

AGENDA

ROSSMOOR COMMUNITY SERVICES DISTRICT

TREE/PARKWAY COMMITTEE MEETING

RUSH PARK
Auditorium
3001 Blume Drive
Rossmoor, California

February 27, 2025
6:00 p.m.

A. ORGANIZATION

1. CALL TO ORDER: 6:00 p.m.
2. ROLL CALL: Directors Shade, Maynard
3. PLEDGE OF ALLEGIANCE
4. PRESENTATIONS: None

B. PUBLIC FORUM

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

C. REGULAR CALENDAR

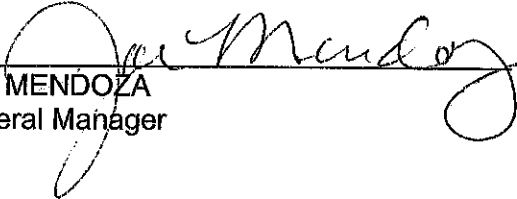
1. CITIZEN REQUEST FOR REMOVAL OF TREE FROM PARKWAY AT 2871 TUCKER LANE.
2. CITIZEN REQUEST FOR REMOVAL OF TREE FROM PARKWAY AT 3042 ST. ALBANS DRIVE.
3. CITIZEN REQUEST FOR REMOVAL OF TREES FROM PARKWAY AT 3101 KITTRICK DRIVE.
4. REVIEW OF CURRENT TREE SPECIES PLANT LIST.
5. ARBORIST VERBAL UPDATE ON URBAN FOREST.

D. ADJOURNMENT

CERTIFICATION OF POSTING

I hereby certify that the attached Agenda for the February 27, 2025, 6:00 p.m. Tree/Parkway Committee of the Board of Directors of the Rossmoor Community Services District was posted at least 24 hours prior to the time of the meeting.

ATTEST:



JOE MENDOZA
General Manager

Date 2/24/2025

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM C-1

Date: February 27, 2025

To: Tree Committee
Director Jo Shade
Director Michael Maynard

From: General Manager Joe Mendoza
Initiated by Mary Kingman, District Arborist

Subject: CITIZEN REQUEST FOR REMOVAL OF A PARKWAY TREE AT 2871 TUCKER LANE.

RECOMMENDATION

The Rossmoor Community Services District (RCSD) General Manager recommends that the Tree/Parkway Committee review and respond to Rossmoor property owners Timothy and Karen Rowe's request to remove the parkway tree in front of their home at 2871 Tucker Lane.

BACKGROUND

Rossmoor resident and homeowners Timothy and Karen Rowe are requesting that the parkway tree in front of their home at 2871 Tucker Lane be removed; the reason for their request being that seed pods produced by the tree are causing a hazard issue and resulted in her falling and injuring herself. The tree in question is a *Magnolia grandiflora*, commonly known as southern magnolia. The tree is 19 years of age, planted by the District on December 18, 2006, and has a value of \$2,070.00.

Mrs. Rowe originally left District Arborist Mary Kingman a voicemail on November 4, 2024, with a request to have the tree removed due to the litter from fallen seed pods, which she claimed resulted in her suffering from a trip and fall injury. Ms. Kingman called Mrs. Rowe back and left voice mails on November 4, 2024, and November 5, 2024. Mr. and Mrs. Rowe visited Ms. Kingman's office on November 7, 2024, and at that time Mr. Rowe requested to have the tree removed. Ms. Kingman explained that under District Tree Policy 3080, seed litter is not a valid reason for tree removal and that she could not accommodate his request. Mr. Rowe asked that General Manager, Joe Mendoza hear his request. Mr. Mendoza recommended their request be heard by the Tree/Parkway Committee.

ATTACHMENTS

1. Arborist report on the tree.
2. RCSD Policy No. 3080 Parkway and Rossmoor Way Median Tree Maintenance.

February 21, 2025

Arborist Report: Southern magnolia parkway tree located at 2871 Tucker Lane, Rossmoor, California

BACKGROUND: *Magnolia grandiflora* is an evergreen tree native to the southeastern United States. The species is one of the most widely planted trees in the world and has been planted throughout southern California for decades. While life expectancy of trees can vary according to location, soil type, tree care practices, pest, and/or disease prevalence, the average life expectancy of the species is 80-100 years. There are 150 southern magnolia trees planted in Rossmoor parks and parkways. The species remains an option for parkway planting. Total estimated value for all southern magnolia trees is \$ \$564,470.00. There has been 1 report of personal injury resulting from the seeds pods of southern magnolia trees in Rossmoor since 2012, when the current arborist began keeping records on tree claims. There have been 0 injury or property insurance claims resulting from southern magnolia trees since at least 2012.



