that it needs to be a deterrent fine structure. She stated that education on the front end is most important.

Chair Longstreet concurred with not wanting to take on a great deal more in enforcement within the Department. She said she would rather the Department do what it does well, than take on more and not be able to do any of it very well. Ms. Longstreet stated that this is not the time to address other private trees and things not currently spelled out.

Chair Longstreet asked whether the Department will get involved in landscape plans the Commission does not review. She expressed concern regarding this.

Ms. Zachary said that currently the Department's involvement is related to existing trees protected under the City's Municipal Code.

Chair Longstreet commented that bringing everything together in one package is very important.

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to accept the staff tree and landscape preservation procedures update and forward to City Council with the Commission's comments.**

## **NEW BUSINESS**

## **ADJOURNMENT**

**Commissioner Steve Forsell moved, seconded by Commissioner Arnoldo Gonzalez, and passed 3/0 to adjourn the meeting.**

Respectfully submitted,

Nancy L. Rapp  
Parks and Recreation Director