

RESOLUTION NO. 2024-128

CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2024-,  
APPROVING ADVERTISING AND CALL FOR BIDS FOR THE GLORYA  
JEAN TATE PARK IMPROVEMENTS PHASE 2 PROJECT.

WHEREAS, one of the key goals of the City of Marina Parks and Recreation Facilities Master Plan is to, “prioritize the improvement of existing parks and development of new parks.”; and

WHEREAS, the City Council has prioritized the funding, design, and construction of new city parks public and renovating existing city parks; and

WHEREAS, the parks concept plans were presented to a joint Public Works Commission and Recreation and Cultural Services Commission on February 21, 2019. The Commissioners received the presentation, heard comments from the public, and made recommendations for changes; and

WHEREAS, on April 9, 2019, the City Council passed Resolution 2019-36, receiving presentations on park concept plans for Sea Haven Park and provided comments; and

WHEREAS, on August 3, 2022, the City Council passed Resolution 2022-104 approving amendment No. 1 to the On Call Landscape Architectural Services with Verde Design, Inc. to allow the design and preparation of bidding documents for the Glorya Jean Tate Park Improvements, Phase 2; and

WHEREAS, on January 26, 2023, a community outreach meeting was held to collect input on the proposed playground equipment. Early this year the City staff worked with Verde and Kompan to check the viability of the play equipment purchased for the Sea Haven Park for the Glorya Jean Tate Park playground area; and

WHEREAS, on June 8, 2024, Resolution 2024-71, the City Council approved Final design of Glorya Jean Tate Park with provisions for staff to find a safer alternative for parking along Cardoza Avenue and relocation of the dog park for additional parking; and

WHEREAS, on June 8, 2024, Resolution 2024-71, the City Council approved Transfer of unexpended fund balance of approximately \$1,813,136 from Glorya Jean Tate Park (Capital Project # QLP2119) to Sea Haven Community Park (Capital Project # QLP 2016); and

WHEREAS, the Glorya Jean Tate Park Improvements, Phase 2 project (QLP 2119) is included in the Capital Improvement Program with a budget of \$8M; and

WHEREAS, on November 13, 2024 Tree Committee Resolution No. 2024-04, approved the removal of seven (7) non-native Lollypop trees (*Myoporum Laetum*).The project includes planting 52 evergreen trees from the approve tree list and arborist recommendations, sufficient to meet the 2:1 tree replacement requirement; and

WHEREAS, the Glory Jean Tate Park Improvements, Phase 2 project includes the following park elements; dog park, basketball court, two pickleball courts, exercise/fitness area and horseshoe/cornhole court, picnic areas with pavilions, open turf area, landscaping and walkways in and around the park, park entrances at Reservation Road and along Cardoza Avenue, parking extension with EV charging stations and playground area; and

WHEREAS, approval to advertise and call for bids for the construction of the Glorya Jean Tate Park Improvements Phase 2 Project is not a project as defined by the California Environmental Quality Act (CEQA) per Article 20 Section 15378 and under General Rule Article 5 Section 15061; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that does hereby:

1. Approve to advertise and call for bids for the construction of the Glorya Jean Tate Park Improvements Phase 2 Project

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19<sup>th</sup> day of November 2024, by the following vote:

AYES: COUNCIL MEMBERS: McAdams, McCarthy, Biala, Visscher, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ATTEST:

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Bruce C. Delgado, Mayor

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Anita Sharp, Deputy City Clerk

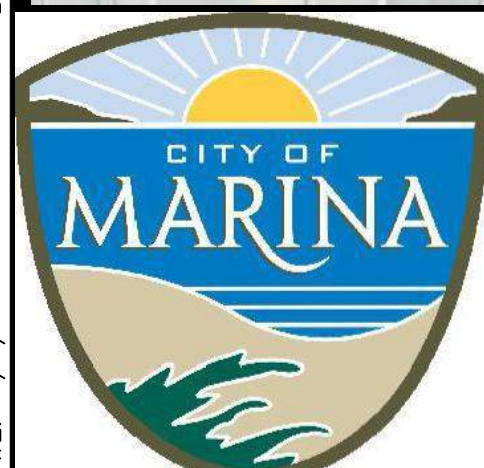


NOTES:

THIS ILLUSTRATIVE PLAN IS FOR VISUAL INFORMATION ONLY, USE  
CONSTRUCTION SHEETS FOR EXECUTION OF WORK.



Project Number: 2207300 0' 10' 20' 40' 60'

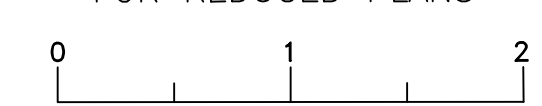


211 Hillcrest Avenue  
Marina, CA 93933

CITY OF MARINA  
DEPARTMENT OF PUBLIC WORKS

SCALE: SEE PLAN

ORIGINAL SCALE IN INCHES  
FOR REDUCED PLANS

[illegible]

**LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
SPORT PLANNING & DESIGN**

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**2455 The Alameda  
Santa Clara, CA 95050  
tel: 408.985.7200  
fax: 408.985.7260  
[www.VerdeDesignInc.com](http://www.VerdeDesignInc.com)**



GLORYA JEAN TATE PARK IMPROVEMENTS  
PHASE 2

ILLUSTRATIVE PLAN  
T0.2

|             |          |            |            |       |    |
|-------------|----------|------------|------------|-------|----|
| DESIGNED BY | DRAWN BY | CHECKED BY | JOB NUMBER | SHEET | OF |
| VERDE       | AZ       | DFC/DM     | QLP2119    | 3     | 45 |

