

Meeting
of the

TREES/PARKWAYS
COMMITTEE

Tuesday,
June 7, 2016
4:00 p.m.

Agenda Packet



AGENDA

ROSSMOOR COMMUNITY SERVICES DISTRICT

TREES/PARKWAYS COMMITTEE MEETING

RUSH PARK
West Room
3001 Blume Drive
Rossmoor, California

Tuesday, June 7, 2016
4:00 p.m.

A. ORGANIZATION

1. CALL TO ORDER: 4:00 p.m.
2. ROLL CALL: Directors Casey, DeMarco
3. PLEDGE OF ALLEGIANCE
4. PRESENTATIONS: None

B. PUBLIC FORUM

Any person may address the members of the Trees/Parkways Committee at this time upon any subject within the jurisdiction of the Trees/Parkways Committee of the Rossmoor Community Services District.

C. REGULAR CALENDAR

1. CITIZEN SERVICE REQUEST ROSSMOOR RESIDENT BERNARD BESKIND'S REQUEST OF DISTRICT TO FORM AN AD HOC RISK COMMITTEE IN ORDER TO ADDRESS PERSONAL INJURY RISKS ASSOCIATED WITH PARKWAY TREE ROOTS.

D. ADJOURNMENT

CERTIFICATION OF POSTING

I hereby certify that the attached Agenda for the Tuesday June 7, 2016, 4:00 p.m. Rossmoor Trees/Parkways Committee Meeting of the Rossmoor Community Services District was posted at least 24 hours prior to the time of the meeting.

ATTEST:



JAMES D. RUTH
General Manager

Date  _____

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM C-1

Date: June 7, 2016

To: Trees/Parkways Committee

From: General Manager

Subject: Rossmoor resident Bernard Beskind's request of District to form an Ad Hoc Risk Committee in order to address personal injury risks associated with parkway tree roots.

RECOMMENDATION:

Deny request by Rossmoor Resident Bernard Beskind to have Ad Hoc Risk Committee formed.

BACKGROUND:

At May 10, 2016 RCSD Board meeting, Resident Bernard Beskind voiced his concern to the Board regarding the risks associated with parkway tree roots within the parkway. Mr. Beskind requested that an ad hoc Risk Analysis Committee be formed in order to address personal injury risks. There is a history of service requests from Mr. Beskind with regard to the parkway tree in front of his home. The resident request was referred to the tree committee for its thorough review and recommendation.

It is the recommendation of staff that the District already has a certified arborist managing its tree program and that outside expertise is readily available should a unique situation occur that would require a second opinion. The District has an excellent history of managing its tree program and according to our insurance carrier, SDRMA, we have had no claims regarding root problems in the last 10 years.

ATTACHMENTS:

1. District Response to Bernard Beskind's Concerns Regarding Parkway Liability and Tree Root Risks
2. District Parkway Tree and Median Policy 3080
3. Background of Citizen Service Requests for Bernard Beskind
4. Photos of Bernard Beskind Parkway

District Response to Concerns of Bernard Beskind Regarding Parkway Tree Roots and Injury Liability

1. After extensive internet searching for information pertaining to trip hazards that relate directly to tree roots that are contained within parkways in a municipal setting, Mary Kingman was able to gather very little information on this subject. This leads her to believe that the problem is not one that comes up very often. There is a great deal of information available pertaining to sidewalk and curb tripping hazards. The issue of sidewalk and curb tripping hazards is constantly being addressed, not only by Rossmore, but by municipalities all over the world. In Rossmore, problems arising from raised sidewalks and curbs are mitigated by Orange County Public Works. If tree roots extend into the sidewalk area, then the roots are removed. If it is determined that roots cannot be removed without jeopardizing the integrity of the tree, then the entire tree is removed. A recent case of this occurred with a tree at 2752 Salmon Drive, where a mature tree that was original to the community was removed due to roots extending into the sidewalk area.