OBSERVATIONS: On February 21, 2025, I performed a Level 2, basic visual inspection on a *Magnolia grandiflora* tree, commonly known as southern magnolia planted in the front parkway of 2871 Tucker Ln. The tree is approximately 22' tall with a crown spread of 15', and a trunk diameter of 8". The tree is 18 years old, planted by the RCSD on December 18, 2006, and has a value of \$2,070.00. The tree is growing in the front parkway of the home, in a parkway covered in wood mulch. The crown exhibits phototropic growth towards street, which has resulted in a trunk bow of approximately 10 degrees. I did not observe any sign of pest or disease in the crown or trunk or any sign of wood decay within the tree.

HISTORY: There are no known histories of limb failures on this tree. The tree has been maintained regularly through pruning by District tree contractor West Coast Arborists, Inc. as shown in the attached work history.

Crew	Date	Work Type / Comments
WCA	10/20/2021	Grid Prune
WCA	01/23/2018	Tree Pruning 7-18 DSH
WCA	08/30/2013	Tree Pruning 0-6 DSH
WCA	09/03/2009	Tree Pruning 0-6 DSH
WCA	12/18/2006	Plant 15 Gal w/o RB (SOUTHERN MAGNOLIA)
WCA	05/24/2002	Tree Trimming > 18 DBH
WCA	11/15/2000	Safety Trim

SUMMARY: Based on my visual observations of the tree at the time of inspection, this tree has an overall low risk of causing personal injury or property damage. The tree should be monitored and inspected every 4 months for any changes in its health or condition which may increase risk and require mitigation.

Mary Kingman
District Arborist
ISA Certified Arborist #WE-11440A
mkingman@rossmoor-csd.org

Photos by Mary Kingman February 21, 2025



ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM C-2

Date: February 27, 2025

To: Tree/Parkway Committee
Director Jo Shade
Director Michael Maynard

From: General Manager Joe Mendoza
Initiated by Mary Kingman, District Arborist

Subject: CITIZEN REQUEST FOR REMOVAL OF A PARKWAY TREE AT 3042 St. Albans Dr.

RECOMMENDATION

The Rossmoor Community Services District (RCSD) General Manager recommends that the Tree/Parkway Committee review and respond to Rossmoor property owner Shawna Estrada's request to remove the parkway tree in front of her home at 3042 St. Albans Drive.

BACKGROUND

Rossmoor resident and homeowner Shawna Estrada is requesting that the parkway tree in front of her home at 3042 St. Albans Dr. be removed due to ongoing sewer issues involving roots from the parkway tree, her suffering from allergies related to the tree, and issues with sap from the tree dripping onto parked vehicles. The tree in question is a *Fraxinus velutina*, commonly known as Arizona ash. The tree is 50-60 years of age and has a value of \$17,220.00.

Ms. Estrada originally contacted District Arborist Mary Kingman on May 4, 2020, requesting the tree be removed, and again on August 21, 2021, with the same request. On both occasions, Ms. Kingman inspected the tree and determined that the tree did not qualify for removal under the tree protection policy. Ms. Estrada contacted District Arborist Mary Kingman on November 22, 2024, requesting the tree be removed due to ongoing issues with allergies related to the tree, sidewalk damage due to tree roots, and roots encroaching on her sewer system. Ms. Kingman inspected the tree and finding it did not qualify for removal under District tree policy, denied the request, providing information on District tree policy and protocol for tree roots in sewer lines to Ms. Estrada, along with instructions for submitting a service request to the County of Orange for a sidewalk inspection. Mr. Mendoza recommended their request be heard by the Tree/Parkway Committee.

ATTACHMENTS

1. Arborist report on the tree
2. RCSD Policy No. 3080 Parkway and Rossmoor Way Median Tree Maintenance.
3. RCSD protocol for tree roots in sewer lines.