VERDE DESIGN, INC. PROJECT NO. 2207300



## TREE COMMITTEE RESOLUTION NO. 2024-04

**TREE COMMITTEE RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE TREE REMOVAL PERMIT (TR 24-005) FOR THE REMOVAL OF SEVEN (7) TREES IN THE PUBLIC RIGHT-OF-WAY ADJOINING GLORYA JEAN TATE PARK. THIS RECOMMENDATION IS SUBJECT TO REPLACEMENT AT A 2:1 RATIO AND IS EXEMPT FROM ENVIRONMENTAL REVIEW PER § 15304 OF THE CEQA GUIDELINES.**

WHEREAS, the City of Marina City Council has authorized substantial renovations and redevelopment of Glorya Jean Tate Park (Park) including the development of new landscaping, hardscape trails and gathering places, and other improvements around the exterior perimeter of the Park which will result in damage to several of the existing trees;

WHEREAS, on October 14, 2024, the Contract City Engineer submitted application materials including an Arborist Report (Denise Duffy & Assoc., Oct. 11, 2024) prepared by a qualified arborist, in support of the proposed tree removal. The Arborist Report is included herein and referenced as **Exhibit A** to this document;

WHEREAS, on November 13, 2024, at a duly noticed public hearing, the Tree Committee considered TP 2024-005 requesting the removal of seven (7) non-native Lollypop trees within the public road right-of-way adjoining the south and east sides of the Park;

WHEREAS, after receiving public testimony and reviewing the information provided in **Exhibit A** referenced herein, the Committee recommends that trees numbered 531, 533-538 on the Exhibit be removed;

WHEREAS, the findings and conclusions made by the Tree Committee in this resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this resolution;

WHEREAS, the project is exempt from environmental review per Section 15304 of the CEQA Guidelines which allows minor alterations to land.

NOW THEREFORE BE IT RESOLVED that the Tree Committee, based on findings and conditions of approval (**Exhibit "B"**), and CEQA exemption, does hereby recommend that the City Council approve the removal of seven (7) trees subject to Chapter 17.62 of the Marina Municipal Code.

PASSED AND ADOPTED by the Tree Committee of the City of Marina at a duly noticed special on the 13<sup>th</sup> day of November, 2024, by the following vote:

AYES, MEMBERS: ELVIRA, ST. JOHN, MARKHAM, GARDNER

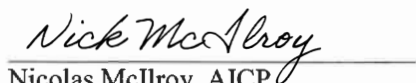
NOES, MEMBERS: NONE

ABSENT, MEMBERS: SIMMONS

ABSTAIN, MEMBERS: NONE

  
Jackie Gardner, Vice Chair

ATTEST:

  
Nicolas McIlroy, AICP  
Senior Planner  
City of Marina

**Exhibit A**

**Arborist Report prepared by Denise Duffy & Assoc. (DD&A) dated October 11, 2024**



**DENISE DUFFY & ASSOCIATES, INC.**  
PLANNING AND ENVIRONMENTAL CONSULTING

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Date: October 11, 2024

To: Elvie Camacho, Senior Civil Engineer  
Wallace Group

From: Patric Krabacher, ISA Certified Arborist 11759  
Denise Duffy & Associates, Inc.

**RE: Arborist Report for the City of Marina Glorya Jean Tate Improvements – Phase 2 Project**

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Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. This Arborist Report was prepared to satisfy the requirements of City Municipal Code Section 17.62 prior to the construction of the proposed Glorya Jean Tate Park Improvements – Phase 2 Project (project, **Appendix A**), which would require tree removal. In support of this effort, DD&A conducted an inventory of trees within the vicinity of the project which are proposed for improvements. This Arborist Report documents the results of the tree inventory, recommends tree removal where necessary to facilitate construction, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal.

## **METHODS**

### **Limitations**

It is not the intent of this report to provide a monetary valuation of the trees or provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present within the site. In addition to an inspection of the property, DD&A relied on information provided by the City and/or the City's consultants (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

### **Regulatory Setting**

#### City of Marina Municipal Code

MMC Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the root zone dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

MMC Section 17.62.060 requires replacement trees and/or payment based upon the replacement of the healthy trees to be removed on a minimum two-for-one basis or multiplied by three for each tree removed in violation of City Code.

MMC defines “tree” as any living woody perennial plant having a single stem of six (6) inches or more diameter at breast height (DBH; measured at 4.5 feet above ground) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines “dripline” as the greater of the outermost edge of the tree’s canopy, or fifteen times DBH measured from the center point of the tree. Saplings which do not meet MMC’s definition of a tree (i.e., are less than six [6] inches DBH) are not protected by City Code.

### California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits the take of nongame birds.

### **Survey Methods**

DD&A ISA Certified Arborist Patric Krabacher conducted an inventory of trees at the project site on October 8, 2024. The tree inventory included the mapping and tagging of all trees, as defined by City Code, within the project site. Trees were inventoried with City Code, as follows:

- All trees 6” diameter at breast height (DBH) or greater were tagged with a global positioning system (GPS) location and a numbered aluminum marker (on the most feasible/visible location possible).
- Diameter was recorded at breast height (4.5 feet above ground) or, for multi-stemmed trees, at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ( $\sqrt{\text{Stem 1 DBH}^2 + \text{Stem 2 DBH}^2 + \text{Stem 3 DBH}^2 \dots}$ ). This equation returns the diameter at the base of the tree (Chojnacky, 1999).
- Species, size, and health class were recorded for each tree. Tree health was recorded based on the following definitions:
  - *Good*. Tree is healthy and vigorous, as indicated by foliage color and density, and has no apparent signs of insect, disease, structural defects, or mechanical injury. Tree has good form and structure.
  - *Fair*. Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees in fair condition may be improved with correctional pruning.
  - *Poor*. Tree is in a general state of decline. Tree may show severe structural or mechanical defects which may lead to failure, and may have insect or disease damage, but is not dead.