Pertaining to the issue of legality and liability with regard to municipal parkways, it is our understanding that while the parkways are technically owned by the resident, that land is automatically dedicated to the city or county for reasons of public access at the time when a neighborhood or subdivision is built. Municipal code regarding sidewalks, curbs and parkways are determined by the governing bodies of individual cities, counties, including unincorporated areas and special districts. In some municipalities, the resident is responsible for sidewalk and curb maintenance, as well as maintenance for the actual parkway. The following excerpt is from a Los Angeles Times article:

“...The peculiar legal status of parkways is the source of some of the confusion. Most homeowners don't realize they are responsible for maintenance of the sidewalk, the parkway and the curbs in front of their homes. By law, they must maintain the parkway in a healthy condition, including keeping it properly watered. However, ownership comes with an automatic dedicated easement to the city of those public access areas, allowing the city to oversee and regulate their use...And those regulations extend beyond the city, as Oishi explains, which only adds to the complexity. "There are so many layers of governance for the right of ways," he says, including federal, state and local codes...” Crotta, Carla **“Don't make these mistakes when transforming your water-wasting parkway”** *Los Angeles Times* February 13, 2015 <http://www.latimes.com/home/la-hm-parkways-20150214-story.html>

2. RCSD insurance company SDRMA sent a history of property/liability claims for the past 10 years, with four bodily injury claims on RCSD loss run. Claims manager verified that none of the involved falls were caused by tree roots:

1. Claim #0105 – Child fell from loose climbing bar at playground
2. Claim #1125 – Claimant was struck by vehicle while jogging
3. Claim #1823 – Claimant injured ankle falling between sidewalk and edge of grass
4. Claim #4904 – District vehicle swiped side of third party vehicle

3. Mary Kingman spoke with Tim Kelsey, Public Works Manager for The City of Seal Beach regarding that City's tree policy and found that it was very similar to RCSD's Tree Policy. The City has a 'Tree Advisory Board', made up of City Council members, who make decisions regarding citizen tree requests. He also confirmed that he has never dealt with issues or claims with regard to tree roots within the parkway. He noted that Seal Beach has many Ficus trees on their Main St. and most of these have very large, above ground root systems.

4. The City of Claremont, CA is also a Tree City USA and being a city 'which recognizes its trees as one of its most valuable resources', has an extremely detailed and extensive Tree Policy. Listed below are Claremont Tree Policy sections that relate to tree roots and removal requests for public trees:

Root Pruning. The root system of a tree is one of its most important physiological components. Roots are the main source of water and mineral absorption for the tree, they provide anchorage and stability, and they act as one of the principal storage areas for food. The proper pruning of a tree's roots is as important as the proper pruning of a tree's crown. Whenever possible, the City shall avoid removing any of a tree's root system. In instances where there exists a need to install subsurface structures or utilities, such as irrigation lines or block wall footings, every effort shall be made to avoid encroachment within the drip line of a tree. If it becomes necessary to excavate within a tree's drip line, every effort shall be made to tunnel under or through the tree's root system with a minimal amount of pruning, rather than to trench across the tree's roots. City of Claremont Tree Policy Manual 22 Note: Any root over two (2) inches in diameter must be pre-approved for removal by the City's Arborist. Hardscape. When root removal becomes necessary for the installation or repair of hardscape, such as sidewalks, driveway approaches or curb and gutters, two methods shall be employed by the City to address invasive or encroaching roots. These two methods are specified below and are detailed in the Selective Root Pruning and Shaving Standards detailed in the Appendix D, Maintenance Guideline Standards.

- Selective Root Pruning is the removal of specific offending roots which are directly interfering with a work area. When pruning out selective roots, great care shall be given to retain as much root surface as possible, including sufficient buttress root dispersal around the radius of the tree. No more than one third (1/3) of a tree's root system shall be removed. Roots shall be cut back at least four (4) inches away from new hardscape to the nearest node. Pruning cuts shall be made clean and smooth with no crushing or tearing of the remaining root.
- Root Shaving is the removal of a small portion of a nonessential buttress root or general root with a diameter of four (4) inches or greater. Roots will be shaved down to allow for at least two (2) inches of clearance between the root and the new hardscape. No more than one third (1/3) of a root's diameter shall be shaved off. Shaving cuts shall be made clean and smooth with no crushing or tearing of the remaining root. Soil shall be backfilled immediately following pruning or shaving activity to minimize drying of the roots. Any root pruning or shaving on roots greater than two inches (2") in diameter shall be approved by the City's arborist.