February 21, 2025

Arborist Report on Arizona ash tree at 3042 St. Albans Drive, Rossmoor, California

BACKGROUND: *Fraxinus velutina*, commonly known as Arizona ash is a deciduous tree native to the southwestern United States and Mexico. Although one of the original species planted when Rossmoor was established, it is no longer planted due to its tendency towards undesirable stem structure combined with susceptibility to brown rot types of wood decay in mature specimens. While life expectancy of trees can vary according to location, soil type, tree care practices, pest, and/or disease prevalence, the average life expectancy of the species is 50-150 years. There are 29 Arizona ash trees planted in Rossmoor parks and parkways. Total estimated value for all Arizona ash trees in Rossmoor is \$239,460.00 There have been zero reports of personal injury resulting from Arizona ash trees in Rossmoor since 2012, when the current arborist began keeping records on tree claims. There have been 28 limb failures and 6 complete tree failures on this species in Rossmoor since 2012, when the current arborist began keeping records on tree claims, resulting in 2 claims of minor property damage.

ARIZONA ASH
FRAXINUS VELUTINA

August 29 - September 2, 2022

Climate-Readiness:
Climate-ready in parts of New Mexico (USDA Zones 7-8)

Water:
Moderate water use

Size:
30 + feet tall

FLOWERS
Green flower clusters form on male trees in the springtime.

FRUIT
Female trees drop samaras in late summer.

LEAVES
Leaves are about 3 inches long and consist of 3-5 oval leaflets. They turn yellow in the fall.

The Arizona Ash, also known as the Velvet Ash, is a medium-large tree commonly found in the Southwest. It's rounded canopy creates good shade in the summer, and in the fall it turns a vibrant yellow. It gets its 'velvet' name from a gray fuzz that appears on younger branches.

TNM Tree of the Week

Tree New Mexico

OBSERVATIONS: On February 21, 2025, I performed a Level 2, basic visual inspection on a *Fraxinus velutina*, commonly known as Arizona ash tree planted in the front parkway of 3042 St. Albans Dr. The tree is approximately 50-60 years of age with a value of \$17,220.00. It is 40' tall, with a crown spread of 35', and a trunk diameter of 31". The tree is growing in the front parkway of the home in turf grass that is watered with a spray irrigation system. The tree was improperly pruned at some point prior to 2008, using an outdated and improper pruning practice known as "topping", in which lateral limbs are pruned to stubs that are too small to assume a terminal role. Large diameter scaffold limbs were also removed at some point prior to 2008, resulting in wood decay at the site of the