Tree health was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations. In accordance with MMC’s definition of a “tree,” dead trees were not inventoried.

Tree tolerance to construction was also gathered while reviewing the proposed project plans and how the proposed project would impact each individual tree. Tolerance levels were defined as the following:

- *High*. Trees with a high tolerance are likely to remain healthy throughout construction.
- *Medium*. Trees with a medium tolerance will require tree protection throughout construction to remain healthy during and post construction.
- *Low*. Trees with a low tolerance rating may require removal, trimming, and/or additional tree protection to remain healthy during and post construction.

GPS data were collected using a Trimble® TDC600 GPS and were then digitized using Trimble® TerraFlex and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum.

## RESULTS

DD&A inventoried 25 trees in the proposed project site, including 12 Monterey cypresses (*Hesperocyparis macrocarpa*), and 13 lollypop trees (*Myoporum laetum*) (**Figure 1; Appendix B**).

Approximately 68% (17) of the trees are in fair (healthy) condition; the rest (8) are in poor condition. Observations per tree include:

- Trees 527 and 529, both Monterey lollypop trees, have bird nests that will require a nesting bird survey if the project commences during the nesting bird season (approximately February 1 through September 15).
- Trees 531, 534-538 (all lollypop trees) have structural issues including co-dominant stems with poor response growth and/or girdling roots.
- Trees 539 (Monterey cypress), has crown dieback and appears to have been topped.
- Trees 550 (Monterey cypress, is uprooting with the root plate visibly lifting; however, tree will not fall within project if it does in fact fail.





Glorya Jean Tate Park  
Improvements - Phase 2 Tree Survey Results

|                    |                                                                                                                                                                           |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date<br>10/11/2024 |  <b>DENISE DUFFY &amp; ASSOCIATES, INC.</b><br>Planning and Environmental Consulting |
| Scale              |                                                                                                                                                                           |

Path: D:\GIS\GIS\_P\Projects\2024-75 Marina On-Call Environmental\2024\Map\GUT\_Park\_Trees\GUT\_Park\_Trees.aprx



## DISCUSSION

DD&A is recommending the removal of seven (7) trees (**Figure 1**), all of which are lollypop trees (**Appendices B and C**). It is anticipated these seven (7) trees would not survive construction of the project due to their declining health or proximity to construction. In addition, lollypop trees are an invasive species per the California Invasive Plant Council (Cal-IPC). Lollypop trees are now ranked as “Moderate”, per Cal-IPC which is defined as:

*“These species have substantial and apparent-but generally not severe-ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance. Ecological amplitude and distribution may range from limited to widespread”.*

It is also anticipated that the remaining trees in the project site can be avoided during construction or protected in place (**Appendix D**).

In accordance with City Code, a tree removal permit from the City would be required to remove all living trees, including trees in poor condition; however, poor (or unhealthy) trees do not require mitigation in the form of replacement per City Code. Therefore, the City must acquire a tree removal permit from the Planning Commission for the seven (7) trees prior to construction. Tree removal must conform to any requirements established in the approved tree removal permit. In accordance with City Code and California Fish and Game Code, the following measures are recommended to avoid or minimize impacts potential adverse impacts resulting from tree removal:

1. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.
2. To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Appendix D**. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.
3. Prior to ground-disturbing activities, the project contractor shall install protective fencing around trees directly adjacent to the work area which are not scheduled for removal. Protective fencing shall be maintained throughout the duration of construction. A qualified arborist, forester, or biological monitor shall conduct a site visit weekly throughout the duration of construction to ensure that protective fencing remains intact. Recommendation



4. A qualified arborist, forester, or biological monitor shall be on-site during all initial ground-disturbing activities and vegetation removal. Following initial ground-disturbing activities, the qualified arborist, foresters, or biological monitor shall conduct a site visit weekly throughout the duration of construction to ensure that the tree protection measures identified in **Appendix D** are implemented.

Due to the lack of canopy or urban forest within the site, it is also recommended that all trees be replanted regardless of their condition and species. Recommended species in addition to those already identified in **Appendix A** to be planted to offset the removal of the seven (7) trees include:

- Coast beefwood (*Casuarina strict*)
- Brisbane box (*Lophostemon Conifertus*)
- Catalina ironwood (*Lyonothamnue floribundus*)
- Monterey Cypress (*Hesperocyparis macrocarpa*)

This recommendation would include the replacement of all seven (7) trees at a 2:1 ratio for a total of 14 replacement plantings.

If you have any comments or questions about this report, please contact Patric Krabacher at [pkrabacher@ddaplanning.com](mailto:pkrabacher@ddaplanning.com) or (831) 373-4341 ext. 29.

## REFERENCES

David C. Chojnacky. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Breast Height.