Property Owner Request for Removals. Periodically, property owners approach the City with requests to remove a City tree that is located within the public easement on their property. Community Services staff and the City arborist have the authority to approve these requests only if the tree is dead, diseased, hazardous, or an emergency condition exists, as referenced above; otherwise staff will deny the request. Property owners may appeal the staff denial by written request, which shall be brought before the Tree Committee and Community and Human Services Commission. Per Municipal Code Section 12.26.020 (B) “the Commission may grant an appeal if it finds that the staff decision would result in a burden on the property owner that substantially outweighs the benefit to the public. The Commission’s decision may be appealed to the City of Claremont Tree Policy Manual 28 City Council if a written appeal, setting forth the grounds, is filed with the City Clerk within ten days of the Commission decision. If no timely appeal is filed, the decision shall be final.” Community Services staff shall provide all interested parties with information on the committee and commission review process. Any tree removal requests brought forth to the Tree Committee and Commission shall be evaluated by staff and a certified arborist. The Community and Human Services Commission will evaluate tree removal requests individually, considering any of these factors listed below to determine if tree’s removal represents a greater loss to the public than the burden placed on the property owner by its continued existence:

- Species of the tree . Does the tree’s species further the City’s urban forest management goals or has it been removed from the planting pallet?
- Size of the tree. Does the tree’s size provide significant value in terms of shade, tree canopy, and neighborhood character?
- Approximate age of the tree. Whether the tree is young, mature, or near the end of its life cycle may be considered.
- Health of the tree. Is the tree in excellent health or is it showing signs of decline or approaching the end of its life cycle?
- Physical characteristics of the tree. Does the tree have appropriate structure and form or is it growing in a manner that will produce a strong, stable tree?
- Environmental productivity of the tree. Is the tree believed to be environmentally productive or has productivity likely declined due to age, condition, or poor health?
- Safety of the property owner and general public will be considered. The Commission may consider health and safety impacts for the residents, adjacent property owners, and public at large when evaluating a removal requests.
- Asset value of the tree. The value of the tree as listed in the City’s inventory shall be included in the information presented to the Commission.
- Utility conflicts, both above and below ground, may be considered when evaluating a removal request. Anticipated utility conflicts may also be considered.
- Species and age diversification may be considered to determine if the street would benefit from having a more diverse street tree population to reduce threats of deforestation.
- Consistent with previous sections of the Tree Policies, trees may not be approved for removal based on leaves getting into gutters or a nuisance to remove, messy fruit or tree debris, roots getting into the sewer lines as a result of deteriorating infrastructure, hardscape damage if a feasible, economic solution exists to save the tree, or if a City tree is blocking solar panels.

Rossmoor Community Services District

Policy

No. 3080

PARKWAY AND ROSSMOOR WAY MEDIAN TREE MAINTENANCE

3080.00 Parkway and Median: A parkway, as described in this Policy, is the County of Orange (County) owned area between the sidewalk and curb. The median is the County owned area dividing Rossmoor Way.

3080.10 Public Property: Parkway and median trees are public, not private property. Every reasonable effort will be made to preserve this natural resource in order to retain and improve this local scenic and environmental asset.

3080.11 Homeowners, residents or their agents shall not plant, trim or remove parkway and median trees. The Rossmoor Community Services District (District) has the authority and responsibility to plant and trim trees either directly or through the County or other third parties. The District recommends removals to the County and the County has the authority to remove trees.

3080.12 The County of Orange is responsible for the preventative or remedial tree root pruning to aid in the control of sidewalk, curb and gutter damage. The District will coordinate with the County to perform this work and any other alternatives to tree removal.

3080.13 Request for inspections, planting, trimming or removal shall be made with the District office. A Customer Service Request (CSR) shall be initiated describing the request and action taken or not taken.

