PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 24, 2015 **ITEM NUMBER: 8c**

SUBJECT: TREE REMOVAL REQUEST - 1653 LABRADOR DRIVE

DATE: SEPTEMBER 14, 2015

FROM: PUBLIC SERVICES DEPARTMENT, MAINTENANCE SERVICES DIVISION

PRESENTATION BY: BRUCE A. HARTLEY, MAINTENANCE SERVICES MANAGER

FOR FURTHER INFORMATION CONTACT: BRUCE A. HARTLEY (714) 754-5123

RECOMMENDATION

Deny the request to remove one (1) City owned parkway tree growing in the public right-of-way in front of 1653 Labrador Drive.

BACKGROUND

The Applicant visited City Hall in April 2015 to request changes in the amount of damaged sidewalk to be replaced in front of his home as part of a future Parkway Maintenance Project. At that time, staff mistakenly directed him to the City Arborist. At a meeting on April 29, 2015, at the Applicant's residence, the Arborist spoke with the Applicant, confirming that he did not wish to have root pruning completed or the tree removed. The Applicant voiced his opposition to grinding or ramping the raised areas of sidewalk.

On April 30, 2015 a Costa Maintenance work order was generated by the Arborist to have the sidewalk ramped and ground. He also forwarded a request to the Engineering Division to have the location added to a future concrete repair contract.

The Maintenance Services Division was contacted by the Applicant via telephone on May 20, 2015, requesting that the tree be removed due to the roots lifting the sidewalk and damaging both the curb and gutter.

On May 26, 2015, the City's Street Maintenance crew installed two asphalt ramps to address areas where the concrete sidewalks had risen approximately one and one-half inch (1.5") and ground two locations with raised concrete of approximately three eights inch (3/8"). At that time, the crew informed the Applicant that those were temporary measures to insure the safety of pedestrians until such time as permanent repairs could be made.

On June 5, 2015, the Acting City Arborist inspected the tree. The reported problems with the tree were evaluated and a determination was made that raised concrete did not meet the threshold to remove the tree. On June 18, 2015, the Applicant contacted Maintenance Services to express his dissatisfaction with the ramps and grinding performed on the sidewalk. Ramps were re-checked by the Street Maintenance staff on June 23, 2015 and found to be satisfactory.

On July 20, 2015, the Acting City Arborist met with the resident informing him the tree did not meet the criteria for the City to remove it at no cost to the resident. The resident was provided the tree removal criteria. The Acting City Arborist recommended root pruning and the installation of root barriers.

The Applicant submitted a written request to the Maintenance Services Manager on August 7, 2015. See Attachment 1. In the letter, the Applicant sites several reasons for requesting removal of the tree: Damage to the parkway, sidewalk and sprinklers; and the desire to install artificial turf in the parkway.

ANALYSIS

The tree is an American Sweetgum, *Liquidambar styraciflua*. The tree was found to be in good health with no apparent structural issues or diseases present. The tree is approximately twenty-feet (20') in height with a trunk diameter of seven and one-half inches (7.5"). It is growing in a parkway that is five and one-half feet (5.5') in width, adjacent to a sidewalk that is four feet (4') in width. The tree has been maintained by the City on a consistent 3-4 year cycle. The tree was last trimmed on January 7, 2014. There is no record of any root pruning being performed or root barrier being installed at this location. See Attachment 2.

During the Arborist's inspection, it was observed that the roots of the tree had lifted the sidewalk, which had been ramped and ground smooth. Root pruning and installation of a root barrier would stop any further root intrusion into the private property and would protect the sidewalk from any further lifting or damage.

The tree is not a risk to the health and safety of the public. It is not dead, diseased or dying and does not appear to be creating any significant exposure to liability for the City. The tree does not meet the criteria for a staff level authorization for removal, as stated in the Streetscape and Median Development Standards. The City Arborist evaluated the tree for possible relocation, but believes due to the size and cost of relocating the tree, relocation is not recommended. The sidewalk will be repaired in the near future, with any problematic roots removed and barriers installed to prevent future damage.

The Applicant has been notified of the Parks and Recreation Commission meeting and has been sent a copy of this staff report.

ALTERNATIVES CONSIDERED

1. The Commission could authorize the removal of the tree as a Category 1 – 'Health and Safety' removal with all removal and replacement costs paid for by the City and determine if a replacement tree is to be planted.