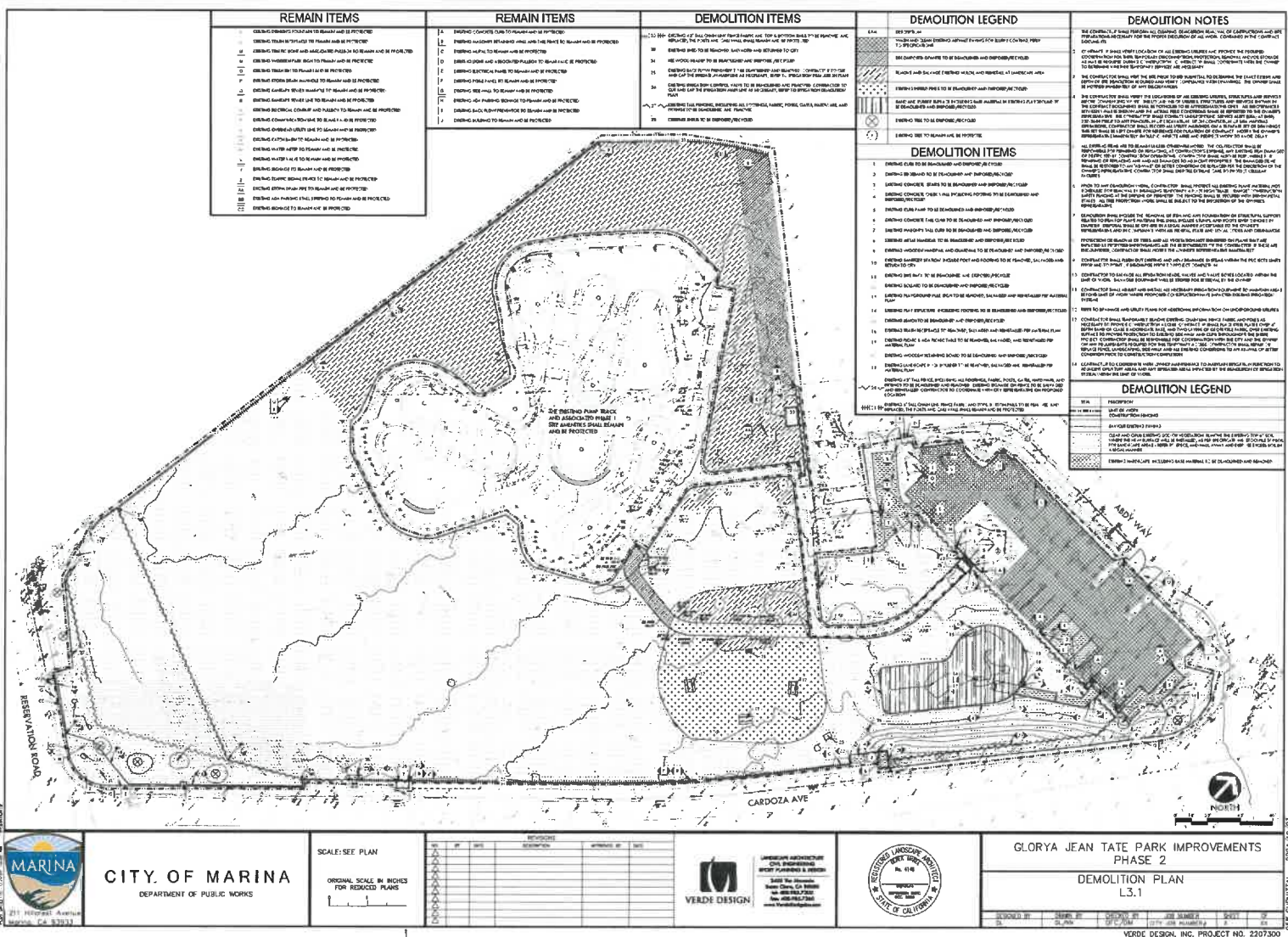


**APPENDIX A**

**Glorya Jean Tate Park Improvements Project – Phase 2**

**Site Plans**











**APPENDIX A**

Tree Table



| Tag# | Scientific Name           | Common Name      | Individual Stem DBH (in) |    |    |    | Total DBH (in) | Tree Dripline Per MMC (ft) | Tree Protection Zone (ft) | Health | Recommendation   | Tolerance to Construction | Comments                         |
|------|---------------------------|------------------|--------------------------|----|----|----|----------------|----------------------------|---------------------------|--------|------------------|---------------------------|----------------------------------|
| 526  | Myoporum laetum           | Lollypop Tree    | 14                       |    |    |    | 14             | 18                         | 7                         | Fair   | Protect in Place | Low                       | Girdling Roots                   |
| 527  | Myoporum laetum           | Lollypop Tree    | 6                        | 8  |    |    | 10             | 13                         | 5                         | Fair   | Protect in Place | Medium                    | Bird Nest                        |
| 528  | Myoporum laetum           | Lollypop Tree    | 14                       |    |    |    | 14             | 18                         | 7                         | Fair   | Protect in Place | Low                       | Girdling Roots                   |
| 529  | Myoporum laetum           | Lollypop Tree    | 10                       |    |    |    | 10             | 13                         | 5                         | Fair   | Protect in Place | Medium                    | Bird Nest                        |
| 530  | Myoporum laetum           | Lollypop Tree    | 11                       |    |    |    | 11             | 14                         | 6                         | Poor   | Protect in Place | Low                       | Girdling Roots, Codominant Stems |
| 531  | Myoporum laetum           | Lollypop Tree    | 10                       |    |    |    | 10             | 13                         | 5                         | Poor   | Remove           | Low                       | Girdling Roots, Crown Dieback    |
| 532  | Myoporum laetum           | Lollypop Tree    | 14                       |    |    |    | 14             | 18                         | 7                         | Fair   | Protect in Place | Low                       |                                  |
| 533  | Myoporum laetum           | Lollypop Tree    | 16                       |    |    |    | 16             | 20                         | 8                         | Fair   | Remove           | Low                       |                                  |
| 534  | Myoporum laetum           | Lollypop Tree    | 9                        |    |    |    | 9              | 11                         | 5                         | Poor   | Remove           | Low                       | Girdling Roots                   |
| 535  | Myoporum laetum           | Lollypop Tree    | 14                       |    |    |    | 14             | 18                         | 7                         | Fair   | Remove           | Low                       | Girdling Roots                   |
| 536  | Myoporum laetum           | Lollypop Tree    | 14                       |    |    |    | 14             | 18                         | 7                         | Poor   | Remove           | Low                       | Girdling Roots                   |