3080.14 No person shall remove, prune, trim, cut or otherwise damage a tree that is located in the parkway or median, or cause, permit, direct, or knowingly allow the removal, pruning, trimming, cutting, or damaging of a parkway or median tree, unless authorized to do so pursuant to this Policy.

3080.20 Tree Planting and Nurturing: All parkways at private residences shall have at least one tree, where feasible, and those currently without a tree(s) will have a tree(s) planted by the District as funds become available. Appropriately spaced tree plantings are required along the parkways of public properties, where feasible (e.g. parks, schools, flood control channels, etc.).

3080.21 Tree planting locations shall be determined by the District's Tree Consultant and/or Arborist and be based on recognized standards for the planting of trees.

3080.22 The District shall maintain a tree-planting program consistent with budgeted funds.

3080.23 The District shall maintain an inventory of all parkway and Rossmoor Way median trees. The District shall also maintain a current list of all potential sites for planting a tree within all public right of ways.

3080.24 Site selections for new tree plantings shall be based on a computerized inventory of Rossmoor parkway trees and vacant sites maintained by the District.

3080.25 New tree plantings shall be accomplished in accordance with the Rossmoor Parkway Tree Planting Specifications (Arborist Scope of Services) maintained by the General Manager.

3080.26 Trees planted by the District will minimally be in 24"box containers. Should budget constraints arise or a 24" box tree of a specific species not be available, a 15-gallon container tree may be substituted.

3080.27 A list of tree varieties approved by the Board for new or replacement trees shall be maintained by the District. The Tree Consultant shall recommend and the District shall select tree species based on the specified predominant tree species of the block if the tree is still on the approved species list and other factors such as availability or an alternate tree from the approved list of trees with similar characteristics.

3080.28 The General Manager shall maintain a Notification of Tree Planting document that specifies the required care of parkway trees. This includes instructions for newly planted parkway trees. The document shall be provided to each homeowner/resident of a newly planted parkway tree.

3080.29 The homeowner/resident has the responsibility for watering and caring for the parkway trees adjacent to their property in accordance with District instructions. A tree that must be replaced due to lack of care on the part of a homeowner/resident will require the homeowner/resident to pay the District for a replacement tree of the same or like species and size.

3080.30 Tree Trimming and Protection: Trees shall be trimmed by the District to maintain safety and clearance standards established by the County.

3080.31 Specifications delineating aesthetic tree trimming shall be in accordance with the requirements of the American National Standards Institute (ANSI A 300) maintained by the General Manager and shall become a part of any tree trimming contracts awarded by the District.

3080.32 The District shall maintain a tree trimming schedule for all parkway and median trees. Each tree shall be trimmed at least once every four years or as necessary according to species. Homeowners/residents desiring more frequent trimming or pruning can request such at the District office for a fee, which reflects the cost to the District. Tree trimming shall only be performed by the District's contract arborist.

3080.33 Notification by mail or by posting at the residence of scheduled tree trimming, planting, root pruning or removal shall be sent by the District to the homeowner/resident at least two (2) weeks prior to the planned work except for emergency safety removals by the County.

3080.40 Tree Removal: Only trees that are dead, structurally unsound or are creating problems that cannot be corrected without causing the tree to die or become unstable will be removed.

3080.41 Valid reasons for removing trees:

- A dead, rotting or seriously diseased tree that presents a danger of structural failure.
- Trees that present a hazard, such as a tree with weak roots, a tree with a split trunk or a tree with falling limbs that cannot be corrected with trimming.
- A diseased or insect infested tree that is a serious threat to nearby trees if removal is the best pest or disease control option.

- An unauthorized tree of the wrong species for its location
- Hardscape (sidewalks, curbs, driveways etc.) damage that requires repairs and if such repairs cannot be made without causing severe root damage that renders the tree structurally unsound.
- If in order to repair or replace a lateral sewer line, it is necessary to remove significant tree roots that would undermine the structural integrity of a tree. This need must be demonstrated to the District by the homeowner through video evidence of the location and extent of damage to the sewer lateral. During excavation, the sewer line must be exposed and be available to the District for a visual inspection to determine the need for the tree removal.
- Home remodeling that requires removal of a tree. If this is driveway relocation, the homeowner must have a building permit and plot plan showing the tree to be removed is less than eight (8) feet from the proposed new driveway. The Homeowner must pay the District for the tree removal and the planting of a new 24-inch box tree selected by the District before the District will sign off on the building permit.
- Any reason deemed by the General Manager to be in the best interests of the District and/or homeowner/resident.