2. The Commission could authorize the removal and replacement of the tree, per the Streetscape and Median Development Standards, Section 4.0.3 Category 3 – Discretionary Removals, which would require the replacement of the tree with one (1) twenty-four inch box-size tree and two (2) fifteen gallon-size trees to be planted elsewhere on City property. The applicant would pay all removal and replacement costs.

If the tree removal is approved by the Commission, the payment for the removal of the parkway tree and any required mitigation trees must be provided to the City prior to removal and within one year from the date of final approval, after which the approval expires.

FISCAL REVIEW

There would be no fiscal impact to the City if the request to remove the tree was denied, or approved as a Category 3 - Discretionary Removal, as the Applicant would pay all costs.

For the Commission's information, removal cost for this tree would be $112.50. The replanting costs for the mitigation trees (1 – 24" box size and 2 – 15 gallon container size) would be $425. Costs are based on current City contract prices. The total cost for removal and replacement would be $537.50.

If approved as a Category 1 – Health and Safety Removal, the cost to the City for the removal would be $112.50; with a cost of $225 for the installation of one 24" box-size replacement tree. Total cost would be $337.50.

The value of the tree is estimated to be $1,380.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The City-owned tree that has been requested to be removed at City expense is located within the public right-of-way at 1653 Labrador Drive. The tree is in good condition, has been maintained appropriately on a regular schedule and is not causing any damage to vital infrastructure; it does not meet the criteria for removal. It is recommended that the Commission deny the request to have the tree removed and to direct City staff to coordinate root pruning and the installation of eighteen inch (18") deep root barriers to protect public and private property improvements.

BRUCE A. HARTLEY
Maintenance Services Manager

ERNESTO MUNOZ
Public Services Director

ATTACHMENTS:
1. Letter From Resident
2. Tree Information, Maintenance History and Work Orders
3. Photographs

C: Robert Harrington
1653 Labrador Drive
Costa Mesa, CA 92626

ATTACHMENT #1

RECEIVED
AUG 07 2015

Bruce Hartley
City of Costa Mesa
P.O. Box 1200
Costa Mesa, CA 92628

Dear Mr. Hartley,

I'm writing to ask for your assistance in having the tree removed in front of my residence. I was in touch with Jim Ortiz and he said that this particular job fell under your area of responsibility. I have been approved by the Orange County Municipal Water district to receive a rebate for the removal of the grass in my front yard and parkway, replacing it with artificial turf. The problem is that the tree has caused a great deal of destruction to the parkway, the sidewalk and my sprinklers. Mr. Ortiz also stated that he can see some branches are diseased.

I would appreciate it if you could give me a call and or visit my home to see what help you can provide.

My residence is:
1653 Labrador Drive
Costa Mesa, CA 92626

[redacted]

Thank you,

Bob Harrington

Robert Harrington

City of Costa Mesa
Maintenance Services Division
FIELD INSPECTION – TREE INFORMATION

ATTACHMENT #2

Date Request Received: **June 25, 2015**

Name of Resident: **Bill Harrington** Requesting Party: **Same**

Address: **1653 Labrador Drive** Address:

Date Inspected: **July 20, 2015**

Inspected By: **Jim Ortiz**

Tree Species: **Liquidambar** Removal Cost: (DBH x $ 15.00)= $ **112.50**

Height: **20 Feet** Width of Sidewalk: **4 Feet**

Trunk Diameter: **7.5 Inches** Size of Right-of-Way: **55 Feet**

Health: Good☒ Fair☐ Poor☐ Date of Last Pruning: **1/07/14**

Is the Tree a good candidate for Relocation? Yes☐ No☒

Likelihood of survival: Good☐ Fair☐ Poor☒

Comments:

Concrete Damage: Yes☒ No☐

If Yes, describe damage: **Damage to Sidewalk. Two 1.5" ramps installed and two grinds completed on 5/26/15.**

Can the Tree be Root Pruned: Yes☒ No☐ Date: _____

Root Pruning Comments: **Tree evaluated. Recommendation is to root prune and add 18" root barriers.**

Date of Response to Resident: **Various**

Date Information Packet Mailed: **Hand delivered 7/20/15.**

Photos Taken: Yes☒ No☐ Date Photos Taken: 7/09/15

Photo #1: **Street view looking west**

Photo #2: **Street view looking east**

Photo #3: **Street view looking at tree**

Photo #4: **Base of tree**

Photo #5: **Ground Sidewalk**

Photo #6: **Ramped Sidewalk**

Photo #7: **Ramped Sidewalk**

Site Detail (33.681358038218,-117.92649443735)