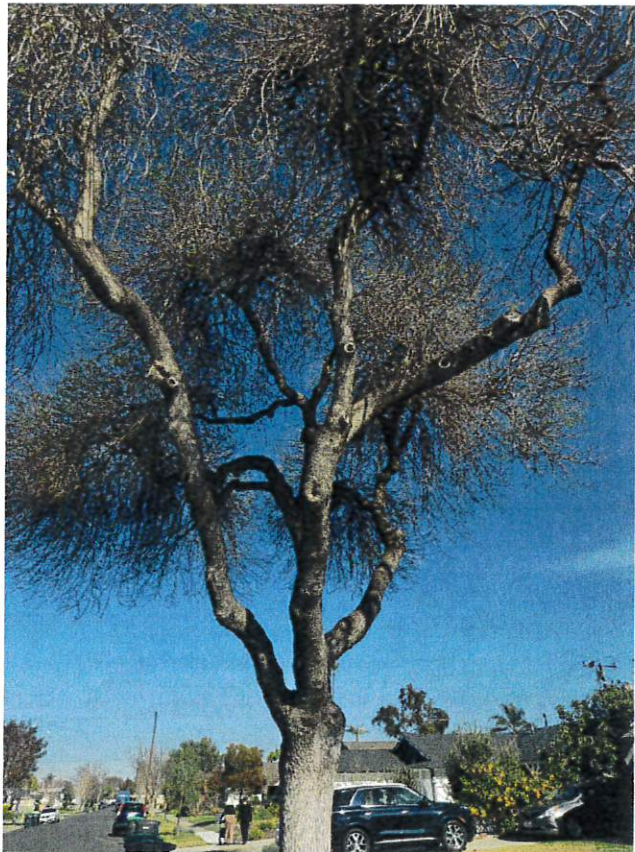
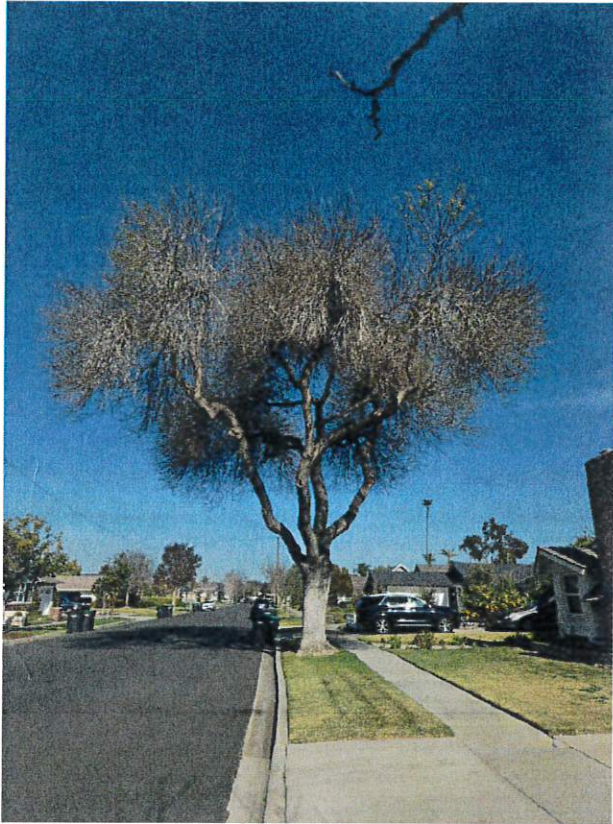
pruning wounds. It should be noted that decay within trees is often compartmentalized to the immediate area of decay so that it does not spread beyond the protecting walls of compartmentalization. The improper pruning methods previously used on this tree have resulted in the tree having a low live crown to trunk ratio along with increased growth in the form of epicormic shoots developing from the stubs of lateral limbs. At the time of inspection, the tree was coming out of its dormancy with new leaf growth appearing throughout the crown. I did not observe any sign of pest or disease in the crown or trunk or any major structural defects within the tree. I did not observe any indicators of decay at the root flare/base of the tree.

HISTORY: There are no known histories of limb failures on this tree. The tree has been regularly maintained by District tree contractor West Coast Arborists, Inc. as shown in the attached work history.

Crew	Date	Work Type / Comments
WCA	10/15/2024	Grid Prune
WCA	10/06/2022	Service Request Prune 7-30 DSH
WCA	01/13/2021	Grid Pruning
WCA	12/01/2016	Tree Pruning > 18 DSH
WCA	10/02/2012	Tree Pruning > 18 DSH
WCA	08/19/2009	Tree Pruning > 18 DSH
WCA	07/25/2008	Tree Pruning > 18 DSH
WCA	05/16/2007	Safety Pruning
WCA	09/30/2002	Safety Trimming
WCA	09/05/2002	Tree Trimming > 18 DBH
WCA	11/09/2000	Safety Trim

SUMMARY: Based on my visual observations of the tree at the time of inspection, this tree has an overall low risk of causing personal injury or property damage. The tree should be monitored and inspected every 4 months for any changes in its health or condition which may increase risk and require mitigation.

Mary Kingman
 District Arborist
 ISA Certified Arborist #WE-11440A
mkingman@rossmoor-csd.org





ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM C-3

Date: February 27, 2025

To: Tree/Parkway Committee
Director Jo Shade
Director Michael Maynard

From: General Manager Joe Mendoza
Initiated by Mary Kingman, District Arborist

Subject: CITIZEN REQUEST FOR REMOVAL OF TWO PARKWAY TREES AT 3101 KITTRICK DRIVE

RECOMMENDATION

The Rossmoor Community Services District (RCSD) General Manager recommends that the Tree/Parkway Committee review and respond to Rossmoor property owners Jack and Lisa Nguyen's request to remove two parkway trees in the front and side of their home at 3101 Kittrick Dr. due to sidewalk damage and surface roots that are preventing landscape work in the parkways.