3080.42 Non-valid reasons for removing trees:

- Nuisances, such as dropping leaves, root ridges in lawn, messy fruit, berries or flowers, etc.
- Roots getting into sewer lines. It is the responsibility of the homeowner/resident to maintain their sewer line so that leakage from a line is repaired promptly. This will avoid tree roots from seeking the seeping nutrients and moisture from the line.
- Invasion of roots into water meter box that can be remedied with root pruning. The General Manager will determine who is financially responsible for any necessary root pruning.
- Hardscape damage where repair coupled with root pruning can save the tree.

3080.50 Requests for Tree Inspections, Trimming or Removal and Disposition:

3080.51 A request for parkway tree inspection, trimming or, removal may be made in person, by telephone or in writing to the District office. A CSR will be generated, an inspection will be performed and a disposition will be made by the District.

3080.52 The action taken or not taken on a request will be reported back to the homeowner or his/her agent by the District. A requester has the right of appeal the final disposition of the request by the General Manager to the Board on any actions taken/not taken.

3080.60 Tree Protection: Unauthorized removal of or damage to a parkway tree is a misdemeanor. In addition, the responsible person will be required to pay to the District the International Society of Arboriculture (ISA) value of the removed tree based on the ISA trunk formula method and the cost of a replacement tree in a 24-inch box.

3080.61 Parkway may not be cemented, bricked or covered with vegetation which prevents the planting of a parkway tree. Any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable permitting or other approval requirements of the County of Orange. For example, and not by way of limitation, any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable urban storm water runoff permit regulations as set forth in the applicable

National Pollution Discharge Elimination System (NPDES) permit program as established and administered by the County of Orange or other applicable state or regulatory body.

3080.62 Parkway may be covered with grass or other plants, so long as such grass or plants are not more than two (2) feet high or closer than 1½ feet from the base of the tree. Any work on the parkway that could involve the pruning of tree roots must first be approved by the District.

3080.63 No swings or attachments of any type may be placed on parkway or median trees.

3080.70 Retention of Arborist: The District will retain an ISA certified arborist to assist the General Manager in the performance of specifications called out in the Scope of Services as detailed in the Agreement with the contract arborist.

3080.80 Enforcement of Policy:

3080.81 Pursuant to Government Code Section 61600(j) and (k), the District has the authority to perform work and improvements on or about any street in Rossmoor, subject to the consent of the County.

3080.82 Pursuant to Government Code Section 61621.5(c), Resolution 99-1-13-1 provides that the County has granted the District the power of a county road commissioner to regulate certain activities. In its role as a County Road Commissioner, the District may regulate and perform certain activities in connection with the planting, removing, cutting, injuring or destroying any tree, shrub, plant or flower growing on any parkway or median. Pursuant to Government Code Section 61621.5(c) and Streets and Highways Code Section 1460, anyone who violates this policy will be subject to the appropriate legal remedy including liability for all expenses and damages caused thereby to the County and District and could be found criminally liable for a misdemeanor.

3080.83 The District may notify the responsible person of any violation of this policy. If the responsible person refuses to correct the violation after such notification, the District shall pursue other appropriate legal remedies for the collection of damages in order to compensate the District for all costs and expenses caused by the alleged violation of this policy. Nothing in this policy shall require the District to notify the responsible person prior to initiating a criminal action.

3080.84 The District may enforce this Policy by criminal and/or civil action. Where the District elects to proceed by other than criminal action, the following enforcement procedures shall apply:

- (1) Send the Person a Notice/Demand Letter. The General Manager or his or her designee shall notify any person that his or her actions are in violation of this policy and may provide that person with the opportunity to correct the violation and/or pay the expenses and damages the District incurred in correcting the violation. A demand for such payment shall be in the form of a notice/demand letter which sets forth the violation and the amount due and owing. In regard to correcting the violation, the District may take the initiative to correct the violation, such as replanting a parkway tree and also take the initiative in pursuing recovery of costs and expenses. The notice/letter may also state that the resident must refrain in the future from taking such action that caused the violation to occur. The General Manager shall send a letter via first class mail to the address at which the violation occurred and/or to the last known address of the person causing the violation.