District	Address	Location	Species	DBH	Height
5	1653 LABRADOR DR	Front-1	*Liquidambar styraciflua* AMERICAN SWEETGUM	07-12	15-30

Condition	Maintenance	Removal Priority	Estimated Value	Parkway Type	Parkway Size
Good	Grid Trim	N/A	$1,380	Parkway	5

Utility	Valid
No	Yes

Work History

Crew	Work Date	Work Type	Job #/Acct #	Amount
WCA	1/7/2014	Grid Prune - 15% thinning	25119	$46.00
WCA	7/30/2010	Grid Pruning	16780	$46.60
WCA	6/29/2007	Grid Pruning	10489	$43.50
WCA	12/18/2003	Grid Trimming	6173	$41.50

Notes

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Subject:
sidewalk replacement request
Detailed description:
Property owner went to City Hall 4th floor and was referred to City Arborist, but was annoyed that his issue was routed to the wrong person. Requestor does not wish to have tree root pruned or removed, but instead wants sidewalk situation assessed by an Engineer to have more sidewalk replaced than what appears to be marked out for future replacement.

Req'd date:
2015-04-30 (**Request entered by:** Doug Kokesh)
Req'd by:
Mr. Harrington
Location:
1653 Labrador
Phone:
[redacted]

Work Order Nr:
15040517
District:
0
Supervisor:
Street Section
Employee:
Lindemann, Bruce
Call back needed:
N
Contacted date:
2015-04-30
OSHA safety concern:
N
Status:
Closed
Completion date:
2015-05-26
Inspection date:
2015-05-26
Hours:
1 **Minutes:** 0
Material cost:
0.00

Action taken:
4/29/15 site visit...property owner expressed that he would be upset with the unsightliness of sidewalk grinds, even though there are currently 2 - 1/2"+ uplifts. Message left with Larry Dreiman regarding matter and requestor's contact information. DK. I emailed Larry Dreiman on 5/1/15 in regards of this matter, he did reply back to assure me the matter has been sent to engineering and will be taken care of (DK).On 5/26/15 City staff did two 1.5" a/c ramps and two 3/8" sidewalk grinds at the above location. Staff informed homeowner this is a temporary repair to eliminate any possible liability issues. This work order has been forwarded to engineering.

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Subject:
Tree removal request; roots lifting sidewalk and damaging curb/gutter.
Detailed description:
Tree removal request; roots lifting sidewalk and damaging curb/gutter. Doug Kokesh has been in contact with resident, however no work order was generated for the tree/roots; a work order was generated on 4/30/15 to address the sidewalk issue only.

Req'd date:
2015-05-20 (**Request entered by:** MStueve)
Req'd by:
Mr. Harrington
Location:
1653 Labrador
Phone:
[redacted]

Work Order Nr:
15050621
District:
0
Supervisor:
City Arborist
Employee:
Ortiz, Jim
Call back needed:
Y
Contacted date:
2015-05-20
OSHA safety concern:
N
Status:
In Progress
Completion date:
0000-00-00
Inspection date:
2015-06-05
Hours:
0 **Minutes:** 30
Material cost:
0.00

Action taken:
6/05/15 - Inspected tree and tree does not meet the removal criteria. I will recommend to the City's Arborists a Category 3 removal - JO 6/18/15 - Left message with resident informing him that the tree in the front parkway does not meet criteria for removal. I did ask him to call me back so we can discuss his options. I did mention the potential of root pruning and installing root barriers on the sidewalk side of the parkway. I am waiting for a call back from the resident - JO 6/18/15 - Resident left message on my office phone indicating that he is on vacation in Montana and is not happy with the decision and goes to church with the mayor and will let him know of my decision. Resident stated that he will be back from vacation on July 17th and wants to set up a meeting with me. 6/19/15 - Resident called back and provided me his cell phone number and to have him call him back. I called back the resident and explained to him that I can meet him when he returns from vacation to provide him some options on his tree. The Resident informed me that he would call me back when he returns from vacation on July 17th to set up a meeting with him - JO 7/17/15 - Contacted by resident and we set up meeting for Monday, July 20th at 9:00 am - JO 7/20/15 - Met Mr. Harrington at 9:00 am in front of his residence. I provided Mr. Harrington the criteria for removal, The CMSD SLAP forms and a letter with the contact information in regards to writing a letter to Bruce H. and the address to send the letter. I informed Mr. Harrington that my recommendation was to root prune/root barrier - JO