BACKGROUND

Rossmoor resident and homeowners Jack and Lisa Nguyen are requesting that the parkway trees in the front and side of their home at 3101 Kittrick Dr. be removed. They have stated the reasons for their request are that "roots have lifted the sidewalk, causing significant cracks and creating an uneven surface that presents a safety hazard for pedestrians. Additionally, the roots are exposed above ground, preventing [them] from completing landscaping to maintain the aesthetics of a newly built home." The first tree in question, planted in the front parkway is a *Liquidambar styraciflua*, commonly known as American sweetgum. The tree is 35-40 years of age and has a value of \$6,080.00. The second tree in question, planted in the side parkway, on Baskerville Rd. is a *Schinus terebinthifolius*, commonly known as Brazilian pepper. The tree is 55-65 years of age, and has a value of \$17,220.00.

Jack Nguyen originally contacted District Arborist Mary Kingman on September 7, 2022, requesting that the front American sweetgum tree be removed and replaced. After inspecting the tree and finding that it did not qualify for removal, she denied his request, citing District tree policy. On June 6, 2024, he made a second request to remove the same tree, citing issues with tree roots in his sewer system along with heavy litter from the seed pods produced by the tree. Ms. Kingman inspected the tree, and finding that it did not qualify for removal, again denied his request. She emailed him the District tree

policy, along with protocol for tree roots in sewer lines. On October 16, 2024, Lisa Nguyen sent an email requesting removal of the front and side parkway trees due to safety concerns with large above-ground root systems of both trees, a lean on the front tree, and aesthetic landscaping purposes. Ms. Kingman inspected both trees, and finding no increased safety risk with either tree, denied her request, citing the District tree protection policy. Ms. Kingman submitted a request with Orange County Public Works to have the sidewalks inspected for potential repair or replacement. She advised Ms. Nguyen to keep her updated on permitted parkway landscaping plans for possible root pruning mitigation by the District. Ms. Kingman forwarded Ms. Nguyen's removal request to Mr. Mendoza, who recommended their request be heard by the Tree/Parkway Committee.

ATTACHMENTS

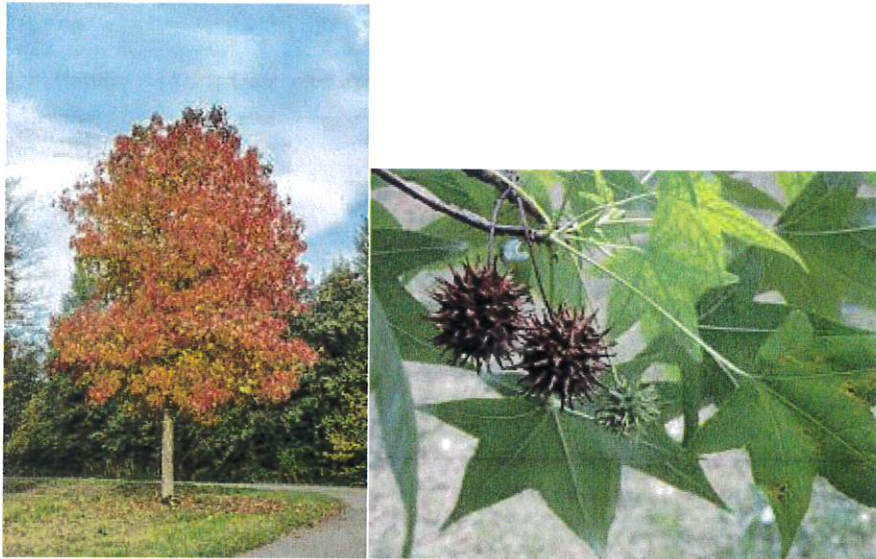
1. Arborist report on the tree.
2. RCSD Policy No. 3080 Parkway and Rossmoor Way Median Tree Maintenance.
3. RCSD protocol for tree roots in sewer lines.