(2) Appeal to the Board. Any person who disputes the decision of the General Manager sent pursuant to subsection (1), above, may appeal that decision to the Board by filing a written request to the General Manager for the matter to be placed on the Board Agenda for the next scheduled Regular Board meeting and payment of the appeal fee as set forth in the Fee Schedule. Any such appeal must be in writing and must be delivered to the General Manager along with the applicable fee within ten (10) calendar days of the contested action and must state the specific action or inaction that is being challenged. The matter shall be placed on a subsequent Board Agenda if there is insufficient time to place the matter on the agenda for the next regularly scheduled meeting of the Board. The Board shall hold a hearing, admit evidence, and shall render a decision on the matter. The decision of the Board shall be final.

(3) Civil Litigation. If any person fails or refuses to correct the violation and/or to pay the amount owed, then the District may pursue civil litigation. Such litigation may seek injunctive relief whereby the District requests that the court order the person to refrain from certain activities and/or require the person to take certain actions in order to be in compliance with the District's policy/regulations. In the event the District has taken the necessary action, such as replacing the parkway tree, the District may pursue litigation to obtain a judgment against the person in the amount of the expenses and damages that the District incurred in correcting the violation.

3080.85 Nuisance Enforcement by Civil Action & Attorney's Fees.

(1) In addition to any other penalties authorized by law, any condition caused or permitted to exist in violation of this Policy shall be deemed a public nuisance and may be abated as such. Each and every day such condition continues shall be regarded as a new and separate offense.

(2) In addition to other penalties and enforcement mechanisms authorized by law, this Policy may be enforced by injunction issued by the superior court upon the suit of the District.

(3) In any action, administrative proceeding or special proceeding commenced by the District to abate a public nuisance, to enjoin a violation of any provision of this Policy, to enforce the provisions of this Policy, or to collect a civil debt owing to the District pursuant to this Policy, the prevailing party shall be entitled to recover its reasonable attorney's fees. The recovery of attorney's fees by the prevailing party is limited to those individual actions or proceeding in the District elect, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. Failure to make such an election precludes any entitlement to, or award of, attorney's fees in favor of any person or the District. In no action, administrative proceeding, or special proceeding shall an award of attorney's fees to a prevailing party exceed the amount of reasonable attorney's fees incurred by the District in the action or proceeding.

3080.90 Tree/Parkway Committee: The Tree/Parkway Committee is comprised of two Board Members and the General Manager. The President of the Board appoints the members to the Committee. The General Manager shall also provide a quarterly report to the Board giving a summary of all parkway and median tree plantings, trimmings, inspections and removals.

3080.100 Damage Claims: Claims for damages allegedly caused by parkway or median trees should be filed with the District. Such claims will be processed in accordance with District Procedures.

3080.110 Terms: Following are terms as used in this policy:

- Manicure Trimming—Ongoing yearly high quality trimming designed to maintain the shape and characteristics of the tree (commonly referred to as resort style which includes lacing of the canopy). This is not the type of tree trimming as performed by the District.
- Aesthetic Trimming (pruning)—Appropriate trimming performed by the District's arborist designed to maintain the general shape of the tree and eliminating dead, damaged or diseased branches and maintaining safety and clearance standards.
- Grid Trimming—Regularly scheduled and ongoing aesthetic trimming on a four year cycle performed by the District's contract Arborist according to a four section grid map of Rossmoor.
- Safety Trimming—Performed on an as-needed basis when a tree is identified as posing a hazard to property, street traffic or pedestrian traffic.
- Root pruning—The cutting of roots to facilitate the replacement of curbs, gutters or sidewalks.
- Responsible person – means any person who violates, or who causes, permits, directs, or knowingly allows another person to violate, any of the provisions of this policy.