| 537  | Myoporum laetum           | Lollypop Tree    | 12                       |    |    |    | 12             | 15                         | 6                         | Poor   | Remove           | Low                       | Girdling Roots                   |
| 538  | Myoporum laetum           | Lollypop Tree    | 13                       |    |    |    | 13             | 16                         | 7                         | Poor   | Remove           | Low                       | Girdling Roots                   |
| 539  | Hesperocyparis macrocarpa | Monterey Cypress | 22                       | 19 | 7  |    | 30             | 37                         | 15                        | Poor   | Protect in Place | Low                       | Topped                           |
| 540  | Hesperocyparis macrocarpa | Monterey Cypress | 15                       |    |    |    | 15             | 19                         | 8                         | Fair   | Protect in Place | Low                       |                                  |
| 541  | Hesperocyparis macrocarpa | Monterey Cypress | 6                        | 10 | 16 | 28 | 34             | 43                         | 17                        | Fair   | Protect in Place | Low                       |                                  |
| 542  | Hesperocyparis macrocarpa | Monterey Cypress | 13                       |    |    |    | 13             | 16                         | 7                         | Fair   | Protect in Place | Medium                    |                                  |
| 543  | Hesperocyparis macrocarpa | Monterey Cypress | 58                       |    |    |    | 58             | 73                         | 29                        | Fair   | Protect in Place | Low                       |                                  |
| 544  | Hesperocyparis macrocarpa | Monterey Cypress | 16                       | 25 | 28 |    | 41             | 51                         | 20                        | Fair   | Protect in Place | Low                       |                                  |
| 545  | Hesperocyparis macrocarpa | Monterey Cypress | 11                       |    |    |    | 11             | 14                         | 6                         | Fair   | Protect in Place | Medium                    |                                  |
| 546  | Hesperocyparis macrocarpa | Monterey Cypress | 6                        | 6  | 7  | 8  | 14             | 17                         | 7                         | Fair   | Protect in Place | Medium                    |                                  |
| 547  | Hesperocyparis macrocarpa | Monterey Cypress | 10                       |    |    |    | 10             | 13                         | 5                         | Fair   | Protect in Place | Medium                    |                                  |
| 548  | Hesperocyparis macrocarpa | Monterey Cypress | 8                        | 12 |    |    | 14             | 18                         | 7                         | Fair   | Protect in Place | Low                       |                                  |
| 549  | Hesperocyparis macrocarpa | Monterey Cypress | 24                       | 23 |    |    | 33             | 42                         | 17                        | Fair   | Protect in Place | Low                       |                                  |
| 550  | Hesperocyparis macrocarpa | Monterey Cypress | 20                       |    |    |    | 20             | 25                         | 10                        | Poor   | Protect in Place | Low                       | Tree uprooting                   |