February 21, 2025

Arborist Report on American sweetgum parkway tree at 3101 Kittrick Drive, Rossmoor, California

BACKGROUND: *Liquidambar styraciflua* commonly known as American sweetgum is a deciduous tree native to the eastern United States, Mexico, and Central America. The tree has been planted heavily throughout southern California since the mid-20th century; favored for its strong, upright structure and brilliant autumn foliage. The tree produces hard, spiky seed pods, which can cause litter issues on unmaintained sidewalks. Although one of the original species planted in Rossmoor, it is no longer planted as a parkway tree. Being endemic to a wetter climate, the species is intolerant of low irrigation and as a result can develop surface roots that rise to the surface in search of water. The tree is also highly susceptible to *Xylella fastidiosa*, a deadly bacterial plant disease that affects several tree species, including *Liquidambar*. While life expectancy of trees can vary according to location, soil type, tree care practices, pest, and/or disease prevalence, the average life expectancy of the species is 150-300 years. There are 367 American sweetgum trees planted in Rossmoor parks and parkways. Total estimated value for all American sweetgum trees in Rossmoor is \$1,310,400.00. There have been 0 reports of personal injury resulting from American sweetgum trees in Rossmoor since 2012, when the current arborist began keeping records. There have been 41 limb failures in Rossmoor since 2012, resulting in 2 reports of minor property damage. There have been 0 complete tree failures on this species in Rossmoor since 2012.

Stock images of *Liquidambar styraciflua*



OBSERVATIONS: On February 21, 2025, I performed a Level 2, basic visual inspection on a *Liquidambar styraciflua* commonly known as American sweetgum tree, planted in the front parkway of 3101 Kittrick Drive in Rossmoor, CA. The tree is approximately 50' tall with a crown spread of 20' and a trunk diameter of 20". The tree is 35-40 years of age and has a value of \$6,080.00. The tree is growing in the front parkway of the home. The parkway is covered with bare soil and there does not appear to be an irrigation system in place. The tree has a balanced crown with normal vigor and density for the species. At the time of inspection, the tree was coming out of its dormancy with leaf buds appearing throughout

the crown. I did not observe any sign of pest or disease in the crown or trunk or any obvious indicators of wood decay within the tree. The sidewalk adjacent to the tree was repaired by Orange County Public Works in 2006.

HISTORY: There are no known histories of limb failures on this tree. The tree has been regularly maintained by District tree contractor West Coast Arborists, Inc. as shown in the attached work history.

Crew	Date	Work Type / Comments
WCA	10/06/2023	Grid Prune
WCA	09/27/2021	Grid Prune
WCA	10/28/2019	Grid Pruning
WCA	11/16/2015	Tree Pruning > 18 DSH
WCA	08/31/2011	Tree Pruning 7-18 DSH
WCA	09/07/2007	Tree Pruning > 18 DSH
WCA	04/27/2006	Safety Pruning
WCA	08/08/2003	Tree Trimming 7-18 DBH
WCA	11/20/2002	Safety Trimming
WCA	03/22/2000	Trim 7-18" dbh
WCA	11/18/1998	Full Trim 7-18 dbh

SUMMARY: Based on my visual observations of the tree at the time of inspection, there is an overall low risk of this tree causing personal injury or property damage. The tree should be monitored and inspected every 4 months for signs of *Xylella fastidiosa* or any changes in health and condition that may increase risk and require mitigation.

Mary Kingman
District Arborist
ISA Certified Arborist #WE-11440A
mkingman@rossmoor-csd.org

Photos by Mary Kingman February 21, 2025





Arborist Report on Brazilian pepper parkway tree at 3101 Kittrick Drive, Rossmoor, California

BACKGROUND: *Schinus terebinthifolius* commonly known as Brazilian pepper is an evergreen tree native to South America. The tree has been planted heavily throughout southern California since the mid-20th century; favored for its wide canopy, evergreen foliage, and colorful fruit. Although one of the original species planted in Rossmoor, it is no longer planted as a parkway tree due to its due to its short lifespan and species tendency towards weak limb connections. While life expectancy of trees can vary according to location, soil type, tree care practices, pest, and/or disease prevalence, the average life expectancy of the species is 30-75 years. There are 70 Brazilian pepper trees planted in Rossmoor parks and parkways. Total estimated value for all Brazilian pepper trees in Rossmoor is \$647,960.00. There have been zero reports of personal injury resulting from Brazilian pepper trees in Rossmoor since 2012, when the current arborist began keeping records on tree claims. There have been 39 limb failures, resulting in 3 claims of minor property damage. There have been 3 complete tree failures on this species in Rossmoor since 2012, resulting in 0 reports of property damage.