3080.120 Challenging The Administrative and Quasi-Judicial Actions Of The District - Time In Which Actions Must Be Brought.

Any action challenging a final administrative order or decision by the District made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and discretion regarding a final and non-appealable determination of facts is vested in the District, or in any or its boards, commissions, officers or employees, must be filed within the time limits set forth in California Code of Civil Procedure Section 1094.6.

Adopted: September 10, 2002
Approved renumbering & format: October 10, 2002
Reaffirmed: December 10, 2002
Amended: December 9, 2003
Amended: April 13, 2004
Amended: October 12, 2004
Amended: July 12, 2005
Amended: December 13, 2005
Amended: April 13, 2010
Amended: June 14, 2011
Amended: November 12, 2013
Readopted by Ordinance 2014-01: January 14, 2014
Amended and Readopted by Ordinance 2015-02: April 14, 2015

Background of Citizen Service Request: Bernard Beskind

October 26, 2007 – Mr. Beskind reported that his parkway tree was leaning. Tree Consultant C.J. Crockett determined that the tree was not leaning and there was no soil movement around base of tree. She advised resident to monitor any changes and a safety trim was performed to remove torn limb from canopy. (note: Google images from 2011 and 2014, along with current photo show no evidence of lean)

December 10, 2009 – Mr. Beskind requested trim on tree.

October 8, 2010 – Mr. Beskind concerned about trunk developing some deep large black patches. Tree Consultant Randy Reynolds determined this to be common in a mature tree.

January 6, 2014 – Mr. Beskind concerned that tree roots are lifting water meter. Tree Consultant Mary Kingman called WCA out to location for possible root pruning and determined that roots could not be pruned due to them being in close proximity to tree. Water meter matter referred to OCPW.

September 30, 2015 – Mr. Beskind concerned about tree roots being a trip hazard. Tree Consultant Mary Kingman determined that roots did not pose a probable risk for trip hazard.

April 8, 2016 – Resident called to report damage to his irrigation system caused by tree roots. Mary Kingman let him know that he can file a claim through Orange County or RCSD if he wishes to.

April 13, 2016 – Mary Kingman called to answer question resident had about filing an irrigation damage claim. Resident proceeded to ask questions regarding trip hazard liability. Mary Kingman, not wanting to give false information, referred Mr. Beskind to Orange County and gave him RCSD General Manager contact information that he requested.

Additional notes:

As seen in attached photos, there is a root mound that extends several feet to each side of tree trunk. The resident installed two round stepping pavers directly over the root mound and in very close proximity to the trunk of the tree. While pavers are allowed in parkways, a permit should be obtained from Orange County before installing. A more suitable location for the pavers would be away from raised trunk mound and perhaps more in line with walkway leading to front door of the home.







CR&R

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12512



Argyle Dr

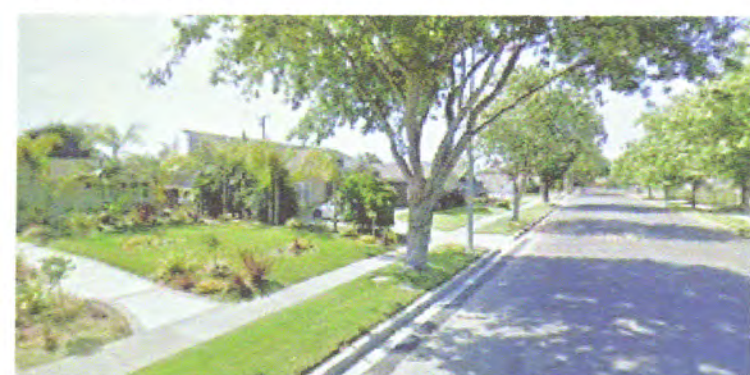
2014 Image



Image capture: Jun 2014 © 2016 Google

Rossmoor, California

Street View - Jun 2014



Currently shown: Jun 2014

Google Maps

Argyle Dr

March 2011 Image



Image capture: Mar 2011 © 2016 Google

Rossmoor, California

Street View - Mar 2011



Currently shown: Mar 2011