**APPENDIX B**

Photo Log



526.JPEG



527.JPEG



528.JPEG



529.JPEG





530.JPEG



531.JPEG



532.JPEG



533.JPEG





534.JPEG



535.JPEG



536.JPEG



537.JPEG





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540.JPEG

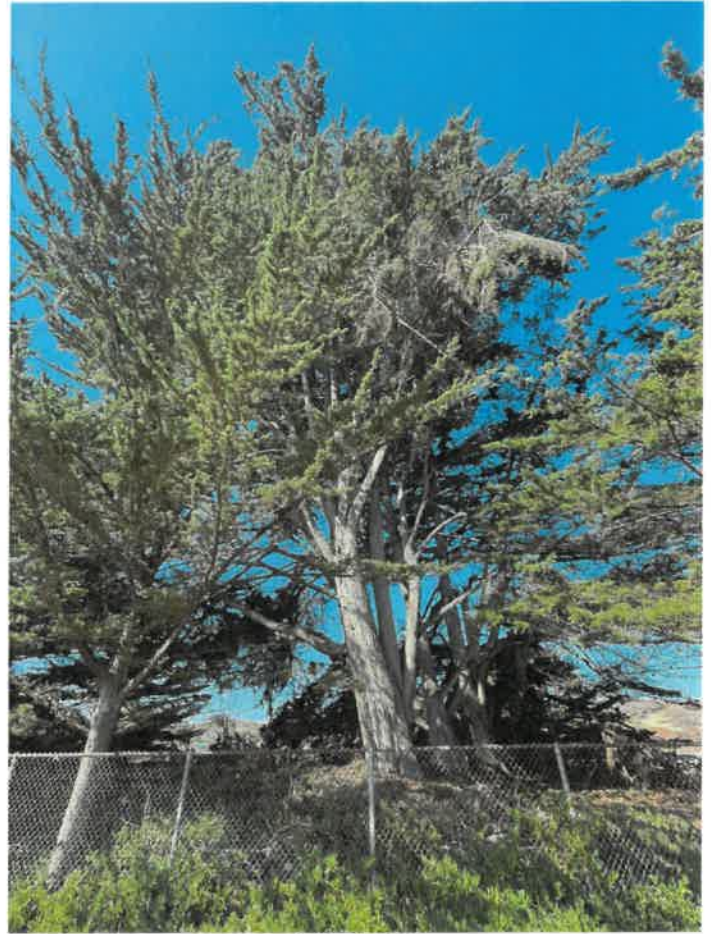


541.JPEG





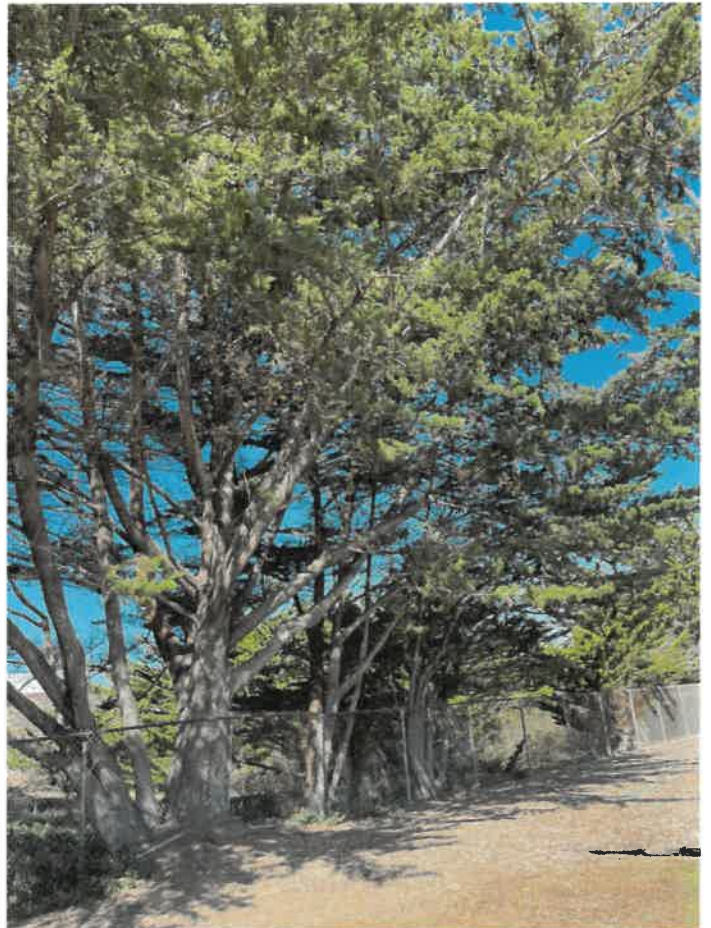
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543.JPEG

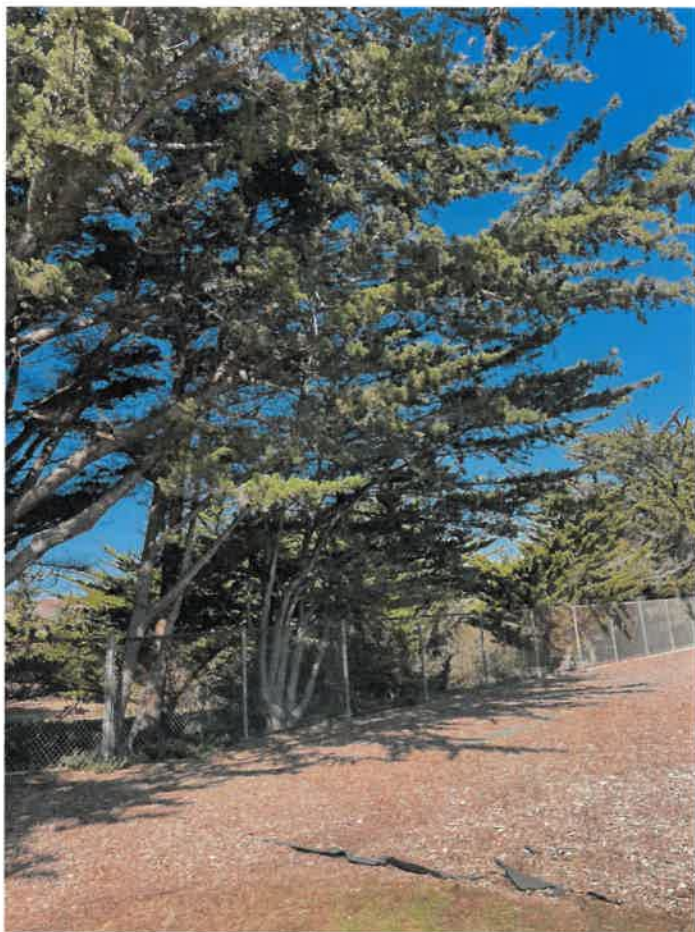


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## **APPENDIX C**

### **Best Management Practices for Working Near Trees**



Tree Protection and Best Management Practices (BMPs)

Prior to the commencement of project related activities, the following tree BMPs shall be implemented and approved by a qualified arborist or forester:

- Trees located adjacent to the construction area shall be protected from damage by construction through the use of temporary fencing and wrapping of trunks with protective materials.
- Fencing shall consist of chain link, supported snowdrift or plastic mesh, hay bales, or field fence. Fencing shall have cross bracing (typically 2x4 material) on both the top and lower edges of the fencing material to prevent sagging and provide lateral support. Fencing shall stand a minimum height of four feet above grade and be placed to the farthest extent possible from the base of the trees, protecting the trees drip line area (typically 10-12 feet away from the base of a tree).
- In the cases where access or space is limited it is permissible to protect trees within the 10-12-foot distance after determination and approval are made by a qualified forester or arborist.
- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials is not permitted adjacent to trees on the property, especially within fenced areas.
- Fenced areas and the trunk protection materials shall remain in place during the entire construction period. Torn or damaged roots shall be cleanly cut to sound wood wherever possible to minimize decay entry points. Any roots found that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. No tree seals shall be used as the seal material only promotes decay.
- A mulch layer up to approximately 4 inches deep should be applied to the ground under-protected trees following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on-site.
- Irrigation should be that of normal for exterior planting. Normal watering means that soil should be kept evenly moist and watered regularly, as conditions require. Most plants prefer one (1) inch of water a week during the growing season, but care needs to be taken not to over water. It is better to water once (1) a week and water deeply (over 24 inches), than to water frequently for a few minutes.