Stock images of *Schinus terebinthifolius*



OBSERVATIONS: On February 21, 2025, I performed a Level 2, basic visual inspection on a *Schinus terebinthifolius* commonly known as *Brazilian pepper* planted in the side parkway of 3101 Kittrick Dr. The tree is approximately 35' tall with a crown spread of 25' and a trunk diameter of 40". The tree is 55-65 years of age and has a value of \$17,220.00. The tree exhibits a stem structure of intertwined limbs, a common trait of the species. The tree shows a trunk lean (also a common feature for the species) of 10 degrees towards the street. The crown is unbalanced with more growth on the lean side due to it being pruned to reduce the crown away from the second story of the new home construction. The crown of the tree shows high vigor, and crown density is normal for the species. Several epicormic sprouts are growing from the root collar and base. I did not observe any sign of pest or disease in the crown or trunk or any obvious indicators of wood decay within the tree. The parkway is covered with bare soil and there does not appear to be an irrigation system in place. It should be noted that this tree is very tolerant of drought. The sidewalk adjacent to the tree was repaired by Orange County Public Works in 2002.

HISTORY: There are no known histories of limb failures on this tree. The tree has been regularly maintained by District tree contractor West Coast Arborists, Inc. as shown in the attached work history. Orange County Public Works pruned the tree away from the new home structure in July, 2022 at the request of the homeowner.

Crew	Date	Work Type / Comments
WCA	10/06/2023	Grid Prune
WCA	11/19/2019	Grid Pruning
WCA	11/13/2015	Tree Pruning 7-18 DSH
WCA	08/31/2011	Tree Pruning > 18 DSH
WCA	09/07/2007	Tree Pruning > 18 DSH
WCA	04/27/2006	Safety Pruning
WCA	08/04/2003	Tree Trimming > 18 DBH
WCA	07/31/2000	Safety Trim
WCA	03/23/2000	Trim over 18" dbh

OCPW July, 2022 Service request pruning to reduce crown from new second-story home build

SUMMARY: Based on my visual observations of the tree at the time of inspection, the tree has an overall low risk of causing personal injury or property damage. The tree should be monitored and inspected every 4 months for any changes in health and condition that may increase risk and require mitigation.

Photos by Mary Kingman February 21, 2025





Screenshots of August 2022 Google image



ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM C-4

Date: February 27, 2025

To: Tree/Parkway Committee
Director Jo Shade
Director Michael Maynard

From: General Manager Joe Mendoza
Initiated by Mary Kingman, District Arborist

Subject: REVIEW OF CURRENT TREE SPECIES PLANT LIST

RECOMMENDATION

The Rossmoor Community Services District (RCSD) General Manager recommends that the Tree/Parkway Committee review the current tree species list maintained by District Arborist Mary Kingman.

ATTACHMENTS

1. List of tree species

Botanical Name - Common Name
<i>Afrocarpus falcatus</i> - African fern pine (aka podocarpus)
<i>Arbutus marina</i> - strawberry tree
<i>Bauhinia x blakeana</i> - Hong Kong orchid
<i>Cercis canadensis</i> - eastern redbud
<i>Chitalpa tashkentensis</i> - chitalpa
<i>Eucalyptus ficifolia</i> - red flowering gum
<i>Fraxinus angustifolia</i> 'Raywood' - raywood ash
<i>Geijera parviflora</i> - Australian willow
<i>Ginkgo biloba</i> - maidenhair (male only - no fruit)
<i>Handroanthus heptaphyllus</i> - pink trumpet
<i>Koelreuteria bipinnata</i> - Chinese flame
<i>Lagerstroemia indica x fauriei</i> 'Muskogee' - crape myrtle
<i>Lagerstroemia indica x fauriei</i> 'Tuscarora' - crape myrtle
<i>Lagerstroemia indica x fauriei</i> 'Natchez' - crape myrtle
<i>Lophostemon confertus</i> - Brisbane box (tristania)
<i>Magnolia grandiflora</i> - southern magnolia
<i>Metrosideros excelsa</i> - New Zealand Christmas tree
<i>Pistacia</i> 'Red Push' - Red Push Pistache
<i>Platanus X acerifolia</i> 'Columbia' - Columbia London plane
<i>Platanus mexicana</i> 'Alamo' - Alamo Mexican Sycamore
<i>Podocarpus macrophyllus</i> - yew pine
<i>Pyrus calleryana</i> 'Aristocrat' - Aristocrat Pear
<i>Zelkova serrata</i> - Japanese zelkova
SPECIALTY STOCK TREES (AVAILABLE FOR AN ADDITIONAL COST)
<i>Tristanopsis laurina</i> - water gum
<i>Spathodea campanulata</i> - African tulip

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, except as expressly provided for in this Policy. 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, or as otherwise authorized herein, 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 by the District can request such at the District office for a fee, which fee reflects the cost to the District, or may request a Resident Tree Trimming Permit. 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 planting or removal may 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.