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Subject:
Street and Sidewalk Issue
Detailed description:
6/18/15 - Resident is requesting that the overlay of the street in front of his home be evaluated to see if the overlay was done correctly.
Resident is also not please with the sidewalk ramp that was installed by "City staff". Please review the 2 issues - JO

Req'd date:
2015-06-19 (**Request entered by:** Jim Ortiz)
Req'd by:
Mr. Harrington
Location:
1653 Labrador
Phone:
[redacted]

Work Order Nr:
15060811
District:
2
Supervisor:
Street Section
Employee:
Santos, Juan
Call back needed:
Y
Contacted date:
2015-06-19
OSHA safety concern:
N
Status:
Closed
Completion date:
2015-06-23
Inspection date:
2015-06-23
Hours:
1 **Minutes:** 0
Material cost:
0.00

Action taken:
6/23/2015- Staff responded to location and evaluated ramps performed by city staff to ensure no potential trip hazard was remaining. Upon inspection, both ramps are in perfect condition eliminating any potential tripping hazard. Also, spoke with City Inspector in regards to overlay request, Inspector will evaluate and make a decision if project was performed correctly.

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ATTACHMENT #3

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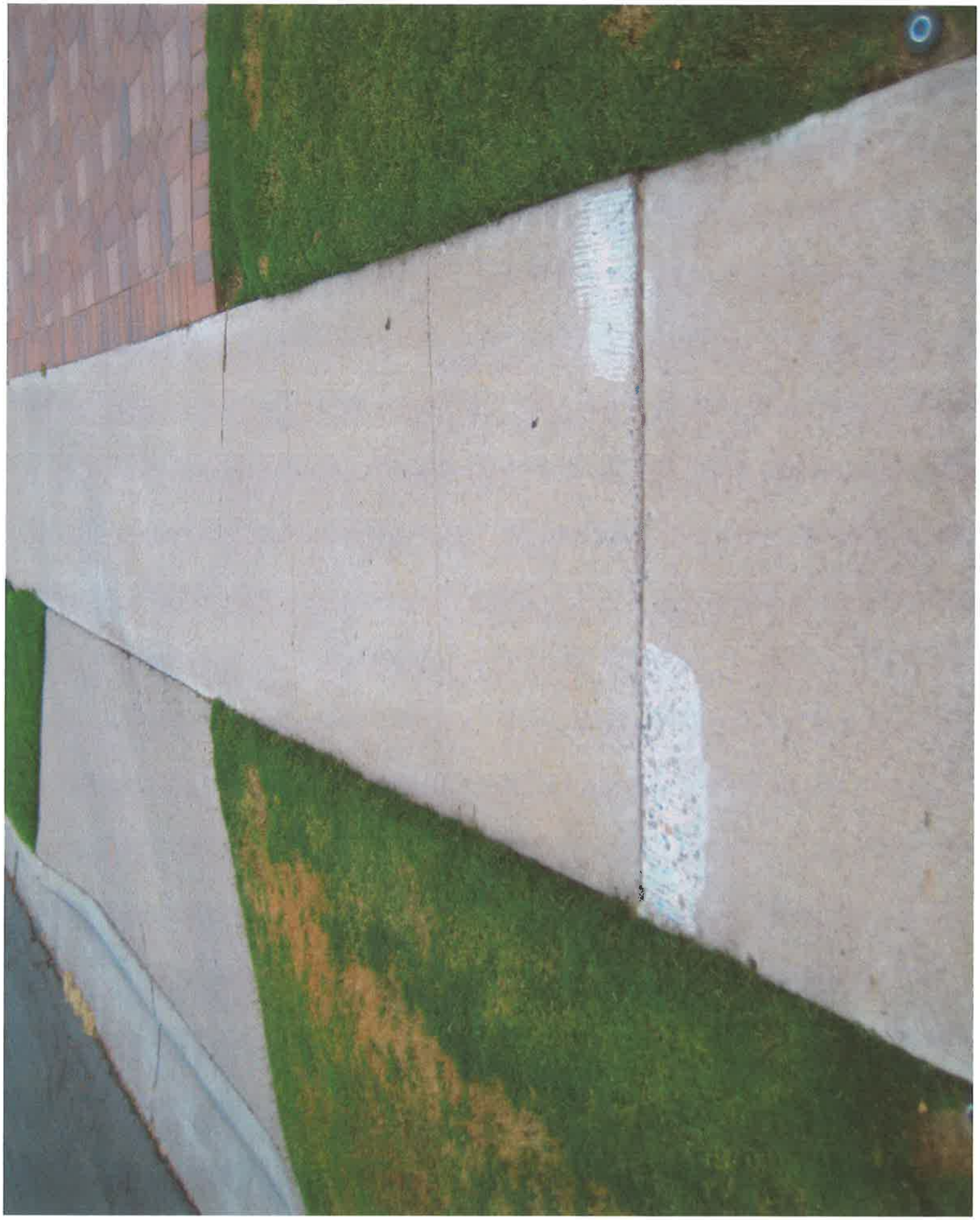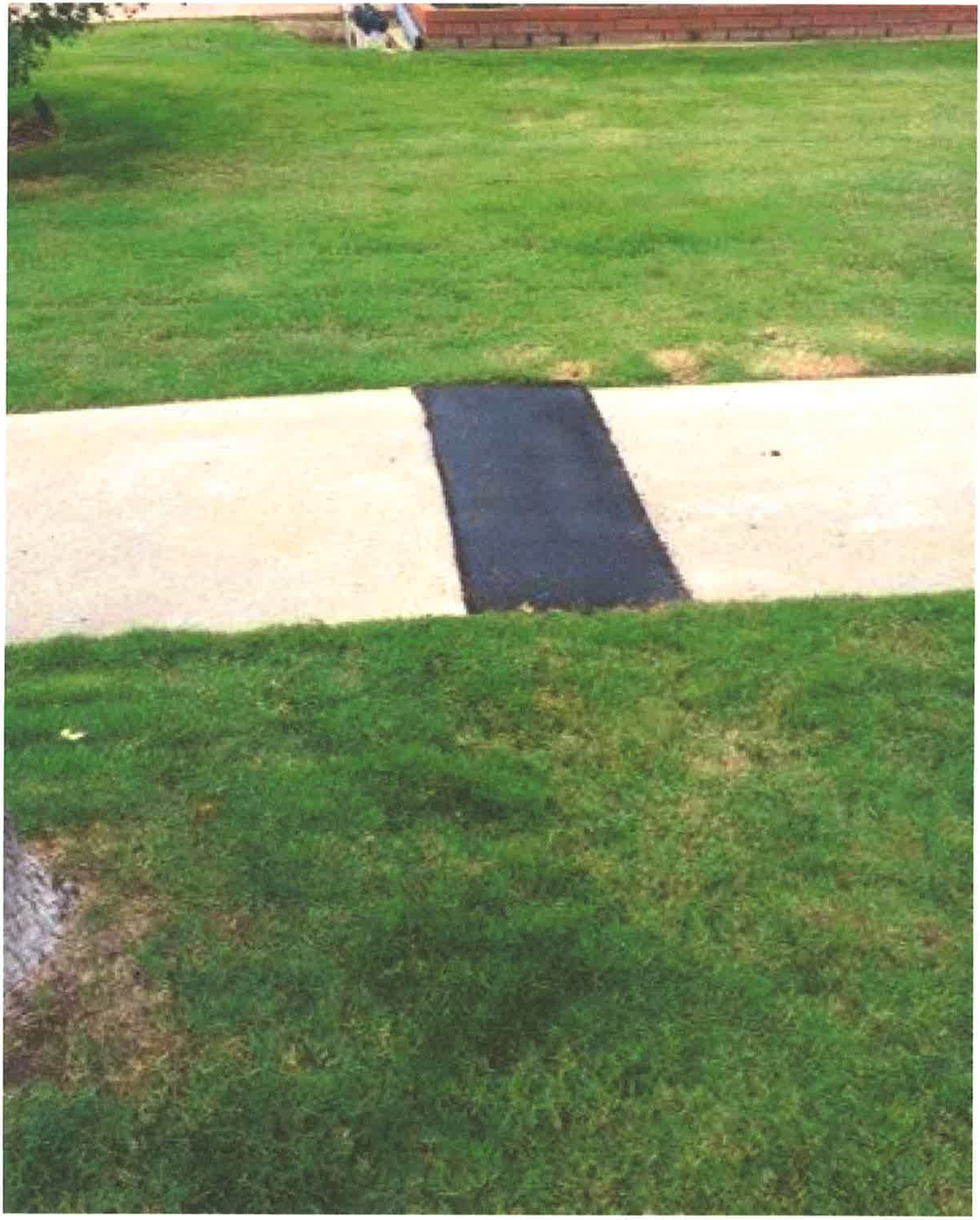
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