### Tree Pruning

It is to be understood that the pruning of retained trees is expected for this site. Pruning shall conform to the following standards:

- Clear the crown of diseased, crossing, weak, and dead wood to a general minimum size of 1-1/2 inch in diameter.
- Remove stubs, cutting outside the wound wood tissue that has formed around the branch.
- Interior branches shall not be stripped out.
- Reduce end weight on heavy, horizontal branches by selectively removing small- diameter branches, no greater than three (3) inches, near the ends of the scaffolds. In some cases, larger diameters may be removed depending on the situation (where critical for safety).
- Pruning cuts larger than four (4) inches in diameter, except for deadwood, shall be avoided, unless deemed crucial for safety (broken, cracked, crossing, rubbing, etc.). Pruning cuts that expose heartwood shall be avoided whenever possible.
- Pruning shall not be performed during periods of flight of adult boring insects because fresh wounds attract pests (generally spring). Pruning shall be performed only when the danger of infestation has passed.
- All pruning shall be performed by a qualified arborist or under the supervision of an ISA Certified Arborist or Tree Worker. Arborists are required to have a State of California Contractors License for Tree Service (C-61/D49) and provide proof of worker's compensation and general liability insurance.
- All pruning shall be following the Tree Pruning Guidelines (International Society of Arboriculture) and/or the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z133.1.
- No more than 20 percent of live foliage shall be removed within the trees.
- Brush shall be chipped, and chips shall be spread underneath trees within the tree protection zone to a maximum depth of 6 inches, leaving the trunk clear of mulch.

Following construction, a qualified arborist should monitor trees adjacent to the area of the improvements and if any decline in health that is attributable to the construction is noted, additional trees should be planted on the site.

### Root Barriers

Severe pruning of tree roots may lead to a major decline or tree death. The best solution is to select trees that are less likely to become a problem or to plant further away from foundations, curbs, gutters, parking lots, sidewalks, and driveways to reduce tree growth or to allow them to grow in another direction. Place barriers in the soil to a depth of 18 to 24 inches (see landscape details) by trenching along the area to be protected at a distance of five (5) times the trunk diameter. In the cases where access or space is limited, it is permissible to reduce the distance after determination and approval are made by a qualified forester or arborist.

**Exhibit B****Conditions of Approval**

1. **Timing of Tree Removal.** Work will be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.
2. **Display of Tree Removal Permit.** Prior to and during the removal of any tree approved for removal, a copy of the tree removal permit shall be displayed on site. If no tree removal permit is displayed, the City will issue a stop work order and commence the City's administrative fine process.
3. **Tree Protection.** To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Appendix C** of the Arborist Report prepared for this project. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.

Prior to ground-disturbing activities, the project contractor shall install protective fencing around trees directly adjacent to the work area which are not scheduled for removal. Protective fencing shall be maintained throughout the duration of construction. A qualified arborist, forester, or biological monitor shall conduct a site visit weekly throughout the duration of construction to ensure that protective fencing remains intact.

4. **Prior to Ground Disturbing Activities.** A qualified arborist, forester, or biological monitor shall be on-site during all initial ground- disturbing activities and vegetation removal. Following initial ground-disturbing activities, the qualified arborist, foresters, or biological monitor shall conduct a site visit weekly throughout the duration of construction to ensure that the tree protection measures identified in **Appendix C** are implemented.
5. **Replacement Trees.** Replacements for the two (2) healthy trees removed shall be planted according to the recommendations included in the Arborist Report and the City's Recommended Tree List at a 2:1 ratio; i.e., 4 trees.
6. **Site Restoration Plan.** The ground surface shall be restored in the vicinity of the tree removals. Restoration shall include but not be limited to the removal of tree stumps and filling of any holes left by the removal.
7. **Encroachment Permit.** An encroachment permit from the City's Public Works Dept. will be required for all of the tree removal activities as the trees are located within the public right-of-way (ROW).



### Tree Removal Permit Findings

MMC 17.62.060.C. *Required Findings for Approval of Tree Removal Permit.* The following findings are required prior to approval or conditional approval of a tree removal permit:

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or

*The seven (7) trees identified for removal are in fair and poor condition and are not expected to survive the likely impacts of nearby disturbance related to the Council-approved improvements to Glorja Jean Tate Park (Park).*

2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or

*The trees are not known to host such organisms, but the *Myoporum laetum* (Lollypop trees) are now considered by the California Invasive Plant Council to be invasive given their high rate of dispersal (Arborist Report, pg. 5).*

3. The location of more than three trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or

*The trees proposed for removal are within or immediately adjacent to the limits of work identified on the site plan included in the Arborist Report.*

4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or

*The tree species (*Myoporum laetum*) and condition of the trees are such that they can no longer be supported as a part of the overall Park plan.*

5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

*The root systems of the trees proposed for removal will be impacted by grading and development activities.*

6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and

*The trees do not qualify as any of the above.*

7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and

*Several of the trees are shrubby in nature and are near the end of their natural life. The proposed park landscaping will exceed the 2:1 ratio by 36 evergreen trees and many hundreds of shrubs and groundcovers. The mature Monterey cypress along the Park's western boundary (within the Caltrans right-of-way) will remain.*

8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

*The removal request is associated with a Council-approved conceptual rehabilitation and redevelopment plan for Glorya Jean Tate Park. This item will be going to City Council for final approval in November 2024.*





November 12, 2024

Agenda Item: **10e(1)**

Honorable Mayor and Members  
of the Marina City Council

City Council Meeting  
November 19, 2024

**CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2024-,  
APPROVING ADVERTISING AND CALL FOR BIDS FOR THE GLORYA  
JEAN TATE PARK IMPROVEMENTS PHASE 2 PROJECT.**

**REQUEST:** It is requested that the City Council consider:

1. Adopting Resolution No. 2024-, for the approval to advertise and call for bids for the construction of the Glorya Jean Tate Park Improvements Phase 2 Project.

**BACKGROUND:**

In 2005 the City of Marina adopted a Parks and Recreation Facilities Master Plan. One of the key goals of this plan was to, “Prioritize the improvement of existing parks and development of new parks.” The City Council has prioritized the funding, design, and construction of city parks including the new Sea Haven Park and Dunes City Park and the renovation of the existing Glorya Jean Tate Park, Windy Hill Park, and Preston Park.