3080.34 Resident Tree Trimming Permits. As an alternative or in addition to the tree trimming procedures set forth in section 3080.32, the General Manager may issue a permit to the owner and/or resident of real property to trim and/or prune any parkway tree on or adjacent to that real property. The General Manager shall promulgate rules and forms as necessary to administer the Tree Trimming Permit program. The decision of the General Manager to deny, revoke or rescind a permit may be appealed to the Board of Directors pursuant to the procedures set forth in section 3080.84(2). The following minimum requirements shall apply to the permit:

- (1) The trimming shall only be conducted by a licensed landscape contractor that has been pre-approved by the District;

- (2) The owner/resident shall pay all required permit fees; and
- (3) The owner/resident shall comply with all terms of the permit.

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 and/or unpermitted removal, damage, and/or pruning to or of any portion of a parkway tree is a misdemeanor punishable by 6 months in jail and/or a \$1,000 fine. In addition to the penalties set forth in Policy No. 3098, the District may also seek restitution for damages to District property as set forth herein. In the case of complete tree removal, or unauthorized tree pruning or root removal resulting in a tree being damaged beyond recovery or such that it poses an unacceptable safety risk and has to be removed, the responsible person shall be liable to the District for: (a) the appraised value of the removed tree based on the International Society of Arboriculture (ISA) trunk formula method; and (b) the cost of a 24-inch box replacement tree. If unauthorized tree pruning results in a loss of 40% or more of the live crown the responsible person will be required to pay to the District the difference between the appraised tree value of the tree before and the appraised tree value after the damage occurred. The responsible person shall also be liable for any and all costs and expenses to the District caused by a violation of this policy, including but not limited to, any appraisal costs as set forth herein.

3080.61 Parkway may not be cemented, bricked or covered with vegetation which prevents the planting of a parkway tree. In addition, 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. Artificial turf shall not be installed closer than three (3) feet from the base of the tree. Any work on the parkway that could involve the pruning of tree roots larger than two (2) inches in diameter 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/or the 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 violation of this policy. Nothing in this policy shall require the District to notify the responsible person prior to initiating a criminal action and/or issuing an administrative citation.

3080.84 The District may enforce this Policy by criminal, civil, and/or administrative action and/or citation. In order for the District to proceed by civil action to enforce or otherwise seek restitution for a violation of this Policy the following 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 pay the amount owed, the District may pursue civil litigation, including, but not limited to an action for injunctive, declaratory and/or other relief to remedy the violation, prevent future violations and/or obtain a judgment to recover the expenses and damages caused by 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 elects, 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.
- **Appraised value –** shall be based on the International Society of Arboriculture (ISA) trunk formula method which uses a formula to establish the monetary value of a tree based on its size, condition, species, and location.
- **Responsible person –** shall have the same meaning as in Policy No. 3098.

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.

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RCSD PROTOCOL FOR TREE ROOTS IN SEWER LINES

The original sewer systems in Rossmoor are now over 65 years of age and will likely have deteriorated underground, due to their age and the materials used when they were constructed. The pipes would have originally been connected using a clay material, which is not durable in the long term. Tree roots encroaching into lateral sewer lines are due to breakages in these deteriorated lines as trees seek water and nutrients that seep from them. Repairing or replacing the damaged sewer line will correct tree-root issues as tree roots do not have the ability to breach intact sewer lines.

District policy is to preserve our valuable urban forest and not to remove healthy trees. An exception will be made if it is necessary to cut away significant tree roots that would undermine the structural integrity of the tree while replacing or repairing a sewage line.

For removal to be considered, the resident must prove that the sewer line connection sits directly under the tree and cannot be repaired due to the tree or its roots.

District Insurance carrier California JPIA has stated that their policy regarding claims for residential sewer line repair will be looked at on a case-by-case basis to determine whether the sewer line damage is due to a homeowner maintenance issue or a tree root issue.

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