The funding for these parks improvements primarily comes from the Park Impact fee which is charged to each new residential building permit that is issued and is approximately \$10,500 per single family unit. This fee provides for the development of new parks, impacted by the new homes being built.

Many public meetings and open houses have been held for improvements to city parks, particularly Sea Haven, Glorya Jean Tate and Dunes City Park. An open house on parks design was held on November 13th, 2018. At the open house, community members viewed plan sheets that showed the existing parks and bubble diagrams containing elements identified in master plans.

The parks concept plans were presented to a joint Public Works Commission and Recreation and Cultural Services Commission on February 21, 2019. The Commissioners received the presentation, heard comments from the public, and made recommendations for changes.

On April 9, 2019, the City Council passed Resolution 2019-36, receiving presentations on various park concept plans and provided comments. The revised concept plan for Glorya Jean-Tate Park served as a basis for the pump track and future park improvement designs. In subsequent meetings the council has approved final design plans for Sea Haven and Glorya Jean Tate Parks.

On August 3, 2022, Resolution 2022-104, the City Council approved amendment 1 to the On-Call Landscape Architectural Services Agreement with Verde Design, Inc. for the design and preparation of construction documents for the Glorya Jean Tate Park Improvements Phase 2 Project. The project was put on hold while evaluating playground equipment on various City parks. Early this year the City staff worked with Verde and Kompan to check the viability of the play equipment purchased for the Sea Haven Park for the Glorya Jean Tate Park playground area.

The first phase of the Glorya Jean Tate Park was the construction of the Pump Track and Restroom Improvements. The City Council accepted completion of the Pump Track on October 17, 2023, Resolution No. 2023-101. The Restroom Improvement was completed through the General Building On-Call Contract.



On June 8, 2024, Resolution 2024-71, the City Council approved the following:

- Final design of Sea Haven Park including relocating playground equipment originally purchased for Sea Haven Park to Glorya Jean Tate Park.
- Final design of Glorya Jean Tate Park with provisions for staff to find a safer alternative for parking along Cardoza Avenue and relocation of the dog park for additional parking.
- Transfer of unexpended fund balance of approximately \$1,813,136 from Glorya Jean Tate Park (Capital Project # QLP2119) to Sea Haven Community Park (Capital Project # QLP 2016).

On November 13, 2024 Tree Committee adopted Resolution No. 2024-04 (**EXHIBIT B**), approved the removal of seven (7) non-native Lollypop trees (*Myoporum Laetum*). The project includes planting 52 evergreen trees from the approve tree list and arborist recommendations, sufficient to meet the 2:1 tree replacement requirement.

### **ANALYSIS:**

The Glorya Jean Tate Park Improvements, Phase 2 project, shown on Illustrative plan, **EXHIBIT A**, highlights the following park elements;

- Dog Park, sectioned to separate the smaller dogs from that of the larger dogs.
- Basketball court, two pickleball courts, exercise/fitness area and horseshoe/cornhole court.
- Picnic areas with pavilions.
- Open turf area and walkways in and around the park.
- Landscaping, including planting new 52 evergreen trees
- Park entrances at Reservation Road and along Cardoza Avenue.
- Parking extension (23 additional parking stalls) with Electric Vehicles (EV) charging stations.
- Play area, using play equipment initially procured for the Sea Haven Community Park.

The work included in this call for bids is the construction of the park elements mentioned above, including infrastructure to support the installation of the playground and fitness equipment. The playground and fitness equipment, installation and necessary surfacing were purchased by the City directly from Kompan and not included in this call for bids.

Construction of the Glorya Jean Tate Park Improvements Phase 2 project will be coordinated and closely monitored to allow the construction of the park improvements and installation of playground equipment and fitness equipment smoothly minimizing conflicts and delays.

Staff reviewed traffic circulation, vehicles and pedestrians, along Cardoza Avenue adjacent to the park. On-street parking is not the safest option for overflow parking to support the park, but it is not uncommon. Path of travel sign “USE SIDEWALK AND CROSSWALKS TO GLORYA JEAN TATE PARK” will be installed along the on-street parking at the east side of Cardoza Avenue. Cardoza Avenue and Abdy intersection is currently two-way stop with Cardoza Avenue as through street. Staff will evaluate the intersection after the park opened and check if a four-way stop is warranted.

### **FISCAL IMPACT:**

This action, approving advertising and call for bids, does not have fiscal impact. This is an approved CIP project with a funding amount of \$ 1,700,000 (Prior Years), \$3,150,000 (FY 2023-2024), and \$3,150,000 (FY 2024-25) for a total project funding of \$8,000,000.

Resolution 2024-71 authorized a transfer of unexpended fund balance of approximately \$1,813,136 from Glorya Jean Tate Park (Capital Project # QLP2119) to Sea Haven Community Park (Capital Project # QLP 2016).

The Engineer's Opinion of Probable Construction Cost for this project is \$4,700,000. If an award is made for this project funding will come from Capital Project # QLP2119.

**California Environmental Quality Act (CEQA)**

This approval to advertise and call for bids for the construction of the Glorya Jean Tate Park Improvements Phase 2 Project is not a project as defined by the California Environmental Quality Act (CEQA) per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

**CONCLUSION:**

This request is submitted to the City Council for consideration and input.

Respectfully submitted,

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Elvira Morla-Camacho, P.E., QSD/P  
Project Management Services  
Wallace Group

**REVIEWED/CONCUR:**

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Andrea M. Willer, Ed. D.  
Recreation & Cultural Services Director  
City of Marina

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Layne P. Long  
City Manager  
City of Marina